



**Personnel
Policy
Handbook**

SUNSHINE VILLAGE PERSONNEL POLICY HANDBOOK

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WELCOME MESSAGE FROM THE EXECUTIVE DIRECTOR

Thank you for choosing to work for Sunshine Village!

On behalf of the Board of Directors, it is my pleasure to welcome you as a new employee. You are now part of a nationally recognized non-profit organization that has been improving the lives of people with disabilities since 1967.

Our mission statement and code of ethics clearly signify our commitment for people with disabilities; however, I know that providing a caring, supportive work environment for our employees are the keys to everything we hope to accomplish at Sunshine Village. As an Employer of Choice, we work hard to provide you with a work place that recognizes and rewards you for helping us to achieve our mission.

This Employee Handbook is designed to help you understand the policies and procedures that we follow in doing our work each day. It is a resource that you can refer to during your career with Sunshine Village.

You can expect maximum support from your co-workers, managers and trainers. Additionally, you can call Christine Pollender, Director of Human Resources, with your concerns or ask questions of your Program Manager.

We are happy that you are here and hope that your career with us will be a gratifying experience.

Welcome to Sunshine Village!

Very truly yours,

Gina Kos
Executive Director

INTRODUCTION

The Personnel Policy Handbook of Sunshine Village, also, at times, referred herein as “the Agency,” sets forth established policies and guidelines governing the benefits offered by the organization, as well as normal job responsibilities required of each employee. The Personnel Policy Handbook serves as a guide to assist each employee in meeting his/her responsibilities and enjoy the benefits of the organization.

ABOUT THIS HANDBOOK

The Personnel Policy Handbook is not a contract of employment and should not be construed as such; nor does it contain any expressed or implied promises. Employment at Sunshine Village is on an at-will basis; meaning that either you or Sunshine Village can end the employment relationship at any time. This handbook supersedes all previous editions that may have been issued and the Agency reserves the right to revise any policy at any time with the approval of the Board of Directors in accordance with the needs of the Agency.

GUIDING OUR DECISIONS

MISSION STATEMENT

Sunshine Village is an organization committed to improving the lives of people with disabilities and people with autism in Western Massachusetts. This is achieved through a mission of supporting people with disabilities and their families by promoting opportunities that enhance their lives.

CODE OF ETHICS

Sunshine Village has actionable and absolute Organizational Values that serve as a foundation for all the organization does. These Organizational Values serve as the agency’s Code of Ethics.

I will treat everyone with dignity and respect

I will respect and value diversity

I will cultivate community awareness through education and advocacy

I will heighten individual and family empowerment by promoting informed choice

I will emphasize learning as a lifelong process

I will facilitate environments that promote health, safety and personal growth

I will foster an atmosphere of teamwork and open communication

I will promote community membership

I will support the organization in:

 Serving individuals with a wide array of abilities and needs

 Designing, delivering and modifying supports to meet individual need and preference

Implementing policies and practices in an ethical, legal, accurate and fiscally responsible manner

Providing training and support to promote high levels of competency in staff and volunteers

Sunshine Village takes this Code of Ethics very seriously. All employees are responsible for compliance with all aspects of this code. All new employees shall be required to read this code and attest in writing that they have done so. The matters addressed by this code are sufficiently important that any lapse in judgment within the areas covered here may be considered serious enough to warrant discipline up to and including dismissal.

EMPLOYEE CODE OF CONDUCT

Employees of Sunshine Village are committed to observing and promoting the highest standards of ethical conduct in the performance of their responsibilities and have pledged to accept this code as a minimum guideline for ethical conduct. This code is not a set of new beliefs, but is a reaffirmation of enduring values and practices.

Each Employee shall:

Accountability

1. Comply with all federal and state laws, mandated regulations and agency policies.
2. Act with care and diligence while performing duties.
3. Fully disclose, at the earliest opportunity, information of fact that would have significance in decision-making.
4. Use all agency resources in a proper manner.
5. Comply with any lawful and reasonable direction given by someone in the organization with the authority to give the direction.

Professional Excellence

6. Behave honestly and with integrity in all Sunshine Village dealings.
7. Treat everyone with respect and courtesy and without harassment.
8. Strive to uphold these practices and assist other members of the agency in upholding the highest standards of conduct.

Equal Opportunity

9. Ensure the rights of everyone associated with the agency without discrimination on the basis of race, color, religion, sex, age, handicap, disability, national origin, sexual orientation, veteran status or marital status in accordance with all applicable legal and regulatory requirements.

Confidential Information

10. Respect the confidentiality of sensitive information about consumers known due to employment.

Sunshine Village takes this Code of Conduct very seriously. All employees are responsible for compliance with all aspects of this code. All new employees shall be required to read this code and attest in writing that they have done so. The matters addressed by this code are sufficiently important that any lapse in judgment within the areas covered here may be considered serious enough to warrant discipline up to and including dismissal.

EQUAL OPPORTUNITY POLICIES

The Equal Opportunity Policies ensure the rights of everyone associated with the agency without discrimination on the basis of race, color, religion, sex, gender identity or expression, genetic information, age, disability, national origin, sexual orientation, veteran status or military status in accordance with all applicable legal and regulatory requirements.

AFFIRMATIVE ACTION STATEMENT / EQUAL EMPLOYMENT OPPORTUNITY

Sunshine Village is committed to Equal Employment Opportunity. It is the policy of Sunshine Village to provide equal employment opportunities to all people without regard to race, color, religion, sex, gender identity or expression, genetic information, age, disability, national origin, sexual orientation, veteran or military status. A positive, continuing program, to be known as Sunshine Village's Affirmative Action Program, will accomplish a full realization of this policy. Sunshine Village is committed to assuring equal opportunity and equal consideration to all applicants and employees in personnel matters, including recruitment and hiring, training, work assignments and scheduling, promotion, salaries and other compensation, transfer, and layoff or termination. In the implementation of this policy, Sunshine Village will actively seek out qualified handicapped, minority and women personnel for all job levels within the organization through upgrading and recruitment. Sunshine Village will endeavor to eliminate, whenever possible, any architectural barriers which may be a deterrent to employment, volunteering or service on the Board of Directors.

DISSEMINATION OF EEO POLICY

Sunshine Village's Equal Employment Opportunity Policy is and will continue to be communicated to all applicants, employees and the general public and posted in prominent locations. The Affirmative Action Officer, who reports directly to the Executive Director, will be responsible for monitoring compliance with the Affirmative Action Program. The Sunshine Village's EEO Policy will be disseminated in the following ways:

The policy will be specifically included in the personnel policies and will be a continuing and essential component of the personnel policies and procedures.

A copy of the Affirmative Action Plan will be maintained in the office of the Affirmative Action Officer and is available to any employee for review and discussion.

The policy will be discussed in employee orientation, training programs and in appropriate management and supervisory meetings.

A self-evaluation plan will be conducted annually to assure that no otherwise qualified person with handicaps is denied access to a benefit from agency activities, including employment opportunities. Affirmative Action and Equal Employment Opportunity Notices are on display in visible locations at every Sunshine Village site.

As job openings develop, recruitment sources will be informed of the Equal Employment Opportunity Policy stipulating that women and minority candidates will be actively recruited for all positions listed. Equal opportunity clauses will be incorporated in all advertisements.

NONDISCRIMINATION

Sunshine Village does not discriminate against any person because of her/his race, color, religious creed, national origin, sex, gender identity or expression, genetic information, sexual orientation, age, ancestry, disability, veteran status or military status in the provision of or access to services, employment and activities. This is in accordance with all applicable federal and state law, including, but not limited to, Section 504 of the Rehabilitation Act of 1973, as amended, the Americans with Disabilities Act, as amended, the Civil Rights Act of 1964, as amended, Article 114 of the Massachusetts Constitution, Chapters 151B and 272, sections 92, 98, and 98A of the Massachusetts General Laws and Executive Orders 227, 246, and 253.

The Director of Human Resources is designated to administer compliance with the law and regulations. No person will be excluded from service because of race, color, disability, sexual orientation, religion, religious creed, sex, gender identity or expression, genetic information, age, military or veteran status or national origin.

There will be no segregation of persons served on the basis of race, color, disability, sexual orientation, religion, religious creed, sex, gender identity or expression, genetic information, age, military or veteran status or national origin.

Sunshine Village has a written plan for positive action to achieve equal employment opportunity for all persons in the filling of its staff positions, including elements such as: advertising in the general media to fill jobs; self-identification as an equal employment opportunity employer in recruitment advertisements; and the use of employment agencies which do not discriminate on the basis of race, color, handicap, disability, sexual orientation, religion, creed, sex, age, veteran status or national origin.

AMERICANS WITH DISABILITIES ACT

No one will be denied any employment opportunity including, but not limited to, hiring promotion or transfer or be discriminated against with respect to any term or condition of employment on the basis of disability. Whenever possible, we will make a reasonable accommodation to a known disability in order to allow an applicant to fairly apply for employment and to enable a disabled employee to perform the tasks essential to the job he or she holds or seeks, except where such an accommodation would create an undue hardship. The Agency cannot provide you with a reasonable accommodation if you do not inform us of your disability. Whenever possible, we will also make a reasonable

accommodation to a known disability that would make it difficult for an employee to receive customary training or evaluations.

In fulfilling our commitment to comply with the ADA, we may have the need to call on our employees to help provide a reasonable accommodation to a disabled co-worker. You may be asked to assume additional duties if we modify a disabled employee's work schedule or reassign a non-essential task from their job to yours.

REASONABLE ACCOMODATIONS POLICY

The Reasonable Accommodations Policy provides guidelines and procedures for employees and candidates for employment who are requesting an accommodation due to a qualifying disability as defined by the Americans with Disabilities Act "ADA" as amended, "ADA AA" and the Rehabilitation Act of 1973, as amended "Rehabilitation Act". This policy applies to all employees and all candidates for employment.

Definitions: Direct Threat to Safety - A significant risk to the health or safety of the individual or others that cannot be eliminated by reasonable accommodation.

Disability: A person is "disabled" under this policy if that person has a physical or mental impairment that substantially limits him or her in one or more major life activities.

Essential Job Functions: The basic job duties that an employee must be able to perform in his or her assigned job, with or without reasonable accommodation. Factors to consider in determining if a function is essential include: (a) whether the reason the position exists is to perform that function, (b) the number of other employees available to perform the function or among whom the performance of the function can be distributed, (c) the degree of expertise or skill required to perform the function, (d) the time spent performing a function, and (e) the consequences of not requiring that an employee perform a function.

Qualified Individual with a Disability: An employee or candidate with a disability who has the necessary skill, education, experience and other job-related requirements to perform the essential functions of a position with or without a Reasonable Accommodation.

Reasonable Accommodation: Reasonable Accommodation is any modification or adjustment to a job, job schedule or the work environment that will enable a qualified candidate or employee with a disability to participate in the application process or to perform essential job functions, or enjoy other benefits of employment without imposing an undue hardship on Sunshine Village or imposing a direct threat of safety to the individual or others in the workplace. Examples of Reasonable Accommodation may include making existing facilities used by employees readily accessible to and usable by an individual with a disability; restructuring a job; modifying work schedules; acquiring or modifying equipment; providing qualified readers or interpreters; or appropriately modifying examinations, training, or other programs. However, there is no obligation to find or create a position as an accommodation. Sunshine Village is not required to lower quality or quantity standards as an accommodation; nor is it obligated to provide personal use items such as glasses or hearing aids.

Sunshine Village is not required to reallocate essential functions of a job as a reasonable accommodation.

Undue Hardship: The point at which an accommodation would be unduly costly, extensive, substantial or disruptive, or would fundamentally alter the nature or operation of the business.

Process: Reasonable Accommodation: Sunshine Village will make reasonable accommodations whenever necessary for all qualified employees or candidates for employment with disabilities (as defined by applicable law), provided that (1) the individual is otherwise qualified to safely perform the essential functions of the job and (2) such accommodations do not impose undue hardship on Sunshine Village. Where a job or work assignment is subject to health or medical standards required for assignments or deployments in support of the military, this Policy does not require employment of an employee or candidate who cannot satisfy those standards.

Requesting an Accommodation: If an employee has a disability that requires an accommodation in order to perform the essential functions of his or her job, or otherwise enjoy the benefits and privileges of employment, he or she must initiate a request for accommodation by contacting his or her direct supervisor/manager, or Human Resources Director and identify an adjustment or change at work that is needed because of a disability.

Candidates for Employment: If a candidate for employment has a disability that requires an accommodation in order to apply for a job, he or she must initiate the request for accommodation by contacting the Human Resources Director and identifying an adjustment or change in the application process or system that is needed because of a disability.

Participating in the Interactive Process: An employee seeking an accommodation under this policy will engage in an interactive dialogue "the interactive process" with his or her supervisor, manager and/or Human Resources to identify an accommodation that will allow the employee to perform the essential functions of the job effectively or engage in other benefits and privileges of employment that are enjoyed by similarly situated employees without disabilities. If Sunshine Village is able to accommodate the request as a result of the interactive process, without the need for supporting medical documentation or other information, the employee does not need to proceed with any further steps outlined in this process.

