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5 WELCOME (FROM CEO)

**WELCOME to UCP Central PA!** It is my hope that you find in UCP an organization that “walks its talk,” a workplace that values “servant leadership,” and a culture that is constantly striving to exceed expectations and regulatory standards in providing “GOLD STANDARD” programs to every participant!

10 At UCP every resource we have is focused on **“Empowering people of diverse abilities to live a meaningful life through innovative supports and services”** – Simply stated, this is why you are here! The extent to which you are devoted to this **MISSION** will be the measure of your success at UCP! In ALL that we do, and in every interaction with anyone, we all must be able to deliver “Love Without Limits” to anyone with whom we interact. To ensure that you are always on track with this important goal, learn to ask yourself this question: “Would I want to be talked to, cared for or treated the way I am interacting at this moment in time?” “Would I want my own family member served in this program in this way?” If you can answer with a resounding YES, then you are on the right track!

20 EVERY employee at UCP Central PA is empowered to make a lasting positive difference in the lives of participants, co-workers and managers alike – in fact, it is expected. As an employee, I ask that if you ever see anything that does not feel just “right” in any way, take the following actions immediately:

- **STOP:** STOP what you are doing immediately and pay attention – identify what feels wrong.
- **DROP:** DROP excuses, drop attitudes, drop the “it’s not my job” mentality – If you see it, it is your job to make it better!
- **ROLE:** It is your **ROLE** to be the difference maker – you must get involved and fix the situation – NOW!

30 You received a specific job description that outlines your responsibilities as best we can articulate them. Expect to be learning for months after you are hired. You have so much to learn, and we have intentionally set up people around you to help you learn what you need to know to be successful. It is your job to ask questions, put safety first, keep an open mind, and apply yourself to learning what will make you an expert at your job!

35 Because the very lives of individuals with disabilities are placed in our hands every day, you must learn the right way to perform your job – and then, never cut corners. Ask your Supervisor, ask your Supervisor’s Supervisor – work up through the chain of command if you need to. When you have a question, do not stop asking it until you have gotten an answer that feels correct. Asking questions will never be a problem – we make mistakes when we don’t pay attention to the details or fail to ask for help.

40 You will make mistakes! You are human, and a mistake is inevitable. I still make mistakes. When you make one, be open and honest about it – hiding or misrepresenting the facts is what will get you into trouble. You have mentors and Supervisors who are trained to assist you in making corrections and mastering what is required of you. Some mistakes are reportable, and you will learn about those in New Employee Orientation and in this Handbook. If reportable, you **MUST** make the report immediately. If you have a question, contact your Supervisor or division director immediately.

50 Enjoy your job - enjoy those with whom you work and those for whom you care. To achieve the mission, WE NEED YOU! Feel free to contact me if there is anything you need.

Most of all, may you be blessed in all that you do each day,

*Janeen Latin, President and Chief Executive Officer*

5 **ABOUT UCP**

***Uncommon Passion in support of a common purpose***

UCP leadership and staff work tirelessly to provide innovative programs that engage participants and have the power to significantly enhance their quality of life. We strive to hire employees at all levels of the Agency who share our philosophy and our passion to make a decided difference in the lives of the people we support. Our staff embrace the unique interests, desires, and abilities of every individual, empowering them to experience milestone -- as well as “inch stone” -- moments in their lives.

Our extended UCP family creates similar opportunities. For every hour spent, every connection made, and every dollar raised on behalf of UCP, our donors and volunteers give the people we support a greater chance of personally experiencing *Life without Limits*, in a way that is meaningful to them.

***Can-do approach***

What began in 1953 as a therapeutic service for children with Cerebral Palsy has evolved tremendously over the past 65 years. Today, in addition to being a premier service provider, we are strong advocates for greater funding and greater access to opportunities for people of all ages and all abilities in four key areas: community participation, residential housing, education, and employment.

*In other words, we focus on what people can do, not what they can't.* That's because we support the individual, not the diagnosis. The five most common diagnoses or conditions of the people we supported over the past year include:

- Intellectual/developmental disability
- Developmental delay
- Cerebral Palsy
- Alzheimer's/dementia
- Multiple Sclerosis

***Power in numbers***

UCP is a \$35 million service organization offering programs and services across the lifespan and operating out of 32 locations in 17 PA counties. Last year we supported more than 2,800 people; already in this fiscal year, we have made a powerful difference in the lives of over 2,000 individuals and families. *These numbers represent much more than statistics.* They are a snapshot of the countless ways we encourage and empower others to learn, grow, develop relationships, and experience joy. In other words... *to experience Life without Limits.*

40 **WELCOME & INTRODUCTION**

**WELCOME**

We are pleased that you have joined us as a new employee of United Cerebral Palsy of Central Pennsylvania, Inc. (UCP)!