If the employee's supervisor or manager(s) have questions regarding the implementation of an accommodation related to whether the medical condition is a qualifying disability under the ADA, or who need additional medical information to determine what accommodations may be available or effective, they must contact the Human Resources Director.

Upon receipt of a request for accommodation or for additional assistance in the interactive process, the Human Resources Director will provide the employee with the appropriate forms. The employee must return all forms and responsive information within 15 days of the request. Processing the request

for accommodation may not proceed until all required forms have been completed and returned to the Human Resources Director.

The Human Resources Director will review the completed Request for Accommodation Forms received from the employee and/or the employee's health care provider. If the information provided is incomplete or requires further clarification, the Human Resources Director may request additional information from the employee or his/her health care provider.

Determination: If, based on medical and other information provided by the employee and/or his or her health care provider, the employee is determined to be a qualified individual with a disability, the Human Resources Director will notify the employee, supervisor or manager.

The Human Resources Director will work with the employee and the department supervisor or manager to identify and discuss reasonable accommodations that will enable the employee to perform the essential functions of the job or to participate in the same benefits and privileges of employment enjoyed by similarly situated employees without disabilities.

In instances where there is no reasonable accommodation that enables the employee to perform the essential functions of the job, the employee may be terminated.

Modifications Not Necessarily Determinative of Disability Status: When appropriate, temporary modifications may be made pending review of medical information or modifications may be made without relying on whether the employee has a disability as defined by law. These actions should not be construed as a finding by Sunshine Village that it has made a determination that an employee is a qualified individual with a disability under the ADA or Rehabilitation Act.

Confidentiality: Information obtained in the course of this process will be kept confidential in accordance with the Sunshine Village's record retention and Information Security Policies and will be disclosed only on a restricted need-to-know basis and as otherwise permitted or required by law. Any and all medical documentation from a health care professional must be retained in Human Resources in a confidential file and not in the department or Human Resources personnel file.

Protection from Discrimination and Retaliation: Pursuant to the Sunshine Village's EEO policy, Sunshine Village prohibits discrimination or retaliation against an individual who has a disability and/or who requests a reasonable accommodation.

Employees/Candidates Responsibilities: Employees and/or candidates with a disability that interferes with their ability to apply for a job, perform their essential job functions or otherwise enjoy the benefits and privileges of employment that are available to other similarly situated employees without disabilities, and who desire an accommodation, must follow the process set forth above. The employee or candidate who requests an accommodation has the responsibility to submit all required documentation on a timely basis and to remain engaged in the interactive process with Sunshine Village while a determination is being made. It is the employee's responsibility to work with his or her

supervisor/manager, and Human Resources and qualified health care professional to review and complete all forms required. Any failure by the employee to supply Sunshine Village with all relevant and requested medical information or to otherwise meaningfully cooperate in the interactive process may result in Sunshine Village's denial of the accommodation or delay in the process.

Managers' Responsibilities: Management is responsible for ensuring that all employees under their supervision are fully aware of the Sunshine Village's Reasonable Accommodation Policy and Equal Employment Opportunity and Non-Discrimination Policy. When an employee requests an accommodation, supervisors and managers must participate in the interactive process with the employee to determine if a reasonable accommodation can be made, with or without seeking additional information about the employee's medical condition through Human Resources. If the Human Resources Director determines that an employee's medical condition is a qualifying disability under the ADA, managers must continue to work with the employee to identify existing reasonable accommodations that will enable the employee to perform the essential functions of his or her job and not create an undue hardship for the Agency.

Human Resources Responsibilities: Human Resources, as applicable, are responsible for determining whether an individual is entitled to an accommodation under the terms of this policy, assisting in the interactive process to identify reasonable accommodations as necessary and informing employees of their rights and obligations pursuant to this policy. They are responsible for ensuring appropriate confidentiality of employees' and candidates' medical information, consistent with Sunshine Village's record retention and Information Security policies and consistent with both state and federal law. This policy does not constitute an employment contract or implied promise of any kind. The terms of this policy may be modified or eliminated by Sunshine Village at any time with or without notice.

CRIMINAL OFFENDER RECORD INFORMATION (CORI) AND BACKGROUND CHECK POLICY

Sunshine Village requires Criminal Offender Record Information (CORI) and Fingerprint-Based background checks as part of a general background check for employment at Sunshine Village. Where CORI and background check are required for employment, volunteer work or licensing purposes, the following practices and procedures will be followed in this policy.

Authorization

CORI and background checks will only be conducted as authorized by the Department of Criminal Justice Information Services (DCJIS). All applicants will be notified that a check will be conducted. If requested, the applicant will be provided with a copy of the policy.

Training

An informed review of a criminal record requires adequate training. Accordingly, all personnel authorized to review CORI in the decision-making process will be thoroughly familiar with the educational materials made available by DCJIS.

Disqualification

Unless otherwise provided by law, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on checks will be made consistent with this policy and any applicable law or regulations.

Confirmation of Identity

If a criminal record is received from DCJIS, the authorized individual will closely compare the record provided by DCJIS with the information on the CORI request form and any other identifying information provided by the applicant, to ensure the record relates to the applicant. If the CORI record provided does not exactly match the identification information provided by the applicant, Sunshine Village will make a determination based on a comparison of the CORI record and documents provided by the applicant. Sunshine Village may contact DCJIS and request a detailed search consistent with DCJIS policy.

Notification

If Sunshine Village is inclined to make an adverse decision based on the results of the check, the applicant will be notified immediately. The applicant shall be provided with a copy of the criminal record and the organization's policy, advised of the part(s) of the record that make the individual unsuitable for the position or license, and given an opportunity to dispute the accuracy and relevance of the record. The applicant will then be provided with an opportunity to dispute the accuracy of the CORI record, and shall also be provided a copy of DCJIS' Information Concerning the Process for Correcting a Criminal Record.

Determining Suitability

If Sunshine Village reasonably believes the record belongs to the applicant and is accurate, based on the information as provided by the applicant, then the determination of suitability for the position or license will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to the following:

- (a) Relevance of the crime to the position sought;
- (b) The nature of the work to be performed;
- (c) Time since the conviction;
- (d) Age of the candidate at the time of the offense;
- (e) Seriousness and specific circumstances of the offense;
- (f) The number of offenses;
- (g) Whether the applicant has pending charges;
- (h) Any relevant evidence of rehabilitation or lack thereof;
- (i) Any other relevant information, including information submitted by the candidate or requested by the hiring authority

Timeliness

If Sunshine Village decides to take adverse action against an applicant or employee because of his or her background check results, Human Resources will notify the applicant of the decision and the basis of the decision in a timely manner.

PROTECTION and HARASSMENT PREVENTION POLICIES

WHISTLEBLOWER POLICY

The Whistleblower Policy is intended to cover serious issues that could negatively impact the organization in areas including: incorrect financial reporting; unlawful activities; violation of company policy and serious improper conduct. This policy applies to all employees and volunteers of the organization.

The policy is intended to be used for serious concerns related to financial reporting, unethical or illegal conduct. If an individual has knowledge or concern about illegal or dishonest fraudulent activity, the individual should promptly contact the Executive Director. There may be instances where the individual may choose to inform the Chairperson of the Board of Directors.

Employment related concerns should continue to be reported through the Grievance Procedure policy, as outlined in this Personnel Policy Handbook and concerns and complaints involving individuals served should be reported to the Disabled Persons Protection Commission (DPPC.)

Timing: The earlier a concern is expressed, the easier it is to take corrective action.

Evidence: Although the reporter is not expected to prove the truth of an allegation, the employee needs to demonstrate to the person contacted that there are sufficient grounds for concern and the complaint was made in good faith.

How the Complaint Will Be Handled: The action taken will depend on the nature of the complaint. The Audit Committee of the Board of Directors receives a written report on each complaint within 72 business hours of its receipt and a follow-up report on actions taken. The complainant will be given the opportunity to receive follow-up on their concern within two weeks, including acknowledgement that the concern was received; indications of how the matter will be dealt with and whether further investigations will follow and, if not, why not.

Anonymous Allegations: The policy encourages employees to put their names to allegations because appropriate follow-up questions and investigation may not be possible unless the source of the information is identified. Concerns expressed anonymously will be investigated, but consideration will be given to: the seriousness of the issue raised; the credibility of the concern; and the likelihood of confirming the allegation from attributable sources.

Safeguards: Harassment of Victimization: Harassment or victimization of the complainant will not be tolerated.

Confidentiality: Every effort will be made to protect the complainant's identity; however, this cannot be guaranteed.

Malicious Allegations: Malicious allegations may result in disciplinary actions if the information is identified. Concerns expressed anonymously will be investigated, but consideration will be given to:

the seriousness of the issue raised; the credibility of the concern; and the likelihood of confirming the allegation from attributable sources.

ANTI-HARASSMENT STATEMENT

Introduction

It is the goal of Sunshine Village to promote a workplace that is free of discriminatory harassment (“harassment”) of any type, including sexual harassment. Discriminatory harassment consists of unwelcome conduct, whether verbal or physical, that is based on a characteristic protected by law, such as gender, gender identity and expression, race, color, national origin, ancestry, religion, age, disability, genetics, service in the military, veteran status, sexual orientation, or participation in discrimination complaint-related activities (retaliation). Sunshine Village will not tolerate harassing conduct that affects employment conditions, that interferes unreasonably with an individual’s performance, or that creates an intimidating, hostile, or offensive work environment.

Harassment of employees occurring in the workplace, in connection with work-related travel, and/or work-sponsored events will not be tolerated. Further, any retaliation against an individual who has complained about harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated.

Because Sunshine Village takes allegations of harassment seriously, we will respond promptly to complaints of harassment. Where it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth our goals of promoting a workplace that is free of harassment, the policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the definition of harassment.

Definitions

“Harassment” means unwelcome conduct, whether verbal or physical, that is based on a characteristic protected by law. Harassment includes, but is not limited to:

1. Display or circulation of written materials or pictures that are degrading to a person or group as previously described.
2. Verbal abuse, slurs, derogatory comments, or insults about, directed at, or made in the presence of an individual or group as previously described.

“Sexual harassment” means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
2. Submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

Under these definitions, direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The definition of sexual harassment is broad. In addition to the above examples, other unwelcome sexually oriented conduct, whether intended or not, that has the effect of creating a work environment that is hostile, offensive, intimidating or humiliating to either male or female workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct which, if unwelcome, may constitute sexual harassment depending upon the totality of the circumstances including the severity of the conduct and its pervasiveness:

- Unwelcome sexual advances – whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life; comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and,
- Discussion of one's sexual activities.

In addition to sexual harassment, harassment may occur related to age, disability, gender, genetics, national origin, ancestry, race, color, religion, sexual orientation, gender identity, active military status, veteran status, or retaliation. The following are examples of other forms of discriminatory harassment:

- Unwanted jokes regarding people of a particular religion or sexual orientation;
- Derogatory references to a subordinate's or coworker's disability or race includes in email messages; and
- Insulting remarks directed at someone because she exercised her right to file an internal or external discrimination complaint.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment, and retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is unlawful and will not be tolerated by this organization.

Complaint Procedures

All employees, managers, and supervisors of Sunshine Village share responsibility for avoiding, discouraging and reporting any form of discriminatory harassment. The primary responsibility for ensuring proper investigation and resolution of harassment complaints rests in Human Resources or their designee, who will administer the policy and procedures described herein.

If any of our employees believe that he or she has been subjected to discriminatory harassment, the employee has the right to file a complaint with our organization. This may be done in writing or orally. In addition, residents, visitors, applicants, vendors, contractors, their agents and employees, or other third parties who believe they have been subjected to discriminatory harassment may also file a complaint with our organization using the procedures described herein. Furthermore, employees may also file a complaint if they have been subjected to harassment from residents, visitors, applicants, vendors, contractors, their agents and employees, or any other third parties in the workplace, while performing work-related duties, or during other work-related activities.

Prompt reporting of harassment is in the best interest of our organization and is essential to a fair, timely, and thorough investigation. Accordingly, complaints should be filed as soon as possible following the incident(s) at issue. If you would like to file a complaint you may do so by contacting Human Resources. Senior Managers are also available to discuss any concerns you may have and to provide information to you about our policy on harassment and our complaint process.

Complaint Investigation

When we receive the complaint, we will promptly investigate the allegation in a fair and expeditious manner to determine whether there has been a violation of our policy. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include private interviews with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed harassment. The complainant, the person alleged to have committed harassment, and all witnesses are required to fully cooperate with all aspects of an investigation. Attorneys are not permitted to be present or participate

in the complaint investigation. When we have completed our investigation, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

Notwithstanding any provision of this policy, we reserve the right to investigate and take action on our own initiative in response to behavior and conduct which may constitute harassment or otherwise be inappropriate, regardless of whether an actual complaint has been filed. If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

Disciplinary Action

If it is determined that inappropriate conduct has been committed by one of our employees, we will take such action as is appropriate under the circumstances. Such action may range from counseling to termination from employment, and may include such other forms of disciplinary action as we deem appropriate under the circumstances.

State and Federal Remedies

In addition to the above, if you believe you have been subjected to discriminatory harassment of any type, including sexual harassment, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies requires that claims be filed within 300 days from the alleged incident or when the complainant became aware of the incident.

The United States Equal Employment Opportunity Commission (“EEOC”)

John F. Kennedy Federal Building
475 Government Center
Boston, MA 02203
(800) 669-4000

The Massachusetts Commission Against Discrimination (“MCAD”)

Boston Office:
1 Ashburton Place, Suite 601
Boston, MA 02108
(617) 994-6000

Springfield Office:
436 Dwight Street, Room 220
Springfield, MA 01103
(413) 739-2145

Worcester Office:
484 Main Street, Room 320
Worcester, MA 01608
(508) 453-9630

New Bedford Office:
800 Purchase Street, Room 501
New Bedford, MA 02740
(508) 990-2390

WORKPLACE VIOLENCE PREVENTION POLICY

Sunshine Village is committed to preventing workplace violence and to maintaining a safe work environment for all employees. Sunshine Village has adopted the following guidelines to deal with intimidation, harassment or other threats of or actual violence that may occur onsite or offsite during work-related activities.

Prohibited Conduct: All employees, customers, vendors and business associates should be treated with courtesy and respect at all times. The following list of behaviors, while not inclusive, provides examples of conduct that will not be tolerated:

- Fighting, “horseplay” causing physical injury to another person or other conduct that may be dangerous to others
- Aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another person to emotional distress
- Conduct that threatens, intimidates or coerces another employee, customer, vendor or business associate in a manner that would make the individual feel unsafe
- Use of Sunshine Village resources to threaten, stalk or harass anyone at or outside the workplace
- Intentionally damaging employer property or property of another employee
- Possession of a weapon while on company property or while on company business
- Committing acts motivated by or related to sexual harassment or domestic violence

Reporting: Indirect or direct threats of violence, incidents of actual violence and suspicious individuals or activities should be reported as soon as possible to a supervisor, security personnel, human resources (HR) member of the Sunshine Village threat management team or any member of senior management.

When reporting a threat or incident of violence, the employee should be as specific and detailed as possible. Employees should not place themselves in peril, nor should they attempt to intercede during an incident.

Employees are encouraged to report safety concerns with regard to intimate partner violence and should promptly inform the HR department of any protective or restraining order that they have obtained that lists the workplace as a protected area. Sunshine Village will not retaliate against employees making good-faith reports. Sunshine Village is committed to supporting victims of intimate partner violence by providing referrals to the company’s employee assistance program and community resources, and providing time off for reasons related to intimate partner violence.

Investigations and Enforcement: Sunshine Village will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities. The identity of the individual making a report will be protected as much as possible. Sunshine Village will not retaliate against employees making good-faith reports of violence, threats, or suspicious individuals or activities. To maintain workplace safety and the integrity of its investigation Sunshine

Village may suspend employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.

Anyone found to be responsible for threats of or actual violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action, up to and including termination of employment.

Sunshine Village encourages employees to bring their disputes to the attention of their supervisors or the HR department before the situation escalates. Sunshine Village will not discipline employees for raising such concerns.

To ensure a safe workplace and to reduce the risk of violence, all employees are prohibited from making threats or engaging in violent activities. All complaints will be treated as serious violations of Sunshine Village's policy and investigated accordingly. It is management's responsibility to demonstrate that the Agency is serious about prohibiting and preventing violence in the workplace.

If a Manager/Supervisor becomes aware of any action, behavior, or perceived threat that may violate this policy, she/he is responsible for immediately contacting the Human Resources Director.

This policy prohibits retaliation against anyone who brings complaints of violence, intimidating behavior, or who helps in investigating complaints.

SUICIDE AND SUICIDE PREVENTION POLICY

Suicide, attempted suicide, and suicidal gestures have a significant detrimental effect, not only on the involved individual, but on others in the organization. Sunshine Village seeks to foster an environment free from all personal abuse, whether that abuse is directed at oneself or others. Sunshine Village commits its resources to the following twofold process: 1) to provide crisis intervention for any immediate threat and 2) to provide education and resources for all employees through the agency's Employee Assistance Program.

Intervention: Sunshine Village personnel will immediately call emergency services, 911, in the event that an employee attempts suicide or seriously hurts themselves. Other individuals will be removed from the area, as possible, and items that can be used to cause harm will be removed, as able.

Reporting: Because suicidal attempts may result in death, the early identification of persons at risk for suicide is essential. Help should be sought when individuals are talking about suicide or have taken any actions that could be construed as leading to a possible suicide attempt. In emergencies contact: 911.

Consultation: For consultation for employees, advice can be sought from the Director of Human Resources or the agency's employee assistance program. All employees are encouraged to utilize the services of the employee assistance program for themselves and family members.

POLICY FOR THE PROTECTION OF CONSUMERS FROM MISTREATMENT

All employees of Sunshine Village will understand that the mistreatment of consumers will not be condoned. Any employee found guilty of such conduct will be subject to appropriate disciplinary procedures up to and including discharge, to include possible court action.

Mistreatment is defined as:

1. Unnecessary, excessive or unreasonable use of force.
2. Corporal punishment, such as striking, hitting, etc.
3. Infliction of mental, verbal, or physical abuse.
4. Willfully depriving an individual of his/her rights to visitors or home visits, away from the program, except where such restrictions are specifically set forth in the Individual Service Plan.
5. Incitement or encouragement of consumers or other persons to mistreat an individual.
6. Any other violation of an individual's rights or confidentiality.

MANDATED REPORTING

Any person witnessing mistreatment of an individual with mental retardation shall be responsible for reporting such mistreating immediately to the Disabled Persons Protection Commission (DPPC) at 1-800-426-9009 or 1-800-402-1228.

CONFIDENTIALITY POLICIES

CONFIDENTIALITY AND PRIVACY POLICY

Sunshine Village considers information about its business processes, consumers, and customers as confidential data whose disclosure to competitors or other members of the public could significantly harm the organization's interest and/or violate the individual's rights to privacy.

As a condition of employment, all new hires must sign a Confidentiality and Privacy Acknowledgement in which they promise to maintain the confidentiality of the organization's proprietary information and to use such confidential information only in the course of employment. All volunteers will be required to sign a Confidentiality and Privacy Acknowledgement before starting at the organization.

Supervisors will be responsible for periodically reminding workers of their confidentiality obligations. Staff meetings, individual evaluations and discussions are some of the means that may be used to ensure that employees stay mindful of the importance of maintaining confidentiality.

Supervisors will be responsible for ensuring that departing workers are reminded of the expectations of the workers to abide by these rules.

Employees who violate the organization's confidentiality rules will be subject to discipline, up to and including immediate discharge for serious violations.

PERSONNEL RECORDS

An employment record of each staff member shall be maintained by the Agency. The Director of Human Resources shall be the custodian of such records. While an employee has a right to access their own personnel records, they are prohibited from accessing other co-workers personnel records. The record shall include, but not be limited to, the member's job application form, performance reviews, resume, letters of inquiry/reference, termination or resignation letters, and other pertinent data. This material shall also be available to the staff member's supervisors, the Executive Director and Payroll Clerk. Each staff member has the right to review and obtain the contents of his/her personnel record. Such review may be accomplished by means of filling out a Personnel File Review Request Form with Human Resources and the request will be accommodated within five days. It should be noted that Personnel Records shall remain the property of Sunshine Village. Confidentiality concerning personnel records will be maintained by Sunshine Village with the exception of situations where Sunshine Village is required by the courts to provide information from the individual's Personnel Record.

STATEMENT OF CONFIDENTIALITY

Each staff member, as a condition of employment, agrees to maintain the strict confidentiality of any record, report, data, photograph or other information concerning program participants in any of Sunshine Village's services and to adhere to the policies and procedures set forth in the Sunshine Village's HIPAA Compliance Program.

HIPAA (Health Insurance Portability and Accountability Act)

Upon hire, you will receive comprehensive HIPAA compliance review and training. On an annual basis, the HIPAA policy will be distributed for review, posted throughout the organization, included in the staff newsletter and discussed at all site meetings.

The employee further agrees that the results of any study NOT conducted under the specific auspices of the Department of Developmental Services will be submitted for review by the Executive Director and must receive prior approval.

COMMUNICATION

PUBLIC RELATIONS POLICY

Any communication on behalf of Sunshine Village involving the press, federal, state or local agencies must be handled through the President of the Board of Directors or Executive Director, or their designee.

INFORMATION SECURITY PLAN

Sunshine Village will continue to be actively involved establishing and implementing processes to insure the highest level of protection of the personal information to which it is entrusted. In this regard, the organization will maintain full compliance with 201 CMR 17.00.

Sunshine Village has developed an information security plan ("Plan") in order to create effective administrative, technical and physical safeguards for the protection of personal information. The Plan sets forth Sunshine Village's procedures for evaluating its electronic and physical methods of accessing, collecting, storing, using, transmitting, and protecting personal information of both employees and individuals participating in services ("consumers.")

The term "personal information" means the first name and last name or first initial and last name in combination with any one or more of the following data elements that relate to him/her:

1. Social Security Number
2. Driver's license number or state-issued identification card number
3. Financial account number, or credit or debit card number, with or without any required security code, access code, personal identification number or password, that would permit access to an employee's financial account.

Personal information does not include publicly available information, or from federal, state or local government records lawfully made available to the general public.

COMPUTER HARDWARE / SOFTWARE AND E-MAIL/VOICE-MAIL POLICY

Sunshine Village equipment, including computer hardware and software are valuable assets. Electronic equipment is intended for Sunshine Village business or employment matters of Sunshine Village employees. You may not copy or use Sunshine Village purchased/leased software contrary to the interests of the organization or for purposes other than the business reason for the purchase or lease.

Sunshine Village, without expressed permission, can access your computer, e-mail, stored e-mail information files, or voice mail to better serve the needs of the Agency or to make certain that they are being used properly and in compliance with this policy. E-mail, voice mail, as all computer-inputted data, is considered Company files and not the property of any individual. The use of a password is to control access to company equipment and is not intended to create a right or expectation of privacy. Passwords are unique to each user and should never be shared with anyone.

No Agency property, including computers, may be used for unlawful purpose or to offend, harass, abuse, or otherwise communicate, malicious, offensive, or unlawful, messages in violation of Sunshine Village's policy prohibiting harassment, including sexual harassment; nor may they be used to access material unrelated to the performance of the business of the Agency. All agency property must be returned upon termination of employment. Employees should be aware that e-mail/voice mail messages could be retrieved and even subpoenaed for litigation and government compliance investigations. Stored information and e-mail/voice mail messages may not be deleted or destroyed if it is the subject of or relevant to a claim of litigation. Violation of this policy will result in disciplinary action up to and including termination.

CELL PHONE AND ELECTRONIC DEVICES

Mobile & Electronic Devices: This policy outlines the use of personal electronic devices at work and safe use by employees while driving.

While at work employees are expected to exercise the same discretion in using personal electronic devices as is expected for the use of company phones. Excessive personal calls during the work day, regardless of the phone used, can interfere with employee productivity and be distracting to others. Employees are encouraged to make any personal calls on non-work time where possible and to ensure that friends and family members are aware of Sunshine Village policy.

Sunshine Village will not be liable for the loss of personal electronic devices brought into the workplace.

Personal Use of Company Issued Electronic Devices: Where job or business needs demand immediate access to an employee the company may issue an electronic device to an employee for work-related communications. Employees in possession of company equipment are expected to protect the equipment from loss, damage or theft. Upon resignation or termination of employment, or at any time upon request, the employee may be asked to produce the device for return or inspection.

Safe Use of Electronic Devices: All employees are expected to follow applicable state or federal laws or regulations regarding the use of electronic devices at all times.

Employees whose job responsibilities include regular or occasional driving and who are issued an electronic device for business use are expected to refrain from use while driving. Use of an electronic device while driving is not required by the company. Safety must come before all other concerns. Regardless of the circumstances, including slow or stopped traffic, employees are required to pull off to the side of the road and safely stop the vehicle before placing or accepting a call or use hands-free operations, refrain from discussion of complicated or emotional matters and keep their eyes on the road. Special care should be taken in situations where there is traffic, inclement weather or the employee is driving in an unfamiliar area.

Employees who are charged with traffic violations resulting from the use of their electronic device while driving will be solely responsible for all liabilities that result from such actions.

Video or Audio Recording Devices: The use of camera phones or other audio or video recording capable devices within the company may constitute, invasion of our consumers' personal privacy. Therefore, the use of camera or other video-capable recording devices within Sunshine Village meant to record our consumers is strictly prohibited without the express prior permission of senior management and of the person(s) present at the time. ***Be advised that this policy does not exempt employees from activities deemed illegal by state and federal wiretapping laws, which make it a crime to engage in certain recording activities.***

Special Responsibilities for Managerial Staff: As with any policy, management staff is expected to serve as role models for proper compliance with the provisions above and are encouraged to regularly remind employees of their responsibilities in complying with this policy.

Violations of this policy will be subject to disciplinary action up to and including termination.