The mission of UCP is to *empower people of diverse abilities to live a meaningful life through innovative support and services.*

At UCP, you will find a dedicated and proud group of people who are committed to our mission. As a valued team member, your efforts will help set the expectations and standards for future team members. We value your service, trust your sense of responsibility, and consider you as an important member of our team.

## AGENCY WITH CHOICE – A UNITED CEREBRAL PALSY OF CENTRAL PA, Inc. (UCP) EMPLOYEE HANDBOOK

5 We want you to share your concerns and ideas for improving the quality of your work experience, as well as the quality of our services. We welcome your input and invite you to ask questions and discuss any problems or difficulties you may have. Our *Open Door* policy gives you the opportunity to discuss your concerns with your Supervisor, Director, Executive Team member, or a Human Resources Department professional.

10 Thank you for your contributions in helping us to achieve our mission. We are glad you're here!

### INTRODUCTION

15 This Employee Handbook outlines the general employment policies, procedures, and benefits for employees of UCP. The policies included in this Employee Handbook are intended to support an environment of mutual respect and accountability. Employees are expected to use this Employee Handbook to familiarize themselves with important information about UCP, including their own privileges and responsibilities.

20 The Employee Handbook contains only general information and guidelines. In some cases, what you see in the Employee Handbook is a policy summary; so please consult with a Human Resources Department representative for additional policy information or interpretation. The Employee Handbook is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit, or the applicability of a policy or practice to you, you should address your specific questions to the Human Resources Department: [HRHelpdesk@ucpcentralpa.org](mailto:HRHelpdesk@ucpcentralpa.org).

25 Since UCP must adapt to changing business conditions and legal requirements, the policies, procedures, and employee benefits outlined in this Employee Handbook may change at UCP's discretion without advance notice or immediate revision to this handbook. UCP will notify employees within a reasonable time frame of any significant changes to this handbook or available employee benefits. This handbook has been written to comply with federal, state, and local legal requirements. However, these legal requirements, and any changes to them, take precedence over any contrary provisions in this handbook.

30 Only highlights of UCP's benefits plans have been listed. For these plans, formal plan documents and insurance contracts will govern in all cases. Employees should refer to the Summary Plan Descriptions (SPDs) for specific information about their employee benefits. SPDs can be located on the ADP Employee Portal.

35 You are an "at-will" employee of UCP. Neither this handbook, other UCP documents or policies, nor any spoken or written comments by UCP's management representatives are intended to create an employment contract with UCP, expressed or implied. UCP is an at-will employer, unless otherwise regulated by state or local law. Employment may end at any time with or without cause at the employee's or UCP's choosing.

40 UCP's officers and managers are responsible for the administration of these Employee Handbook policies. Violations of Employee Handbook policies will result in corrective action up to and including termination.

45 This Employee Handbook replaces (supersedes) all previously issued personnel policies and/or Employee Handbooks as of October 1, 2020. Any previous policies or procedures, whether written or oral, that are inconsistent with those contained in this Employee Handbook, are superseded by this Employee Handbook.

5 **GLOSSARY**

**Agency:** United Cerebral Palsy of Central Pennsylvania, Inc.

**Agency with Choice (AWC):** A division of United Cerebral Palsy of Central Pennsylvania.

10 **Business Associate:** HIPAA defines a business associate as any organization or person working in association with or providing services to a covered entity who handles or discloses protected health information or personal health records.

15 **Consultant:** Any professional advisor that provides expert knowledge, advice, and/or services to UCP.

**Contractor:** A person or business which performs services for UCP under a contract, with terms spelled out such as duties, pay, the amount and type of work and other matters.

20 **Corporate Compliance Officer:** UCP staff member in charge of overseeing and managing compliance issues within UCP; ensuring, for example, that UCP is complying with regulatory requirements and that the organization and its employees are complying with internal policies and procedures.

**Director:** Any UCP management position that has the position title of Director.

25 **Executive Team:** Designated executive leadership positions at UCP charged with responsibility to strategize ways to grow the business, gain acceptance (traction) of strategic initiatives, and execute them to achieve desired business results. Currently comprised of the positions of President/CEO, and CFO.