MOBILE DEVICE POLICY

MOBILE DEVICE POLICY: For positions within the organization that require frequent, emergency call back, community-based or after-hours communication, Sunshine Village offers the following mobile device policy. In all listed categories, employees are expected to use any of the referenced devices in accordance with local, state and federal laws and any misuse will result in discipline, including termination.

1. Programmatic Mobile Device: The Agency will issue phones, as necessary, to specific programs that may be used by employees during community outings and to vans within the transportation department. Employees using these phones are responsible for reporting loss or damage to the phone immediately and will be responsible for the loss or damage. These phones are to be used for work purposes only and personal use of such phones for anything other than a personal emergency shall be subject to disciplinary action, up to and including termination.

2. Personal Mobile Device Reimbursement: Specific positions identified by the Agency as positions needing emergency call back, irregular work hours or community based contact will be reimbursed in the form of a cell phone reimbursement to cover business-related costs on their personal cell phone. The non-taxable reimbursement will be paid monthly and does not constitute an increase in pay and will not be included in the calculation of percentage increased to base pay.

Employees eligible for reimbursement must retain an active mobile device contract as long as the reimbursement is in place. The employee must provide their Program Manager, Human Resource Department and the IT department with their current mobile phone number and immediately notify all parties if the number is discontinued or changed. Employees receiving the reimbursement for community contact are expected to carry and respond to the device during normal business hours and employees receiving reimbursement for emergency call back or irregular work hours are expected to carry and respond to the device..

Sunshine Village is not responsible for the loss or damage to the personal device and is not responsible for any contractual costs or mandates.

SOCIAL MEDIA POLICY

We recognize social media encompasses a broad sweep of online activities that integrate technology, social interaction, and content creation. However, we also recognize that the rapid evolution of technology makes it difficult to identify all types of social media. Social media uses many technologies and forms, such as blogs, wikis, photo and video sharing, podcasts and social networking that build a virtual footprint. This policy is not meant to discourage you from utilizing social media. We take no

position on your decision to start or maintain a blog or participate in social media/networking activities.

We want to remind you that the use of social media technology follows the same standards of practice and conduct outlined by the company in the employee handbook. Accordingly, Sunshine Village expects employees who maintain or contribute to social media on the internet will abide by certain guidelines.

Nothing in this policy is meant to be construed to prohibit or limit employees' rights to engage in protected concerted activity as prescribed by the National Labor Relations Act, or any other rights protected under federal and state law.

Outside the workplace, your rights to privacy and free speech protect legal online activity conducted on your personal social networks with your personal online account. However, what you publish on such personal online sites should never be attributed to Sunshine Village and should not represent in any way that you are speaking on Sunshine Village's behalf without prior written authorization to do so.

We prohibit the use of social media to post, or display comments about co-workers, supervisors, the company or our clients that are illegal, vulgar, obscene, threatening, intimidating, harassing, or a violation of the employer's workplace policies against discrimination, unlawful harassment, or hostility on account of age, race, religion, sex, ethnicity, nationality, disability, and any other category protected under state or federal law. Employees should remember that any information that is shared online instantly becomes permanent and public. Remember, that what you post online will be captured forever and can be transmitted endlessly without your consent or knowledge. Sunshine Village also wants to remind you that each employee is personally liable for his or her own commentary and can be sued by other employees, clients, competitors and any other individual or company that views the on-line content as proprietary, unlawfully harassing, libelous, creating a hostile work environment, or otherwise illegal.

Employees are expected to protect the confidential, proprietary and trade secret information of Sunshine Village. Employees are prohibited from disclosing at any time proprietary or confidential information learned during the course of their employment about the company or its consumers. Such information includes but is not limited to customer lists, trade secrets, financial information and strategic business plans. This policy also includes personal information about clients and employees that is protected from unauthorized disclosure by law, including, but not limited to, personal health information and personal data, such as driver's license, social security number, financial account numbers, or credit/debit card numbers.

Employees should not use employer-owned equipment, including computers, company-licensed software or other electronic equipment, nor facilities or company time, to conduct personal blogging or personal social networking activities.

Those individuals with supervisory/management responsibilities, by virtue of their position, must consider whether "friending" or personal thoughts they publish, even in clearly personal venues, may

be misunderstood as expressing the Sunshine Village's position. They should assume their employees and those outside Sunshine Village will read what is written. A public blog is not the place to communicate Sunshine Village policies to employees.

We ask that each employee honor the privacy rights of our employees by seeking their permission before writing about happenings that might be considered to be a breach of their privacy and confidentiality or before posting their pictures. Posting information about other employees without their permission has the potential of disrupting the workplace. By maintaining your coworkers' privacy, you will be helping to maintain the professional work environment at the company.

In short, use your best judgment. Social media changes rapidly and there will likely be events or issues that are not addressed in this policy. If you have any questions about these guidelines, contact your supervisor or the Human Resources Department. When in doubt, employees should seek the guidance of the appropriate person before posting or otherwise engaging in online activity.

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

PERFORMANCE MANAGEMENT

INTRODUCTORY PERIOD

All new employees will have an introductory employment period of 90 days. All employees upon promotion or a voluntary change in position will have a probationary period of 90 days. During this introductory period, the employee may be terminated for any reason other than race, religion, sex, sexual orientation, age, veteran status, national origin, ancestry, handicap or disability. An Introductory evaluation will be provided, and the manager may elect to extend the introductory period, if there are deficiencies that need to be addressed or other extenuating circumstances.

EMPLOYEE CLASSIFICATIONS

Full-time: A regular full-time employee is regularly scheduled to work a minimum of 30 hours per week or more. Regular full-time employees are eligible to participate in all company employee benefit programs upon successfully completing a 90-day introductory period unless specifically stated otherwise or required by law.

Part-time: A part-time employee is regularly scheduled to work less than 30 hours per week. Part-time employees are entitled to employee benefits as required by law or regulation and some company benefit programs upon completing a 90-day introductory period, but are not entitled to medical or disability insurance.

Trainees: Individuals training in the Village Works work training program who are funded by state or federal agency are entitled to benefits as required by law or regulation, but are not entitled to Company benefit programs such as medical or disability insurance, holiday pay and vacation.

Per Diem: Per Diem employees work on an as needed basis with varied hours. Per Diem employees are entitled to employee benefits as required by law or regulation, but are not entitled to Company benefit programs such as medical or disability insurance (unless averaging 30 or more hours per week), holiday pay and vacation.

Exempt: An employee who meets the test for exemption under the Fair Labor Standards Act. Exempt employees are compensated on a weekly salaried basis. An exempt employee is not eligible for overtime compensation.

Non-exempt: Nonexempt employees are compensated on an hourly basis and paid for all hours worked, including overtime. Overtime is defined as time worked in excess of 40 hours in a workweek. Work week is defined as Sunday through Saturday. Overtime is paid at 1.5 times the employee's regular hourly rate. A nonexempt employee is required to record hours worked using the Sunshine Village timesheet.

PAY PERIOD

Sunshine Village has a weekly payroll cycle. The pay period will extend from Sunday through Saturday of each week. All employees are paid on Thursday of each week with accommodations being made due to applicable holiday weeks.

PAY PROCEDURE

Employees are required to receive their earning through direct deposit into a bank, credit union or check card of their choosing. Direct deposit statements will be distributed each Thursday by 4pm. In the event that a manual check needs to be issued or if there are questions regarding pay, the payroll department is located at 75 Litwin Lane, Chicopee, MA 01020. Timecards are to be completed every Friday.

OVERTIME

Overtime pay is paid to non-exempt employees who work over 40 regular hours in a week. Holiday, sick, personal, and vacation are considered regular hours. Should an employee work extra hours during such a week, the extra hours will be included in the regular hours, unless/until the extra hours are more than 40. Hours worked over 40 regular hours will automatically be considered overtime. Overtime hours must be pre-approved by the employee's Program Director or his/her designee.

SEVERE WEATHER CONDITIONS

In the case of unusually severe weather conditions, at the discretion of the Executive Director, the facilities at 75 Litwin Lane and other day services may be canceled or delayed. In such cases, a special announcement will be made through approved communication channels. The delay announcement will be applicable only for consumers unless otherwise noted. Closings and/or delays may not apply to all employees or programs.

If an employee has previously scheduled a planned day off (vacation, personal, bonus, float, birthday, sick) when a Snow Day is called, the employee will not be provided additional time to be used at a later date. If a meeting or external event is not cancelled, attendance is required.

TRANSPORTATION

Employees are required to have and use their privately-owned insured vehicles to transport consumers and will be reimbursed on an established per-mile basis. Automobile insurance is required per law. All staff must possess a valid driver's license and a lawfully-registered vehicle. Company vans and vehicles are for work use only.

TIME AND ATTENDANCE POLICY

Regular attendance and reporting to work on time are expected of all Sunshine Village employees. Employees are expected to be on time for all hours scheduled and to work up to the end of their scheduled shift. When an employee is absent, the burden of that employee's work falls on their fellow employees. That is why it is imperative that all employees make every effort to maintain an excellent attendance record.

Work schedules are determined by the division or program and individual job responsibilities may vary by program and employee. All schedules are subject to change depending on the needs of the organization.

Definitions of Time Off:

Planned Time Off: Planned time off is when you receive advance permission from your supervisor to be absent from work. (Approved absences include jury duty, federal and state leaves, work related injuries, leave granted under the ADA, vacation, holidays, floats, personal days and birthday.) Employees will not be penalized for leave appropriately taken under the policy.

Unplanned Time Off: unplanned time off is an absence that is not prescheduled or authorized by your supervisor in advance. Sick time and personal time can be considered unplanned time when not scheduled in advance. Excessive use of unplanned time off will be subject to corrective action, as outlined in the unplanned time off policy.

Tardiness: Tardiness is defined as being late for your shift.

Call Out Procedure: If you cannot report for work or you expect to be late, you must notify and speak directly with your Supervisor, or if unavailable, speak with his/her designee at the beginning of your shift. Leaving a message on an answering machine or communicating by text is not an authorized call out procedure. This notification should include when return to work may be expected. A notification

call must be made for every shift you expect to be absent unless instructed otherwise by your supervisor or by policy.

In the event an employee is absent and does not follow the notification procedure, the absence will be viewed as job abandonment. The employee is then separated from employment as a voluntary quit.

Medical Documentation Requirement: Sunshine Village reserves the right to require an employee to submit medical documentation in the event of repeated absences for medical reasons and will require documentation in the event of medical absences lasting more than three consecutive days.

Absences during the Introductory Period: Employees are allowed two unpaid, unplanned absences and one instance of tardiness in their 90-day introductory period. Additional absences or late arrivals may result in disciplinary action, an extension of the introductory period, or termination.

Unplanned/Unscheduled Absences after The Introductory Period: Any employee who has depleted their allotted sick time and continues to call out is using unexcused time and may be subject to the progressive disciplinary process up to and including termination.

1. Second and third occurrence of unscheduled/unplanned absence: coaching and counseling
2. Fourth occurrence of unscheduled/unplanned absence: First Written Warning
3. Fifth occurrence of unscheduled/unplanned absence: Second written Warning
4. Sixth occurrence of unscheduled/unplanned absence: Final Warning
5. Seventh occurrence of unscheduled/unplanned absence - termination

Tardiness: It is expected that all employees report to work at the start of their shift. During severe weather or during an unforeseen traffic emergency, the organization will exercise leniency in this area. Excessive tardiness shall be subjected to corrective discipline and/or termination. In the event a nonexempt employee reports to work late, he or she will only be paid for actual time worked.

Tardiness will be evaluated quarterly;

After three instances of tardiness in the quarter, the employee will be counseled. Upon six instances of tardiness in the quarter, the employee will be subject to corrective action. The level of corrective action received will be dependent upon the level of corrective action that is in effect for them at that time. Progressive discipline for attendance and tardiness will be considered together.

PERFORMANCE DEVELOPMENT

PERFORMANCE EVALUATION

At the end of the 90-day introductory period, a performance evaluation will be conducted to review job performance standards. The employee will be considered a regular employee or have his/her introductory period extended.

Performance evaluations will be conducted on an annual basis. If an employee's performance is in question, additional assessments may be conducted after the employee is duly notified. The immediate supervisor or other administrator as designated by the Executive Director, when appropriate, will conduct all employee performance evaluations.

PROFESSIONAL DEVELOPMENT

As a matter of policy, Sunshine Village encourages and supports the education and training of staff on a continuing basis. All new employees will be provided training opportunities necessary to perform their job duties. Maximum utilization will be made of training programs and seminars offered by the Department of Developmental Services and the Massachusetts Rehabilitation Commission, as well as attendance at other training programs, consistent with budgetary limitations. Appropriately qualified staff will be utilized to conduct training programs for other staff members. Examples of such trainings include but are not limited to, First Aid, CPR, Applied Non-violence, Blood Borne Pathogens and Medication Administration.

BENEFITS

Sunshine Village strives to offer the best and most robust benefits and insurance programs available. At any time, benefits may be added, terminated, updated and/or changed for the betterment of the agency and its employees. The current benefits sheet will be provided upon hire and is available in the Human Resources Department.

INSURANCES

MEDICAL, LIFE AND DISABILITY INSURANCE: These benefits are reviewed annually. Please check with the Human Resources Office for information concerning these benefits. Please note information below regarding medical insurance.

MEDICAL INSURANCE: Sunshine Village provides medical and dental insurance options on a cost-sharing basis to full-time and part-time employees. A schedule of individual and family plan contribution costs and descriptions of the health and dental plans are available upon request. These schedules are subject to change. Employees may elect to have these benefits following a 30 day waiting period. It is required that the staff person enroll in a chosen health and/or dental insurance plan(s) within thirty (30) days of the date of full time employment. If an employee has not enrolled in a plan within this time frame, they will not be eligible for insurance until the next open enrollment

period except in the event of a qualifying event, i.e., involuntary loss of insurance. Future changes must coincide with the plans' anniversary date. All employees will be notified of these dates.

Continuation of Group Health and Dental Insurance while Absent From Work: In order to continue group Health and/or Dental insurance coverage during an approved medical leave, leave of absence from work or absence from work due to a work related injury, it will be the responsibility of the employee to pay, on a weekly basis, that portion of the cost of Health and/or Dental insurance that they would be required to pay had they been actively employed. During said absence from work, employees may utilize unused sick time, when applicable, to cover the cost of the portion of the Health and/or Dental insurance that they are required to pay. If the employee's portion of the Health and/or Dental insurance is not current at the end of each month, the insurance(s) will be cancelled.

TIME AWAY FROM WORK PLANS

VACATION

Employees will receive vacation time on their anniversary date of employment with the organization. The amount of time earned and awarded on their anniversary date is based upon years of service as of the anniversary date as follows:

- Between 1 year and 3 years: 2 weeks and 1 day (88 hours)
- Between 3+ years and 5 years: 3 weeks and 1 day (128 hours)
- Between 5+ years up to 10 years: 4 weeks plus one additional day for each year up to a maximum of 5 weeks at 10 years, and 1 day.

Each Program Manager will schedule vacations of their staff to ensure adequate coverage. When relevant, planned time off must be requested in writing and approved at least 24 hours in advance, but no more than six months prior to the date of the requested time off. Approval will be given on a first requested, first approved basis for the first two (2) weeks requested. (If requests are received at the same time, length of service will be the deciding factor.) Any time beyond two (2) weeks will be approved based on requirements of the department.

Upon termination of employment; employees will be paid for unused vacation time.

Planned time off can be used in increments from one hour up to two weeks. Written requests for extensions to this maximum two (2) week limit are directed to the Executive Director. Vacation time must be used within the given year and will not be carried over.

PERSONAL DAYS

Employees will be entitled to time off with pay for personal reasons with the following restrictions. If the need to utilize personal time is foreseeable, the time must be requested in writing by the employee to the employee's immediate Supervisor at least 24 hours in advance, .

If the need for leave is unplanned and unscheduled, notice must be given by communicating to the supervisor or designee at the start of the shift. Excessive use of unplanned and unscheduled personal time will be subject to disciplinary action, as defined in the unplanned time off policy. Due to program needs, Sunshine Village reserves the right to limit the number of employees taking personal days at any one time. Personal days will be earned on the anniversary date of hire. Personal days have no cash value and will not be paid out at termination. Personal days may not be carried and must be used within the given year.

The entitlement shall be based upon years of service, as follows:

- Between 1 year and 4 years: 2 personal days
- Between 5+ and 9 years: 3 personal days
- After 10+ years: 4 personal days per

BONUS DAYS

An employee who has at least one year of service on January 1 of each year may earn additional bonus days subject to the above restrictions by minimizing sick leave usage. The days to be earned will be in accordance with the following:

- a) If 0-1 sick days are used per calendar year, an employee will earn two (2) extra bonus days for the following calendar year.
- b) If 2-3 sick days are used per calendar year, an employee will earn one (1) extra bonus day for the following calendar year.

Bonus days may not be taken in increments of less than one-half day and must be requested in writing by the employee to the employee's immediate Supervisor at least 24 hours in advance. Bonus days may not be carried from year to year, and must be used within the given calendar year. Bonus days have no cash value, and will not be credited with termination pay, if any.

HOLIDAYS

Sunshine Village reviews the holiday calendar each year to determine the annual holiday schedule. The Board of Directors will determine the holidays and/or float day schedule on an annual basis. Employees working at employment sites or under specific contracts may have a separate holiday schedule. Nonexempt hourly employees who are classified as regular, full-time employees and who have worked for Sunshine Village for at least 30 days are eligible to receive holiday pay.

Staff members are expected to work the last workday before a holiday and the first workday after a holiday, unless on vacation or otherwise excused in advance. If a staff member calls in sick before and/or after a holiday and does not have a doctor's note, the employee will not be paid for the holiday.

SICK TIME

Full time employees earn 56 hours of sick time at the start of each calendar year. Employees who are less than 40 hours per week will earn hours pro-rated to their full time equivalency. Employees will become eligible to use paid sick time after successfully completing the 90-day introductory period. For new employees, sick time is provided as follows:

Hire date is between:

January through June: 56 hours

July through September: 40 hours

October through December: 0 hours

New employees hired to work less than 40 hours per week will receive a pro-rated number of hours.

Per Diem employees receive one (1) hour of sick time for every thirty (30) hours worked to a maximum of forty hours per year.

Sick time can be used for:

1. Care for the employee's child, spouse, parent, or parent of a spouse, who is suffering from a physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care;
2. care for the employee's own physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care;
3. attend the employee's routine medical appointment or a routine medical appointment for the employee's child, spouse, parent, or parent of spouse; or
4. address the psychological, physical or legal effects of domestic violence.

If your need to use Sick time is foreseeable, you must give us 7 days' notice. If the need is unforeseen, you must notify and speak directly with your Supervisor, or if unavailable, speak with his/her designee at the beginning of your shift.. If possible, you should call rather than having a family member or friend call so your supervisor can get the appropriate information. Messages cannot be left on answering machines.

Employees should remember that regular, reliable attendance and timeliness is expected. If an employee commits fraud or abuse by engaging in an activity that is not consistent with allowable purposes for sick time, the employee may be subject to disciplinary action. If an employee is exhibiting a clear pattern of taking leave on days just before or after a weekend, vacation, or holiday, the Agency may discipline the employee for misuse of earned sick time, unless the employee provides verification of authorized use.

BANKED TIME

Unused sick time may be “banked” from year to year, provided it does not exceed 160 hours. Such days may only be used for extended illness, such as hospitalization, extended home care, in-house rehab, maternity leave and family medical leave. Banked time has no monetary value.

UNPLANNED TIME OFF POLICY

Sunshine Village provides a generous complement of paid time off, with an expectation that it will be used responsibly. Consistent attendance is important in order to safely and efficiently provide services to the people that we serve. Occasionally, circumstances arise that affect employees’ ability to report to work. Excessive use of unplanned time away from work will be subject to corrective action. Occurrences of unplanned absence that exceed the annual bank of sick time, or a combination of absences not covered by FMLA or any other leave, or Massachusetts earned sick time, that exceed 2 per year will be subject to corrective action.

LEAVES OF ABSENCE

****In no instance will a leave of absence for an indefinite time period be granted****

BEREAVEMENT LEAVE

Employees are allowed up to three (3) consecutive days off from regularly scheduled duty with regular pay in the event of the death of the employee’s spouse, or domestic partner, child, foster child, father, father-in-law, mother, mother-in-law, son-in-law, daughter-in-law, brother, sister, stepfather, stepmother, stepbrother, stepsister, stepson or stepdaughter, grandparents and grandchildren.

Employees are allowed one (1) day off from regular scheduled duty with regular pay in the event of death of the employee’s aunt, uncle, brother-in-law or sister-in-law

JURY DUTY

When an employee is called for jury duty on a day that they are scheduled to work, the required time off will be granted. The employee must provide this information to their supervisor in advance. Sunshine Village will pay the employee's regular salary for the first three (3) days and less the amount paid by the court for the following days. Documentation showing proof of service must be provided.

MILITARY LEAVE

An employee absent from employment due to military service is entitled to reemployment rights and benefits under Uniformed Services Employment and Reemployment Rights Act (USERRA) for up to five years. An employee should provide advance written or verbal notice of such service to their manager when foreseeable.

Upon request, Sunshine Village will give up to 17 days in a calendar year for military leave. An employee will be required to exhaust earned time banks (such as vacation, holiday and sick time) and substitute those earned days towards the entitlement. This will result in part of your military leave becoming a “paid” leave.

Upon the completion of a period of service in the uniformed services, the person shall notify the employer of intent to return to a position of employment. All Reemployment Rights will be followed in accordance with USERRA.

VETERANS DAY AND MEMORIAL DAY LEAVE POLICY

Sunshine Village values our veterans. Active employees who are veterans of the armed services may take a leave of sufficient time to participate in a Veterans Day or Memorial Day exercise, parade or service in the veterans' community of residence.

Sunshine Village will grant paid time off for a veteran seeking to participate in an event on Veterans Day or Memorial Day event, as long as the employee veteran provides reasonable notice to their supervisor. Employees are asked to plan as far in advance as possible.

EDUCATIONAL LEAVE

The Executive Director shall determine extended leaves of absence for educational reasons for any staff member.

ILLNESS/ PERSONAL LEAVE

Upon written request, the Executive Director will consider a short-term personal leave for illness not covered by FMLA or any other leave as required by law, or other personal matter. An employee will be required to exhaust earned time banks (such as vacation, holiday and sick time) and substitute those earned days towards the entitlement. Employees on an approved leave of absence will be expected to report to work when the approved leave is concluded.

FAMILY AND MEDICAL LEAVE POLICY

Under the provisions of the Family and Medical Leave Act, as amended, employees may take up to twelve (12) weeks of unpaid leave for certain family and medical reasons. In order to be eligible for leave, you must have worked for at least 12 months and for at least 1,250 hours during the 12 month period immediately preceding the commencement of the leave.

If this eligibility standard is satisfied, Sunshine Village will look back over the 12-month period immediately preceding the leave request. This period will determine how much family and medical leave the eligible employee may take. If any family leave was taken during this time period, the amount that was used will be deducted from the 12 week entitlement to determine the remaining amount of time that you may use for family leave purposes.

You must give at least 30 days advance notice of your intention to take FMLA leave whenever the leave is foreseeable. When unforeseen circumstances prevent you from giving advance notice of taking such leave, an employee must give notice as soon as practicable and possible in order that the Sunshine Village can properly accommodate the request while maintaining its own staffing and schedules. All notices and requests for leave and the reasons for the leave request are to be directed to the Human Resources

Director. The Human Resources Director will give you a written notice detailing the responsibilities, expectations and details surrounding the type of leave for both you and Sunshine Village.

Sunshine Village reserves the right to designate any leave of absence as Family Leave where the conditions surrounding the leave fit within the parameters of the Family and Medical Leave Act of 1993, as amended. Usually, this determination will be done when the employee explains the reasons for the leave request to the Human Resources Director.

You may be able to take FMLA leave for the following reasons:

*** For the birth or care of a newborn child or adoption or foster care placement of a child.**

FMLA leave may be requested before the actual birth or adoption or foster care placement of a child takes place. In situations where both a husband and wife work for Sunshine Village and both are eligible employees for FMLA leave, the husband and wife will only be afforded a combined total of twelve weeks of leave for the birth or care for a newborn child or adoption or foster care placement of a child.

Leaves of absence for purposes of childbirth may take place: at any stage of the pregnancy for purposes of prenatal care, to overcome a condition during the pregnancy which prevents the employee from returning to work, to actually give birth to a child or for purposes of postnatal care for a child.

Leaves of absence for purposes of adoption will be permitted where the adopted person is either under 18 years of age or is over 18 years of age, but is incapable of taking care of themselves due to a mental or physical disability and therefore requires the assistance of another person to provide care for the performance of daily activities and functions. You may take this leave in order to take time to secure placement of an adopted child who is under your care or to actually care for the adopted child.

Leaves of absence for purposes of foster care placement will be permitted where you can show that you have either secured a voluntary agreement with the State concerning the placement of an individual under your care, has obtained a court order for placement of a foster child in your care or that you need to fulfill obligations imposed by either the State or the court in order to be able to ultimately procure a State agreement or a court order.

While an employee may be eligible to take a leave before the actual childbirth, adoption or foster care takes place, an employee's entitlement to take leave for these circumstances will expire twelve months after the date of the childbirth or placement into adoptive or foster care.

***To care for your spouse, son, daughter or parent who has a serious medical condition.**

You may request a leave of absence for purposes of caring for your spouse, son, daughter or parent with a serious health condition when it is determined that your time is medically necessary to care for that family member. In situations where both a husband and wife work for Sunshine Village and both are eligible

employees for FMLA leave, the husband and wife will only be afforded a combined total of twelve weeks of leave to take in caring for their respective parents who are suffering from a serious medical condition.