30 **Independent Contractor:** Any external entity that provides services to UCP, receives payment for those services, and meets the Independent Contractor test of the Fair Labor Standards Act.

**Instructor:** An employee who is the Support Service Professional’s primary contact with UCP.

35 **Managing Employer:** An unpaid authorized surrogate of the participants AWC supports. This person serves as the primary contact for the Support Service Professional and UCP. The managing employer has the authority to direct the duties of the Support Service Professional on a day to day basis.

**Office:** A leased or owned UCP property that primarily supports administrative activities.

40 **Participant:** An individual who directly receives services or supports from UCP (i.e. consumer, customer, constituent).

45 **Privacy Officer:** UCP staff member who routinely handles protected health information; and is responsible to develop, implement, and oversee UCP’s compliance with the HIPAA privacy rules.

**Support Services Professional (SSP):** Any UCP position in Agency with Choice that has the position title of Support Service Professional or SSP.

50 **Supervisor:** A collective term for any UCP position with responsibilities that include authority to directly supervise, discipline, and complete performance reviews for direct reports (i.e. supervisor, manager, senior director, director).

**UCP:** United Cerebral Palsy of Central Pennsylvania Inc.

5

**Vendor:** A person or company whose principal product lines are office supplies and equipment.



5 **EMPLOYMENT**

**AMERICANS WITH DISABILITIES ACT (ADA) AND THE ADA AMENDMENTS ACT (ADAAA)**

**Policy Statement**

10 It is the policy of UCP to comply with all federal, state, and local laws concerning the employment of persons with disabilities and to act in accordance with regulations and guidance issued by the Pennsylvania Human Relations Commission (PHRC) and/or Equal Employment Opportunity Commission (EEOC). Furthermore, it is our policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

**Purpose**

20 This policy is intended to ensure compliance with the Americans with Disabilities Act (ADA), the Americans with Disabilities Amendments Act (ADAAA), as well as all federal, state, and local laws concerning the employment of persons with disabilities.

**Procedures**

25 The ADA and the ADAAA are federal laws that prohibit employers with 15 or more employees from discriminating against applicants and individuals with disabilities, and when needed, provide reasonable accommodations to applicants and employees who are qualified for a job, with or without reasonable accommodations, so that they may perform the essential job duties of the position. For purposes of this policy, both laws will be referred to singularly as the ADA.

30 A qualified individual with a disability is defined by the ADA as an “individual with a disability who meets the skill, experience, education, and other job-related requirements of a position held or desired, and who, with or without reasonable accommodations, can perform the essential functions of a job.”

35 Employees are responsible for seeking a reasonable accommodation. They must submit a formal written request for accommodation, along with medical certification, to the Human Resources Department. This form is available on the ADP Employee Portal. It must be completed by the employee and their physician and submitted within 15 days of first requesting or needing the accommodation.

40 When an individual with a disability expresses a need for an accommodation to perform the essential functions of their job or to apply for a position, UCP will consider whether a reasonable accommodation exists that will enable the person to perform those essential functions. Under the ADA, a reasonable accommodation is “any change in the work environment or in the ways things are usually done that results in equal employment opportunity for an individual with a disability.”

45 UCP will evaluate the request for a reasonable accommodation for qualified individuals with a disability. In consultation with the individual’s physician, UCP will determine if the requested accommodation would allow the individual to complete the essential functions of their job. UCP will reasonably accommodate an individual unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to UCP.

50 In addition, UCP will also make reasonable accommodations for pregnant employees or those with pregnancy-related disabilities as required by law, so long as the accommodation does not present an undue hardship. Contact the Human Resources Department with any questions or requests for accommodation.

5

Decisions about whether a reasonable accommodation may be made are made on a case-by-case basis, depending on the circumstances involved. There is no guarantee of any specific accommodation for an individual.

10

## **BACKGROUND CHECKS AND CLEARANCES**

### **Policy Statement**

15

UCP is committed to providing a safe environment for all employees and participants. Applicable background checks and other clearances will be completed on all prospective employees, and current employees transitioning into positions that are subject to designated background checks and clearances. All offers of employment are contingent upon acceptable results of applicable background check reports and other clearances.

### **Purpose**

20

Specific guidelines and operating procedures for the completion of appropriate background checks and other clearances have been established to ensure the timely and prudent hiring of prospective employees and transitioning of current employees.

### **Procedures**

25

As applicable, background check investigations will include the following: Child Protective Services Law Employee Disclosure Statement, OAPSA Disclosure Statement, Pennsylvania State Police Criminal Background Check, FBI Criminal Background Check, Child Protective Service Law Child Abuse Background Check, Motor Vehicle Driving Record Check, and Medical Assistance Exclusion Check.

30

As applicable, clearances will include the following: Prior Employment Verifications, Professional and/or Personal Reference Checks, and Educational Degree Verifications.

35

Background checks and clearances will only be initiated after the receipt of the Fair Credit Reporting Act (FCRA) Disclosure and Authorization document, signed and dated by the prospective employee or employee transitioning into a different position. UCP will cover the costs of all required background checks.

40

Provisional hiring is a process that is available when organizational needs arise. Organizational needs arise when external, or environmental factors influence the ability of a prospective employee to complete background checks.

45

Unless hired on a provisional basis, a prospective employee may not commence employment at UCP until all applicable background check reports and clearances have been completed and deemed acceptable. Unless hired on a provisional basis, a current employee may not transition to a different position until all applicable background check reports and clearances have been completed and deemed acceptable.

50

If an employee's employment begins before the results of a background check are received, the employee shall be designated as a "provisional hire," and will be subject to all "Provisional Hire" regulations. A provider who engages in the practice of "provisional hiring," must meet the following operational requirements:

- A provisionally hired staff person must have applied for all required background check reports prior to the first day of employment and provide a copy of the application papers to the Human Resources Department.

## AGENCY WITH CHOICE – A UNITED CEREBRAL PALSY OF CENTRAL PA, Inc. (UCP) EMPLOYEE HANDBOOK

- 5 • A provider may not hire a person provisionally if the provider has knowledge that the person would be disqualified for employment under 18 Pa.C.S. §4911 (relating to tampering with public records or information).
- A provisionally hired staff person shall swear or affirm in writing that he/she has not been disqualified from employment or referral under this chapter.
- 10 • A provider may not permit the provisionally hired staff person awaiting a criminal history background check or child abuse clearance to work alone with a participant.
- A provider shall monitor a provisionally hired staff person awaiting a criminal history check or child abuse clearance through random, direct observation and participant feedback. The results of monitoring shall be documented in the provisionally hired staff person's file.
- 15 • The period of provisional hire of a staff person that is and has been for 2 years or more a resident of this Commonwealth of Pennsylvania may not exceed 30 days. The period of provisional hire of a staff person who has not been a resident of this Commonwealth for 2 years or more may not exceed 90 days; however, UCP has determined to limit this period to 30 days.
- 20 • Current UCP staff members whose clearances are not in compliance, will have 30 days from the request date for the completed background clearances to be on file with UCP. If they are not received within the 30 days, the employee will be suspended without pay pending receipt and review.

25 Provided there is proof of application for the required background checks and clearances, and the hiring Supervisor has no knowledge of information pertaining to the applicant that would disqualify he or she from employment pursuant to the Employee Disclosure Statement, the prospective employee is hired on a provisional basis for up to 30 calendar days. If there is a delay that is out of the employee's and Supervisor's control, the employee can show a good faith effort to obtain the clearances within the required timeframe, and retaining them is not a violation of a licensing requirement, an exception by the Director of Human Resources and President/CEO can be made. All exceptions must be requested by the employee in writing to the Director of Human Resources.

35 Applicable background checks (PA State Police, FBI through the Department of Human Services, and the PA Child Abuse Background Check) for current employees who occupy positions subject to the Child Protective Services Law will be re-run no later than every 60 months (5 years). The 60-month timeline commences with the date of the completion of the most recent (immediately preceding) background check. Current employees affected by this requirement will be notified approximately 3 months prior to the date of the 60-month deadline. Employees with expired background check reports will be placed onto unpaid administrative leave; with a 7 calendar-day grace period for completion of all requirements. The employee 40 may not return to work until all requirements have been met. If all requirements are not met after the 7 calendar-day grace period, the employee's employment will be terminated.

45 Current employees who occupy positions subject to the Child Protective Services Law must provide notice to their Supervisor within 72 hours after the arrest, conviction, or notification that they have been listed as a perpetrator in the Pennsylvania statewide database. In addition, current employees who occupy positions subject to the Child Protective Services Law must provide notice to their Supervisor within 72 hours of the arrest or conviction of an offense that is prohibited under the Child Protective Services Law. Following an employee's disclosure of the aforementioned incidence(s) or UCP management's reasonable suspicion that an incident has occurred; the employee will be required to obtain updated clearances (PA State Police, FBI 50 through the Department of Human Services, and the PA Child Abuse Background Check). If an employee willfully fails to disclose information as required above, or commits a misdemeanor of the third degree, the employee shall be subject to discipline up to and including termination.