An employee requesting such leave will be given a written request to have their health care provider fill out Sunshine Village's medical certification form attesting to the need for the employee's assistance in caring for the seriously-ill family member. This form needs to be filled out and completed no later than 15 days after the employee's request for the leave (or as soon as possible in the event of an unforeseeable ailment(s)). Failure to furnish Sunshine Village with a completed medical certification form according to this policy may result in a denial of an employee's request for family leave until the certification form is completed and submitted to the Human Resources Department. Sunshine Village may ask the employee to go to another health care provider to be designated by the Sunshine Village for a second opinion (to be paid for by Sunshine Village) in order to verify the medical necessity of such assistance and leave of absence. If the two opinions differ, the employee may elect to obtain a third opinion at a third health care provider to be designated by Sunshine Village and paid for by Sunshine Village. This third opinion will be final and binding.

Upon completion of the medical certification form, you and Sunshine Village will arrive at some form of leave schedule in order to accommodate your responsibilities for caring for the family member(s). During the course of the leave, Sunshine Village may ask you to obtain recertification concerning the need to care for the family member and you will also be required to report periodically during the course of your leave on your status and intent to return to work.

***Because of a serious health condition that makes you unable to perform the functions of your job.**

If you wish to take FMLA leave because of your own serious health condition, you will be required to submit to Sunshine Village a medical certification form to the Human Resources Department no later than 15 days after the request for leave is made (or as soon as practicable in instances where an unforeseen ailment has arisen). This medical certification form will be given to you at the time of the request and the form will outline the essential functions of your job for the health care provider to review. Failure to furnish Sunshine Village with a completed medical certification form according to this policy may result in a denial of your request for family leave until the certification form is completed and submitted to the Human Resources Department. You also must give the Agency at least 30 days advance notice of your need for leave, or notify the Agency as soon as practicable in instances where an unforeseen ailment has arisen. Sunshine Village may ask you to go to another health care provider to be designated by Sunshine Village for a second opinion (to be paid for by Sunshine Village) in order to verify the medical necessity of such care and subsequent leave of absence. If the two opinions differ, you may elect to obtain a third opinion at a third health care provider to be designated by Sunshine Village and paid for by Sunshine Village. This third opinion will be final and binding.

Upon completion of the medical certification form, you and Sunshine Village will arrive at some form of leave schedule in order to accommodate the medical necessity for such leave. During the course of the leave, Sunshine Village may ask you to obtain medical recertification from your health care provider

concerning medical necessity for such leave and you will also be required to report periodically during the course of your leave on your status and intent to return to work.

Before you can return to work following a leave of absence to treat your own serious health condition, you will be required to obtain a medical certification from your health care provider to attest that you are fit to resume work. This certification shall be limited to an evaluation of the particular health condition that resulted in your need for FMLA leave. Failure to submit the required fitness-for-duty certification to the Human Resources Department will result in the denial of your request to resume work.

***The employee experiences a “qualifying exigency” when a spouse, child, or parent is on or has been called up to active duty in the Armed Forces.**

This leave is available when a spouse, child or parent is a military member, which includes members of the National Guard, Reserves and regular Armed Forces. Active Duty requires deployment to a foreign country.

If you wish to take FMLA leave under this paragraph, you will be required to provide certification to Sunshine Village showing that your spouse, child, or parent is or has been called to active duty in the Armed Forces. The required certification documentation may vary, so please consult Human Resources for more specifics.

Issues arising from a covered military member’s short notice deployment (i.e., deployment on seven or less days of notice) for a period of seven days from the date of notification;

- Military events and related activities, such as official ceremonies, programs, or events sponsored by the military or family support or assistance programs, and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross;
- Certain childcare and related activities arising from the active duty or call to active duty status of a covered military member, such as arranging for alternative childcare, providing childcare on a non-routine, urgent, immediate need basis, enrolling or transferring a child in a new school or day care facility, and attending certain meetings at school or a day care facility if they are necessary due to circumstances arising from the active duty or call to active duty of the covered military member;
- Making or updating financial and legal arrangements to address a covered military member’s absence;
- Attending counseling provided by someone other than a health care provider for oneself, the covered military member, or the child of the covered military member, the need for which arises from the active duty or call to active duty status of the covered military member;
- Taking up to fifteen days of leave to spend time with a covered military member who is on short-term temporary, rest and recuperation leave during deployment;
- Attending to certain post-deployment activities, including attending arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military for a period of 90 days following the termination of the covered military member’s active duty status, and addressing issues arising from the death of a covered military member; and;
- Eligible employees may take leave to care for a military member’s parent who is incapable of self-care when the care is necessitated by the member’s covered active duty. Such care may include

arranging for alternative care, providing care on an immediate need basis, admitting or transferring the parent to a care facility, or attending meetings with staff at a care facility;

- Any other event that the employee and employer agree is a qualifying exigency.

In situations where both a husband and wife work for Sunshine Village and both are eligible employees for FMLA leave under this section, the husband and wife will only be afforded a combined total of twelve weeks of leave for purposes of a “qualifying exigency” related to active military duty.

If you are the spouse, son, daughter, parent, or next of kin of a covered service member, you may be eligible for a total of 26 weeks of unpaid leave to care for the service member who is:

- undergoing medical treatment for,
- recuperation from,
- in therapy for,
- is otherwise in outpatient status because of, or
- is otherwise on temporary disability retired list because of a serious injury or illness incurred by the service member in line of duty on active duty in the Armed Forces.

This also includes (1) A continuation of a serious injury or illness that was incurred or aggravated when the covered veteran was a member of the Armed Forces and rendered the service member unable to perform the duties of the service member’s office, grade, rank, or rating; OR (2) A physical or mental condition for which the covered veteran has received a VA Service Related Disability Rating (VASRD) of 50 percent or greater and such VASRD rating is based, in whole or in part, on the condition precipitating the need for caregiver leave; OR (3) A physical or mental condition that substantially impairs the veteran’s ability to secure or follow a substantially gainful occupation by reason of a disability or disabilities related to military service or would do so absent treatment; OR (4) An injury, including a psychological injury, on the basis of which the covered veteran has been enrolled in the Department of Veterans Affairs Program of Comprehensive Assistance for Family Caregivers. The leave described in this paragraph is only available during a single 12-month period. During this single 12-month period, you will only be entitled to a total of 26 weeks of leave under paragraphs 1-5. This does not limit your access to leave under paragraph 1-4 for any other 12-month period.

Please see Human Resources to learn more about what documentation will be required.

In situations where both a husband and wife work for Sunshine Village and both are eligible employees for FMLA leave, the husband and wife will only be afforded a combined total of 26 weeks of leave during the single 12-month period if the leave is granted under paragraph 5 or if the leave is a combination of paragraph 1, 2, 4 and 5.

General Considerations: You may wish to exhaust all of your 12- or 26-week entitlement for purposes of this type of leave or you may elect to take your leave on an intermittent or reduced schedule basis. You will need to coordinate with the Human Resources Department the type of leave to be taken and the anticipated duration of such leave. Although Sunshine Village will attempt to accommodate all intermittent or reduced schedule leave requests, there may be instances where Sunshine Village may have to transfer you to an alternative position in order to satisfy such request. This is so we can not only

accommodate your request, but so we can also maintain our staffing and productivity schedules as well. Although such a transfer may result in a change of duties, the transfer will not result in any decrease in rate of pay or benefits and the transfer will only be in effect until you return to your full and normal schedule.

Leave taken for the birth of or to care for a newborn child, or for adoption, or for foster care placement of a child may not be taken on an intermittent or reduced schedule basis.

For any of the above mentioned sorts of family leave, Sunshine Village will require you to exhaust your earned time banks (such as vacation, holiday and sick time) and substitute those earned days towards your 12- or 26-week entitlement for family leave purposes. This will result in part or all of your family leave becoming a "paid" leave of absence.

Sunshine Village will maintain your health coverage under the same conditions as the coverage would have been provided if you had been continuously employed during the entire leave period. Therefore, you will be responsible for maintaining your portions of your health insurance premiums while you are out on family leave. You may wish to prepay your portions of the premiums prior to going out on leave. Your premium payments must be made on a monthly basis. Failure to make timely health insurance payments in accordance with the Sunshine Village's health insurance policy (or failure to return to work following a FMLA leave) will result in Sunshine Village instituting actions to recover any premiums that were assumed by Sunshine Village in the absence of your timely payment or may result in the termination of your health insurance coverage.

Sunshine Village may elect to pay your share of other benefits (e.g. life insurance, disability insurance etc.) while you are out on FMLA leave in order to avoid a lapse in coverage. Under these circumstances, you will be responsible to reimburse Sunshine Village for any payments that were made on your behalf. For any type of family and medical leave taken pursuant to this policy, Sunshine Village will require you to report periodically during the course of such leave on your status and your intent to return to work.

When you return from a leave of absence pursuant to this policy, you will be entitled to your same or equivalent position with the same pay, benefits, working conditions and duties. Benefits will resume and accrue in the same manner and at the same levels as provided before your leave took place. You will not be required to re-qualify for any benefits that you enjoyed before the FMLA leave began. If you are no longer qualified for your position due to certification requirements or training that is required for your position, you will be afforded additional time to fulfill those conditions upon your return to work. If you experience ongoing physical or mental disabilities when you return to work, you will also be afforded reasonable accommodations pursuant to Sunshine Village's duties to comply with the Americans with Disabilities Act.

There may be circumstances where you will not be afforded this employment protection while you are out on FMLA leave. "Key" employees whose absence from Sunshine Village would result in substantial and grievous economic harm to the company are not afforded this protection of employment. If you fall under this classification, you will be notified in writing by the Human Resources Director about your status when you request to take a FMLA leave from Sunshine Village and of the possible ramifications that may

ensue from taking such a leave. You may still wish to take such a FMLA leave. However, there is no guarantee that your position will be available for you upon your return to employment.

Furthermore, an employee on FMLA leave does not have any rights to reinstatement that he or she would not have had had he or she continued to be present in the workplace. As a result, your position will not be held open while you are out on leave if other employees who are employed in similar positions are the subject of layoffs. In this situation, you will be treated in the same manner as others who are employed in similar positions. Therefore, under such circumstances, you will have the same chance of losing your position in a layoff situation as you would have if you had been continuously working during that same time.

There may be occasions where you may not wish to return to work following a FMLA leave. Under these circumstances, Sunshine Village reserves the right to recover from you any health insurance premiums (whether made on your behalf or whether it was Sunshine Village's portion of the health insurance premium) that it made during the course of your unpaid leave of absence unless the reasons behind your failure to return is attributed to a continuation, reoccurrence or onset of a serious health condition (to either you or a family member) that would have entitled you to family leave had you remained employed at Sunshine Village. Sunshine Village may require medical certification from your health care provider to verify your actual condition. You will have 30 days from the day of the request to supply Sunshine Village with the completed medical certification form.

Employees who are on a leave of absence such as maternity leave or Family Medical Leave cannot use Bereavement Leave, Military Leave, Jury Duty or any other type of leave available in order to extend their original leave of absence.

FMLA misuse, abuse or fraud will result in discipline, up to and including termination. This includes, but is not limited to, using approved FMLA for non-FMLA purposes and misrepresenting the medical condition in question.

PARENTAL LEAVE

Full-time employees who have completed their introductory period of employment are entitled to twelve weeks of unpaid leave to 1) give birth, 2) for the placement of a child under the age of 18 that the employee is adopting or intends to adopt, or 3) for the placement of a child under the age of 23 if that child is physically or mentally disabled, that the employee is adopting or intends to adopt. To be eligible for this leave, the employee must give the Agency at least two weeks' notice of the anticipated date of departure and the employee's intention to return to work at the end of the leave or, if delayed notice is beyond the employee's control, as much notice as is possible. Parental Leave is unpaid, but employees may use their accrued paid sick, vacation, or personal time in order to receive pay during this leave, if they wish to do so. At the conclusion of Parental Leave, employees will be restored to their previous or a similar position unless business conditions have eliminated their position or restructured their job in their absence. Parental Leave will run concurrently with leave under the FMLA, if the employee is eligible for such leave. If both parents are employed by the Agency, they, together, will be eligible for a total of eight weeks. Employees who take more than eight weeks of

leave will not be guaranteed reinstatement unless otherwise required by state or federal law. Questions about Parental Leave may be addressed to the Human Resources Department.

SMALL NECESSITIES LEAVE ACT

Employees who are eligible for Family Medical Leave are also entitled to 24 hours of unpaid Small Necessities leave during a twelve-month period. The 12-month period will be calculated on a calendar year, rolling back on a 12-month period. Leave may be taken for the following reasons:

To participate in school activities directly related to the educational advancement of a son or daughter of the employee, such as parent-teacher conferences or interviewing for a new school;
To accompany the son or daughter of the employee to routine medical or dental appointments, such as check-ups or vaccinations;

To accompany an elderly relative of the employee to routine medical or dental appointments and for other professional services related to the elder's care, such as interviewing at nursing or group homes. (An elderly relative is defined as one who is 60 years of age and related by blood or marriage.)

Employees are required to use available vacation and personal time while out on leave. If you have no vacation or personal time available, the time will be unpaid.

Employees requesting to take Small Necessities Leave are required to complete a "Request for Time off under the Small Necessities Leave Act". The request must be submitted to the Human Resources Department for approval. If the leave is foreseeable, the request must be submitted not less than seven days prior to the beginning of the leave. If the necessity for leave was not foreseeable, employees must provide such notice as practicable.