## AGENCY WITH CHOICE – A UNITED CEREBRAL PALSY OF CENTRAL PA, Inc. (UCP) EMPLOYEE HANDBOOK

5 Review of Prohibited Convictions (Child Protective Services Law): Certain UCP positions are subject to regulations that mandate the employer to not hire an applicant who presents particular types of convictions. Accordingly, UCP will exclude applicants from employment and/or terminate current employees who have been convicted of a criminal offense listed within the Child Protective Services Law Employee Disclosure Statement.

10 Review of Prohibited Convictions (PA Older Adults Protective Services Act): Certain UCP positions are subject to guidelines that caution the employer to not hire an applicant who presents particular types of convictions. Accordingly, UCP may exclude applicants from employment and/or terminate current employees who have been convicted of a criminal offense listed within the PA Older Adults Protective Services Act prohibited offenses document.

15 Motor Vehicle Driving Record Check: A 10-year look-back Motor Vehicle Driving Record Check is required for any employee who would meet any of the following instances when fulfilling the duties and responsibilities of his/her position: (a) transport a UCP recipient of services (whether in one's own vehicle, or a participant's vehicle), or (b) operate one's own vehicle for purposes of conducting UCP business activities. The results of the Motor Vehicle Driving Record Check are applied to the UCP Group Insurance Carrier's Standards which have been inserted into the *UCP Driver Safety and Transportation* policy.

20 Safe Driver Document Requirements (Group Insurance Carrier Standards): In accordance with *UCP's Driver Safety and Transportation* policy, the following documents are required for any employee who (a) transports a UCP recipient of services (whether in one's own vehicle, or a participant's vehicle), or (b) operates one's own vehicle for purposes of conducting UCP business activities: (1) copy of a valid driver's license, (2) copy of vehicle insurance coverage, (3) a completed Motor Vehicle Driving Record Check that confirms at least 6 months of prior driving experience, and (4) a completed Motor Vehicle Driving Record Check that confirms a safe driving record, as defined by the UCP Group Insurance Carrier's Standards (included within the *UCP Driver Safety and Transportation* policy).

25 Safe Driver Document Requirements (Office of Developmental Programs - Department of Human Services): The following documents are required for any employee who transports a UCP recipient of services in his/her *own vehicle*: (a) copy of the current driver's license, (b) copy of the current vehicle registration, (c) copy of the current vehicle insurance, and (d) copy of the inspection invoice from an official Inspection Station or photo of the inspection sticker. The following documents are required for any employee who transports a UCP recipient of services in the *recipient of services vehicle*: (a) copy of the current driver's license, (b) copy of the current vehicle registration (recipient's vehicle), (c) copy of the current vehicle insurance (recipient's vehicle), and (d) copy of the inspection invoice from an official Inspection Station or photo of the inspection sticker (recipient's vehicle).

30 Medical Assistance Exclusion Check: A Medical Assistance Exclusion Check is required of all applicants. The Medical Assistance Exclusion Check includes the following: (a) General Services Administration List of Parties Excluded from Federal Programs, (b) Office of Inspector General's List of Excluded Individuals and Entities, and (c) Department of Human Services Medichex System.

35 Credit Check: A Credit Check is required of all applicants for any of the following positions: (a) Director level and higher, (b) Finance Department positions, and (c) any position wherein duties and responsibilities include fundraising activities. Positions within these groups have been determined to have a higher level of exposure/ access to financial systems, procurement systems, cash, checks, credit cards, and other mediums that would present an opportunity for financial malfeasance.

5 **COMPLAINTS PROCESS (Program Participant)**

**Policy Statement**

10 It is the policy of United Cerebral Palsy of Central Pennsylvania, Inc. to enable participants, or persons they designate including family members, caregivers, and/or advocates to have an avenue to address complaints about their service. Each staff member is expected to maintain sensitivity to a program participant’s needs and perceptions; and retaliation or threat of intimidation will not be tolerated.

**Purpose**

15 The purpose of the policy is to establish protocols for the timely and sound resolution of complaints.

**Procedures**

20 The program participant or their designee must present the same complaint at all steps, without change, except to provide further explanation. Complaints may be made verbally or in writing. Assistance will be provided to participants in filing a complaint, as requested. Information presented in the complaint should include name, position, telephone, email, and mailing address of the initiator; date and time complaint was received; date of the occurrence; nature of the complaint; provider’s investigative process and findings relative to the complaint; action to resolve the complaint; and the date the complaint was resolved. A complaint may be filed by following the progressive steps below:

25 **Step 1:** The program participant, or person they designate including family members, caregivers, and/or advocates should first address their question, concern, or complaint, to the person perceived as the source of the confusion or conflict. It is anticipated that most conflict will be resolved in this step. If not resolved by direct communication at the source of the problem, or if the program participant or their designee does not wish to address the other person involved, he/she may proceed to step 2.

30 **Step 2:** The program participant or their designee may consult the Division Director, explain the conflict, and solicit the Division Director’s intervention as a conflict resolution mediator. It is the duty of the Division Director to inform all involved parties of the conflict, collect information, conduct an investigation, conduct interviews, and help facilitate a mutually agreeable resolution. If the program participant or family wishes to remain anonymous or to appoint a representative as his/her spokesperson or advocate, the Division Director should accommodate and protect the wishes of the program participant. A mutually agreed upon neutral party may also serve as a mediator. Notes of this meeting should be taken for documentation purposes.

35 **Step 3:** The program participant may choose to bypass steps 1 and 2 and initiate a complaint directly to the Senior Director of Operations. This step may be taken with or without the knowledge of the staff involved in the complaint. The complaint may be communicated verbally or in writing. A written complaint is preferred for the purpose of documentation and clarity.

40 **Complaints should be addressed to:**

45 UCP Central PA  
Senior Director of Operations  
55 Utley Drive  
50 Camp Hill, PA 17011

5

**Timeline:**

All steps of the complaint policy must be completed within twenty-one (21) days of the receipt of a complaint. The initiator of the complaint will be provided written notice of the resolution or findings within thirty (30) days from the date the complaint was made.

10

**Appeal Process:**

If the program participant or their designee is not satisfied with the decision concerning the complaint, an appeal can be made to the President/CEO. A final and binding decision will be made within five (5) working days of their notification.

15

Complaints are considered in a confidential manner and will be discussed only with staff who have a need to be apprised of the information. The President/CEO, and Senior Director of Operations, and Quality Manager will review the procedures, number of complaints, and their disposition annually. This information will be used to develop quality measure to decrease the number of complaints.

20

**Contacts:**

Janeen Latin, President/CEO, 717-497-1455, [Janeen.Latin@ucpcentralpa.org](mailto:Janeen.Latin@ucpcentralpa.org)  
Bridget Pugh, Senior Director of Operations, 717-737-3477, [Bridget.Pugh@ucpcentralpa.org](mailto:Bridget.Pugh@ucpcentralpa.org)  
Jamie Fleck, Director of Agency with Choice, 717-737-3477, [Jamie.Fleck@ucpcentralpa.org](mailto:Jamie.Fleck@ucpcentralpa.org)

25

**DIVERSITY**

**Policy Statement**

UCP promotes a culture of diversity and inclusion by creating an environment where mutual respect of different cultures, communication styles, languages, customs, beliefs, values, traditions, experiences, and other ways in which we identify ourselves is expected. UCP strongly believes that the diversity of our workforce makes us more effective and stronger. Hiring and retaining a diverse workforce where everyone is comfortable asking questions and sharing ideas helps us to better meet the needs of the many communities served with high quality programs and excellent outcomes.

35

**Purpose**

The purpose of this policy is to communicate UCP’s commitments to a culture of diversity and inclusion and to encourage employees to participate in available learning and development programs that support diversity and inclusion.

40

**Procedures**

The Human Resources Department is committed to the development and delivery of professional learning and development programs that support diversity and inclusion.

45

Recent course topics that have been made available to managers include, but are not limited to, the following: Avoiding Unconscious Bias at Work, Human Smoothie, Servant Leadership, Managing Workplace Culture, Emotional Intelligence, and Interpersonal Skills.

50

Employees are encouraged to contact the Human Resources Department for further information and to explore other learning opportunities.

Employees are also encouraged to reference the following policies: Equal Employment Opportunity, Americans with Disabilities Act, and Religious Observances.

5 **ELECTRONIC SIGNATURES**

**Policy Statement**

UCP supports the application of electronic signatures within designated administrative transactions that fully comply with all applicable federal and state laws which regulate the application of electronic signatures.