Requests for leave must be supported by documentation verifying the need to take the leave. Such documentation could include, but is not limited to, a doctor's note or appointment card, a teacher's note, or a receipt for services rendered. Supporting documentation must be submitted either prior to or immediately upon return from the Small Necessities Leave. Failure to provide such documentation will result in the time off being counted as an unexcused absence, subject to disciplinary action.

If employees have any questions concerning eligibility or requirements under the Small Necessities Leave Act, please contact Human Resources.

DOMESTIC VIOLENCE LEAVE POLICY

Sunshine Village is committed to the health and safety of our employees and their families. Should you or your family member be a victim of domestic violence or abusive behavior, you are encouraged to communicate with human resources about the situation.

An employee may take up to a maximum of 15 days of time off in a 12 month period, if either the employee or their family member as described below is:

1. the victim of abusive behavior (such as domestic violence, stalking, sexual assault, or kidnapping);
2. seeking medical attention, counseling, legal or other victim services directly related to the abusive behavior against the employee or family member of the employee.

For purposes of this policy, a family member includes not only legally married spouses but also:

1. Persons "in a substantive dating or engagement relationship" AND who reside together;
2. Persons having a child in common regardless of whether they have ever married or resided together;
3. A parent, step-parent, child, step-child, sibling, grandparent or grandchild; or
4. Persons in a guardianship relationship.

Employees must exhaust vacation, personal and sick time before time off under this policy is provided on an unpaid basis. As a result, the use of paid vacation, personal and sick time may run concurrently with the time available under this policy.

We request that you provide advance notice of this leave (as required by the current leave policy), unless there is an imminent danger to your immediate health and safety (in which case - we must receive notification within 3 workdays that the leave was taken or is being taken for reasons covered by this policy).

In the event that you take this leave, please provide documentation evidencing that you or your family member has been a victim of domestic violence or abusive behavior within 30 days of the leave request. Such forms of documentation may include:

- A court issued protective order
- An official document from a court, provider or public agency
- A police report or statement of a victim or witness provided to the police
- Documentation attesting to perpetrator's guilt
- Medical documentation of treatment for the abusive behavior
- A sworn statement attesting to being a victim of abuse

The time off available under this policy is not available to an employee if they are, in fact, the perpetrator of the abusive behavior against his/her family member. If you have questions at any time as to how this policy applies to you, please do not hesitate to contact Human Resources.

PERSONAL BELONGING REIMBURSEMENT

Sunshine Village may reimburse employees at the following rates for damaged personal belongings:

Glasses up to \$100.00

Watches, purses, bags and clothing up to \$20.00

Medical supplies on a case-by-case basis
Interior vehicle damage on a case-by-case basis

If damage is done to an employee's personal belongings during work hours, a petition may be made for partial or full restitution from Sunshine Village. This petition should be submitted to the employee's Supervisor with a detailed description of the incident and an attached copy of the Incident/Restraint Report if applicable. The Supervisor will review and sign the petition and forward it to the Executive Director. If the Executive Director finds sufficient cause, she/he will determine the amount of reimbursement Sunshine Village will pay for the damaged belongings.

Jewelry may be worn at work as per the Sunshine Village dress code. However, the Agency will not reimburse staff for the cost of repairing damaged jewelry and will not reimburse staff for the cost of replacing jewelry that is damaged or lost during the course of work.

MILEAGE REIMBURSEMENT

Employees of Sunshine Village are eligible for mileage reimbursement. For work related travel, the employee must document and submit their miles to their manager for approval, on the Mileage Expense Statement.

Travel from home to work and from work to home is not eligible for mileage reimbursement.

EMPLOYEE RELATIONS

GRIEVANCE PROCEDURE

Any employee or former employee that feels that policy, procedure or practices have been improperly or inadequately applied, the following procedure is followed:

1. The aggrieved employee will submit the grievance in writing to the Human Resources Director within ten (10) working days of its occurrence. The Human Resources Director will attempt to resolve the matter and will respond to the employee in writing within ten (10) working days.
2. If the grievance still remains unresolved, it may be presented to the Executive Director within five (5) working days. The Executive Director will respond to the employee in writing within ten (10) working days.
3. The Executive Committee of the Board of Directors will hear any grievance filed against the Executive Director.

CONFLICT OF INTEREST

Employees must never allow themselves to be placed in a position where their personal interests are in conflict (or could be in conflict) with the interests or business of Sunshine Village. Employees must

avoid any situation or activity that compromises, or may compromise, their judgment or ability to act in the best interest of the Sunshine Village. All employees are expected to comply with the Code of Conduct and perform their duties on behalf of the Company faithfully, diligently and to the best of their abilities.

Employees are not permitted to accept gratuities from consumers or their parents/ guardians, unless otherwise pre-approved by management. Gifts of nominal value and food items are permissible. If an employee is uncertain, he/she should consult their manager.

RESIGNATIONS

Although Sunshine Village hopes that employment with the company will be a mutually rewarding experience, it is understood that varying circumstances do cause employees to voluntarily resign employment. Should this time come, employees are asked to follow the guidelines below regarding notice and exit procedures.

Procedures Notice of resignation: Managerial staff shall give 30 working days (if able) written notice to their Program Director or the Executive Director, as appropriate. Other Employees are expected to provide 10 working days written notice to facilitate a smooth transition out of the organization. The Executive Director will approve any resignation period longer than (30) days based upon need. If an employee provides less notice than requested, the employer may deem the individual to be ineligible for rehire depending on the circumstances regarding the notice given.

Pay in lieu of notice: Management reserves the right to provide an employee with pay in lieu of notice in situations where job or business needs warrant. Such a decision should not be perceived as reflecting negatively on the employee, given that it may be due to a variety of reasons not known to the individual or other employees.

Resignation for failure to report to work: Employees who fail to report to work without properly communicating to their supervisor or manager the reasons for their absence will be viewed as voluntarily resigning their employment.

Eligibility for rehire: Employees who resign in good standing and whose documented performance meets Sunshine Village's standards under the performance management system will be eligible for reemployment. Within one year, benefits tied to seniority will be reinstated in full at their new anniversary date. Former employees will be considered for open positions along with all other candidates. Former employees who apply for reemployment after one year will be treated as new employees for purposes of seniority-related benefits.

Reporting of employee departures: All departing employees, regardless of the circumstances surrounding their departure, will be communicated through a Change of Status Form. Those with a need to know (e.g., supervisors, payroll, front desk, IT and security) will be advised of the last day of actual work with Sunshine Village.

Exit Procedure: Resigning employees may be asked to complete an exit interview survey to ensure that all tools and equipment are returned and to provide an opportunity to discuss any questions or concerns related to employment with Sunshine Village. Employees who fail to return any company property, including keys, credit cards, tools, uniforms, cellular phones, laptops and other equipment, will be deemed ineligible for rehire and may be subject to legal proceedings on behalf of Sunshine Village.

Forwarding address and final pay: Departing employees will be asked to confirm their forwarding address to ensure that benefits and tax information are received in a timely manner. Final pay will be mailed to this address by the next payday unless state law or other procedures dictate otherwise. Accrued but unused vacation will be paid out consistent with the company vacation policy and state law requirements.

REHIRE POLICY

Employees who resign in good standing and whose documented performance meets Sunshine Village's standards under the performance management system will be eligible for reemployment. Within 90 days (recommended change from "one year"), benefits tied to seniority will be reinstated in full at their new anniversary date.

FURLOUGH POLICY

Furloughs and temporary salary reductions may be imposed for a variety of reasons. Sunshine Village may take actions affecting the pay and/or the work schedule of employees and may furlough employees for a specified time period or may invite voluntary leaves without pay.

Implementation of any furlough or temporary salary reduction will be guided by the reason for the budgetary constraint or reduction. Some furloughs may be implemented to deal with reduced state funding to the organization. Other furloughs may be implemented in response to unforeseen events.

In the event of a furlough, the affected employees will be notified as soon as is practicable as to the effective date and expected duration and be provided with information as to how benefits will be maintained and managed during and after the furlough period.

TERMINATION PAY

Upon resignation or termination of employment, the agency shall pay the employee for any earned but unused vacation time.

SMOKE FREE POLICY

Sunshine Village is committed to providing a safe and healthy workplace and to promoting the health and wellbeing of its employees. Motivated by our desire to provide a healthy work environment for our employees, the following smoking policy has been adopted and shall apply to all employees of Sunshine Village.

It is the policy of Sunshine Village to prohibit smoking inside any building on all company premises and in the presence of consumers, in order to provide and maintain a safe and healthy work environment for all employees. The law defines smoking as the "act of lighting, smoking or carrying a lighted or smoldering cigar, cigarette or pipe of any kind." Sunshine Village considers E-Cigarettes to be included in this policy.

The Smoke-Free Workplace policy applies to:

- All areas of buildings occupied by company employees.
- All company-sponsored off-site conferences and meetings.
- All vehicles owned or leased by the company.
- All visitors (customers and vendors) to company premises.
- All contractors and consultants and/or their employees working on company premises.
- All temporary employees.
- All student interns.

Smoking is permitted in:

- Designated smoking areas that vary by site.
- In private vehicles if a consumer is not present.

DRESS and GROOMING CODE

Sunshine Village strives to maintain a workplace environment that is well functioning and free from unnecessary distractions and annoyances. As part of that effort, Sunshine Village requires employees to maintain a neat and clean appearance that is appropriate for the workplace setting and for the work being performed. To that end, Sunshine Village managers and supervisors may determine and enforce guidelines for workplace-appropriate attire and grooming for their areas; guidelines may limit natural or artificial scents that could be distracting or annoying to others and/or consumers.

Procedures: All Sunshine Village employees are expected to present a professional image to clients, visitors, family members, guardians and representatives from funding and referral sources as well as the general public. Acceptable personal appearance, like proper maintenance of work areas, is an ongoing requirement of employment. Supervisors should communicate any department-specific workplace attire and grooming guidelines to staff members during new-hire orientation and evaluation periods. Any questions about the department's guidelines for attire should be discussed with the immediate supervisor. Any staff member who does not meet the attire or grooming standards set by his or her department will be subject to corrective action and may be asked to leave the premises to change clothing. Hourly paid staff members will not be compensated for any work time missed because of failure to comply with designated workplace attire and grooming standards.

Specific requirements: Certain staff members may be required to meet special dress, grooming and hygiene standards, such as wearing uniforms or protective clothing, depending on the nature of their

job. At the discretion of the Executive Director, in special circumstances, such as during unusually hot or cold weather or during special occasions, staff members may be permitted to dress in a more casual fashion than is normally required. (Please refer to the Summer Dress Code for specifics) On these occasions, staff members are still expected to present a neat appearance and are not permitted to wear ripped, frayed or disheveled clothing or athletic wear. Likewise, tight, revealing or otherwise workplace-inappropriate dress is not permitted.

Reasonable accommodation of religious beliefs: Sunshine Village recognizes the importance of individually held religious beliefs to persons within its workforce. Sunshine Village will reasonably accommodate a staff member's religious beliefs in terms of workplace attire unless the accommodation creates an undue hardship. Accommodation of religious beliefs in terms of attire may be difficult in light of safety issues for staff members. Those requesting a workplace attire accommodation based on religious beliefs should be referred to the human resource (HR) department.

For specific information regarding appropriate dress during work please see the Dress and Grooming practice.

RESPONDING TO SUBPOENAS, SEARCH WARRANTS, INVESTIGATIONS AND OTHER LEGAL ACTIONS

In the event that an employee is approached during working hours by an individual who is trying to serve a subpoena, exercise a search warrant, initiate an investigation of any kind, or is attempting to proceed with any type of legal action involving either the employee, the Agency or another employee of Sunshine Village, the employee must direct the individual to the administration building at 75 Litwin Lane, Chicopee, MA, and inform them that they should ask to speak with the Human Resources Director. If the Human Resources Director is unavailable, the Executive Director or the CFO is to be notified.

The Human Resources Director or other designated administrator will verify the credentials of the individual attempting to proceed with the legal action and will assist them to complete their business.

If an individual is attempting to serve a subpoena at any Sunshine Village site other than at 75 Litwin Lane, they must speak to the program supervisor. The program supervisor will contact the Human Resources Director to inform them of the situation and to verify the credentials of the individual attempting to serve the subpoena and will assist them to complete their business.

Subpoenas addressed to Sunshine Village will be accepted by the Human Resources Director and acted upon as necessary. If a server is attempting to deliver a subpoena to an employee of the organization, the Human Resources Director or designated administrator will contact the employee and request that they come to the administration building to accept the subpoena.

In the case of a search warrant, the Human Resources Director or designated administrator will contact the organization's attorney and will accompany the person exercising the search warrant.

In the case of an investigation, the Human Resources Director or designated administrator will contact the organization's attorney and will notify the Program Director where the investigation is to be conducted who will arrange for those involved in the investigation to be available for questioning.