**Purpose**

The purpose of this policy is to provide specific guidelines and operating procedures for the use of electronic signatures to facilitate more efficient administrative transactions.

**Procedures**

An electronic signature may be given the same legal weight as an original ink signature, and as such, caution must be exercised in the use of electronic signatures. Under state and federal law, a contract cannot be denied enforcement solely because it is in electronic form or signed electronically. Whether or not a contract is formed by the exchange of electronic or digital communication depends on the intention of the parties to the contract. The parties' intention may be determined by the context and surrounding circumstances of the communication.

Definitions

The term "electronic signature" refers to an electronic symbol or process attached to or logically associated with a record and executed or adopted by a person with an intent to sign a record. For purposes of this policy the term "electronic signature" is limited solely to:

- the use of a person's "scanned signature" which is inserted into a letter or other correspondence so that the letter or other correspondence can be transmitted electronically with a form of signature; and
- the application of "signature manifestations" within software systems wherein the printed name of the signer, and the date and time of the executed signature, are applied within the transaction.

Signature Manifestation

An employee's application of a signature manifestation shall be recognized as the employee's intention to fully execute the transaction within the designated software system. Each signature manifestation that is applied by an employee certifies the employee's understanding that her/his signature is as legally binding as her/his handwritten signature.

Specific administrative controls have been established to ensure the authorized use of signature manifestations:

- Within the designated software system (i.e. ADP), each authorized electronic signature manifestation is unique to each individual. It may not be assigned to another person.
- Automated execution of the electronic signature manifestation is not allowed.
- Only the designated authorized user may use her/his electronic signature manifestation.
- No two individuals have the same combined identification code and password.
- Identification and password issuances are periodically checked, recalled, or revised to cover such events as password aging.
- Loss management procedures are in place; including, but not limited to, the following: Electronic de-activation of lost, stolen, missing, or potentially compromised electronic signatures; and the issuance of temporary or permanent replacements using proper controls.

In addition to the preceding administrative controls, UCP will implement and support all controls necessary to comply with the Uniform Electronic Transactions Act (UETA).

5 Scanned Signature

A scanned signature will indicate a binding intent. UCP permits use of a scanned signature on a letter, memorandum, or other correspondence that will be transmitted electronically, either internally or externally, provided the document could not be construed as a contractual offer, acceptance, or binding agreement. Accordingly, scanned signatures shall not be used on documents such as agreements or contracts that are intended to be legally binding. For these documents, original ink signatures should be used.

15 Whether or not a scanned signature is used, a sender should consider that it may be possible that the transmission could be construed as a legally binding agreement (or offer or acceptance). If such a risk exists, the sender must include the following message, or some similar form thereof, with the transmission: "This transmission is not intended to be a binding offer, acceptance or agreement. An original ink signature will be required to create a legally binding agreement."

20 If a person other than the author (such as a secretary or an assistant) will insert the scanned signature into the correspondence, then that other person is responsible for ensuring the author has authorized the use of a scanned signature for that specific communication.

**EMPLOYMENT AT-WILL**

25 **Policy Statement**

Employment at UCP is "at-will," which means that either the employee or UCP may terminate the employment relationship at any time, with or without cause, except where expressly prohibited by applicable federal, state, or local law.

30 **Purpose**

The purpose of this policy is to define the "at-will" employment relationship between UCP and its employees.

**Procedures**

35 UCP's policies, practices, this Employee Handbook, other documents, or any spoken or written comments by UCP's management representatives, will not be deemed to alter the "at-will" nature of the employment relationship under any circumstance.

40 No UCP employee, other than the President/CEO, is authorized to modify this policy for any prospective or current employee or to enter any agreement contrary to this policy. Only a valid written agreement executed by the President/CEO may alter the "at-will" nature of employment.

Employment may end at any time with or without cause at the employee's or UCP's choosing.



5 **EMPLOYMENT CATEGORIES**

**Policy Statement**

UCP has defined employment categories for the purposes of determining general work schedules and determining eligibility for various benefits programs.

10 **Purpose**

The purpose of this policy is to inform employees of Fair Labor Standards Act (FLSA) classifications and Employment Categories at UCP.

15 **Procedures**

SSP positions are classified under the FLSA as non-exempt based upon the nature of the duties and responsibilities assigned to the position.