DRUG AND ALCOHOL POLICY

Purpose

In compliance with the Drug-Free Workplace Act of 1988, Sunshine Village has a longstanding commitment to provide a safe, quality-oriented and productive work environment consistent with the standards of the community in which the company operates. Alcohol and drug abuse poses a threat to the health and safety of Sunshine Village employees and to the security of the company's equipment and facilities. For these reasons, Sunshine Village is committed to the elimination of drug and alcohol use and abuse in the workplace.

Scope

This policy outlines the practice and procedure designed to correct instances of identified alcohol and drug use in the workplace.

This policy applies to all employees and all applicants for employment of Sunshine Village. The Human Resource (HR) department is responsible for policy administration.

Substance Abuse Awareness

Illegal drug use, use of controlled substances and alcohol misuse have many serious adverse health and safety consequences. Information about those consequences and sources of help for drug or alcohol problems is available from the HR department, which has been trained to make referrals and to assist employees with drug or alcohol problems.

Notification of Convictions

Any worker who is convicted of a criminal drug violation in the workplace must notify the organization in writing within 5 calendar days of the conviction. The organization will take appropriate action within 30 days of notification. Sunshine Village is required to notify our federal contracting agency of any covered violation. Under the terms of the Drug-free Workplace Act, the employer has 10 days to report that a covered employee has been convicted of criminal drug violation.

Employee Assistance

Sunshine Village recognizes that alcohol and drug abuse and addiction are treatable illnesses. We also realize that early intervention and support improve the success of rehabilitation. To support our employees, our drug-free workplace policy:

- Encourages workers to seek help if they are concerned that they or their family members may have a drug and/or alcohol problem.
- Encourages workers to use the services of qualified professionals in the community to assess the seriousness of suspected drug or alcohol problems and identify appropriate sources of help.

- Ensures the availability of a current list of qualified community professionals.
- Offers all workers and their family member's assistance with alcohol and drug problems through the Employee Assistance Program (EAP).
- Allows the use of accrued paid leave while seeking treatment for alcohol and other drug problems.

Work Rules

1. Whenever employees are working Monday- Friday 8am-4pm, and/or operating any Sunshine Village vehicle, they are prohibited from:
 - a. Using, possessing, buying, selling, manufacturing or dispensing an illegal drug or controlled substance (to include possession of drug paraphernalia).
 - b. Being under the influence of alcohol or an illegal drug or other controlled substance.
 - c. Possessing or consuming alcohol or an illegal drug or other controlled substance.
2. The presence of any detectable amount of any illegal drug or illegal controlled substance in an employee's body system, while performing company business or while in a company facility, is prohibited.
3. Sunshine Village will also not allow employees to perform their duties while taking prescribed drugs that are adversely affecting their ability to safely and effectively perform their job duties. Employees taking a prescribed medication must carry it in the container labeled by a licensed pharmacist or be prepared to produce it if asked.
4. Any illegal drugs or drug paraphernalia will be turned over to an appropriate law enforcement agency and may result in criminal prosecution.

Required Testing

Pre-employment for Transportation Department

Employees who perform duties in the transportation department (Van Driver) are subject to pre-employment drug testing. All applicants for transportation positions must pass a drug test before beginning work or receiving an offer of employment. Refusal to submit to testing will result in disqualification of further employment consideration.

Reasonable Suspicion

When reasonable suspicion indicates that an employee may be under the influence of drugs or alcohol, Sunshine Village may send that employee for testing. Refusal to cooperate with a request for testing will be grounds for termination.

Follow-up

Employees who have tested positive, or otherwise violated this policy, are subject to discipline, up to and including discharge. Employees who return to work on a last-chance basis pursuant to mutually agreeable terms, which could include follow-up drug testing at times and frequencies determined by Sunshine Village, will be expected to comply with all conditions of employment, including all Sunshine Village policies. If the employee either does not complete the rehabilitation program or tests positive

after completing the rehabilitation program, the employee will be subject to immediate discharge from employment.

Collection and Testing Procedures

Employees subject to alcohol testing should be driven to a Sunshine Village designated facility and directed to provide specimens. Alcohol tests may, however, be a breath, blood or saliva test, at the company's discretion. For purposes of this policy, test results generated by law enforcement or medical providers may be considered by the company as work rule violations.

Applicants and employees subject to drug testing should do so at a designated Sunshine Village medical facility and directed to provide urine specimens. The laboratory will screen all specimens and confirm all positive screens. There must be a chain of custody from the time specimens are collected through testing and storage.

Consequences

Applicants who refuse to cooperate in a drug test or who test positive will not be hired and will not be allowed to reapply/retest for one year.

Employees who refuse to cooperate in required tests or who use, possess, buy, sell, manufacture or dispense an illegal drug in violation of this policy will be terminated. If the employee refuses to be tested, yet the company believes he or she is impaired, under no circumstances will the employee be allowed to drive himself or herself home.

Confidentiality

All information received by the organization through the drug-free workplace program is confidential communication. Access to this information is limited to those who have a legitimate need to know in compliance with relevant laws and management policies.

Enforcement

The HR department is responsible for policy interpretation, administration and enforcement.

AGENCY RULES

The orderly and efficient operation of Sunshine Village requires that employees maintain discipline and proper personal standards of conduct at all times, which are necessary to protect the health and safety of all staff, to maintain uninterrupted services and jobs, and to protect the goodwill and property of Sunshine Village

Employees who fail to maintain proper standards of conduct or who violate any of the following rules shall be subject to disciplinary action up to, and including, termination.

Attendance: Employees must be at their appointed work places, ready to work, at the regular starting time, and shall remain at such work places and at work until the regular quitting time.

Continued Operations: In the event that Sunshine Village operations are continued beyond normal business hours for any reason, employees shall not leave their post at the end of their shift until they are replaced or until they are relieved by their Supervisor.

Safety Protection: Employees must at all times wear and use the safety articles and any protective equipment provided for use in designated areas and immediately report any injury or accident to their supervisor or the Human Resources Director.

Safeguarding Property: Employees shall be responsible for all supplies, equipment Agency funds, petty cash or consumer funds and property assigned to or requisitioned by him/her or in her/his custody and care.

Removing Property: Employees shall not take Agency records, materials or other property from the premises without written permission from their supervisor.

Reporting Absences: Any employee who is unable to report for or perform work due to illness or other justifiable reason are required to report the absence and give the reasons for such inability to work to their Supervisor or designee. It is not acceptable to leave a message, unless otherwise incapacitated. It is the responsibility of each employee to understand and follow this protocol.

Parking Facility: Where provided, employees shall use only the parking facility designated for their use.

Personal Data: Employees are required to notify their Supervisor in writing, immediately, of any change in their personal data. This includes a change in status with your driver's license.

Physical Condition: Employees are required to report for and remain at work at all times in a fit physical condition. Alcohol, drugs, or other disabling substances are prohibited.

Work Assignment: Employees must be available and report for work as scheduled or overtime work as required or assigned.

Personal Conduct: Employees shall refrain from using profane or abusive language.

Posting of Notices: Employees shall refrain from posting notices on the premises without prior written approval from the Executive Director or the Director of Human Resources.

Dress Requirements: All clothing should be neat and clean. Based upon the needs of the program, and in consideration of safety requirements, restrictions may apply to certain programs and/or positions. Please refer to Dress and Grooming Code.

Firearms or Any Kind of Weapons on any Sunshine Village Property: Employees must not bring firearms or any kind of weapons onto any premises owned or rented by Sunshine Village. If an employee finds a firearm or other weapon on Sunshine Village property, they are not to touch it and are to notify a supervisor immediately. The supervisor will secure the area where the weapon has been found and notify the proper authorities.

DISCIPLINE/TERMINATION

Sunshine Village reserves the right to take disciplinary action against any employee who violates any policy, rules, regulations, procedures, protocols or practices. The nature of that discipline will be at the discretion of Sunshine Village and may involve written warnings, suspensions without pay, or discharge. The Executive Director will approve all discharges.

The following is a list of examples of conduct that could result in immediate dismissal. The list is not exhaustive, but only contains examples. It is not to be construed as limiting those instances in which

the discharge penalty may be imposed, nor limiting the Agency's right to discharge employees for offenses not contained in the listing of examples:

- Abuse, neglect and/or mistreatment of consumers;
- Disrespect to individuals and families;
- Falsification of records;
- Knowingly making false statements to supervisors;
- Theft of property;
- Destruction of property;
- Sexual harassment;
- Reporting to work under the influence of intoxicants;
- Using intoxicants during working hours;
- Possession of firearms or illegal substances on Agency property; or
- Insubordination.

Disciplinary actions may be necessary from time to time to correct inadequate job performance and/or inappropriate employee conduct. Disciplinary actions may be taken in the following ways:

1. Through coaching and counseling;
2. Through a first level warning
3. Through a second level warning;
4. Through a final written warning and/or temporary suspension or forced leave of absence without compensation; and
5. Through an involuntary termination.

For purposes of progressive discipline, formal corrective action will remain in effect for one year, and no employee will be allowed to transfer to another program without approval by the Director of Day Programs or his/her designee.

In the event of termination, voluntary or otherwise, former employees are allowed access to the organization's offices or program sites in order to conduct business. Should the former employee disrupt the operations of Sunshine Village in any way, or pose a threat to employees, consumers or visitors, they may be asked to leave the premises. Anyone who causes significant security related concerns may be trespassed from the properties by notice of a trespass order filed with the local police department.

The applicability or the extent to which any of these disciplinary actions are utilized will depend upon the sole discretion of management as determined by the scope of the problem involved and the circumstances. Any misconduct or serious failures or inadequacies may be dealt with by an immediate termination or discharge; and any of the above steps may be skipped depending on the circumstances. Nothing in this policy should be construed as a promise of specific consequences in any given situation.

PROHIBITED ACTIONS

The foregoing rules are not intended to be all inclusive of the required discipline, job responsibilities, and standards of conduct that staff must observe at all times.

Sunshine Village shall, when it deems it appropriate, establish additional rules; and supervisors may set up particular rules to govern operational responsibilities and safety conduct, deemed necessary by operational requirements in their particular department at any time. Engaging in a prohibited action may result in disciplinary action up to and including termination.

The following acts or misconduct are prohibited and may be grounds for disciplinary action up to, and including, termination.

1. Unauthorized or unexcused absence or lateness
2. Fighting
3. Gambling
4. Immoral conduct or indecency, including sexual harassment
5. Falsely documenting or changing any time record including falsifying reports or records, personnel, absence, sickness, service and operational records, and time sheets
6. Engaging in insubordinate conduct or refusal to follow supervisor's orders (by word or action)
7. Abuse or destruction of Sunshine Village's property, including tools, supplies, equipment, or records
8. Falsely stating or making claims or injury
9. Smoking, except in areas expressly designated for that purpose
10. Bringing unauthorized drugs or intoxicating liquors onto the premises
11. Violating any safety rules or practices or engaging in any conduct which tends to create a safety hazard, including horseplay
12. Misusing, misappropriating or removing records, supplies, materials or other property from the premises without proper written authorization.

RISK MANAGEMENT

ACCIDENT AND ILLNESS

In the event of injury or illness during working hours, the injured employee's Immediate Supervisor or designee will assume responsibility for the employee receiving immediate medical treatment or transportation to Concentra or to the Emergency Room of their choice.

WORKERS' COMPENSATION

Employees are insured for work-related injuries in accordance with state requirements. If you are injured at work, you must notify your supervisor immediately. Employees will not be retaliated against

for reported work-related injuries and illnesses. Employees who engage in behavior that contributes to an unsafe act or condition may be subject to discipline.

The Immediate Supervisor is responsible for completing the Supervisor's Report section of the Accident and Injury Report and submitting it within 24 hours to the Human Resources Director.

1. **Confirmation of Injury/Illness:** Whenever an employee is absent because of illness or injury, the Agency may take whatever steps are reasonably necessary to confirm the nature and extent of such illness or injury. In the case of work-related illness or injuries, the Agency may investigate the circumstances and otherwise verify if the illness or injury was work-related and assure proper treatment has been taken.
2. **Return to Work:** An employee who fails to return to work at the end of an approved medical absence will be considered to have voluntarily resigned.
3. **Release to Work:** Employees returning from a medical absence will be required to provide certification from a physician of their ability to perform their regular work safely and satisfactorily.
4. **Modified Duty:** Sunshine Village may offer employees who have been injured on the job modified duty on an interim basis. In the event Sunshine Village elects to offer the employee modified duty, the employee must report for work at the time specified, if the Treating Physician has released the employee to return to work in the modified position. Any employee who refuses to return to modified duty which has been approved by their treating physician will be subject to discipline up to and including dismissal.
5. **Fraudulent Claims:** An employee filing a fraudulent claim will be disciplined up to and including dismissal and may face charges for insurance fraud.
6. **Life Threatening Illness:** It is the policy of Sunshine Village to allow employees who have a life threatening illness, who are deemed medically fit, to continue employment by providing reasonable work accommodations for them while preserving the safety of all our consumers and employees.
7. **Non-Work Related Injury:** Sunshine Village may, on a limited basis, offer light/ modified duty, as able to accommodate, to an employee who has been injured off the job. Supporting medical documentation including restrictions and duration will be required.