- **Non-exempt Employee:** Non-exempt employees are covered under the provisions of applicable State and Federal wage and hour laws, including minimum wage and overtime requirements. Employees in this category are entitled to an overtime premium in accordance with applicable State and Federal law.

Employees are also assigned an Employment Category and “benefits eligibility status” that is determined by their scheduled work hours.

- **AWC30+:** Employees who have completed their Introductory Period and who are regularly scheduled to work at least 30 hours per week. Generally, these employees are eligible for benefit plans; subject to the terms, conditions, and limitations of each benefits program.
- **AWC:** Employees who have completed their Introductory Period and who are regularly scheduled to work at less than 30 hours per week. Generally, these employees are not eligible for benefit plans other than the retirement plan; subject to the terms, conditions, and limitations of each benefits program.

35 UCP may also engage consultants and third parties who provide contingent workers not on the UCP payroll and not categorized here. These contingent workers are not eligible for benefits.

40 Employees will be informed of their Fair Labor Standards Act (FLSA) classification and their Employment Category for his/her position during the New Employee On-boarding process. If a change in either the Fair Labor Standards Act classification or the Employment Category occurs for reasons related to promotion, transfer, demotion, or other circumstances, the employee will be informed by his/her Supervisor.

45 **EMPLOYMENT VERIFICATION/CREDIT INQUIRIES**

**Policy Statement**

All employment verification inquiries and credit inquiries of current or former employees from other organizations or companies such as financial or lending institutions, as well as potential employers, should be directed to the Human Resources Department’s third-party administrator for an official response.

50 **Purpose**

The purpose of this policy is to provide employees with requested data and to safeguard personal information.

5 **Procedures**

The Human Resources Department uses a third-party administrator (currently The Work Number) to provide automated employment and income verifications for employees. Employment and income verifications may be required when applying for a mortgage or loan, for reference checking, leasing an apartment, establishing credit, or any other instance wherein proof of employment or income is needed.

10 Organizations that wish to verify the employment of a current or past UCP employee are required to use this automated external employment verification service.

15 Employees are responsible for authorizing the release of information (providing consent) to the verifying organization(s).

For more information, employees can contact The Work Number Customer Service line at 1-866-604-6572 or visit <http://www.theworknumber.com>.

20 Reference the UCP Employer Code: 112580.

In some cases, UCP may be required to provide information to state unemployment agencies, both federal and state investigators, or to comply with a subpoena. In these situations, an employee's consent is not required.

25 **EQUAL EMPLOYMENT OPPORTUNITY**

**Policy Statement**

30 UCP is committed to a policy of Equal Employment Opportunity and will take positive action to continually ensure equal opportunity to our employees and to our applicants in the conduct of all business activities. UCP is dedicated to providing equal opportunities to all individuals regardless of race, color, religion, sex, gender, pregnancy, sexual orientation, gender identity, genetic information, ancestry, national origin, age, physical or mental disability, marital status, caregiver status, veteran status, or any other class or category protected by local, state, or federal law.

35 **Purpose**

The purpose of this policy is to comply with all applicable equal employment opportunity laws and regulations and to foster an environment of inclusiveness and respect. We follow the principles outlined above in all aspects of employment including recruitment, hiring, placement, promotions, transfers, corrective actions, terminations, wage and salary administration, benefits, and training.

40 **Procedures**

In order to provide equal opportunity to all individuals, employment decisions at UCP are based on merit, qualifications, and abilities. UCP provides equal opportunity to all qualified employees and applicants for employment without regard to race, color, religion, sex, gender, pregnancy, sexual orientation, gender identity, genetic information, ancestry, national origin, age, physical or mental disability, marital status, caregiver status, veteran status, or any other class or category protected by local, state, or federal law. UCP will take positive action to assure the fulfillment of this policy. This policy applies to:

- 50
- Recruitment, advertising or solicitation for employment;
  - Hiring, placement, promotion, transferring or demotion;
  - Rates of pay and all forms of compensation or employment benefits;
  - Selection for training;
  - Discipline;

- Layoff or termination;
- Facilities of all types; and
- All other terms, conditions, and privileges of employment.

This policy reflects a firm commitment by UCP to comply with the letter and spirit of all local, state, and federal laws prohibiting discrimination in employment. All Supervisors and employees are responsible for maintaining strict compliance with UCP's *Equal Employment Opportunity Policy*.

UCP will make reasonable accommodations to an employee's or applicant's religious beliefs or practices as required by law, so long as the accommodation does not present an undue hardship.

## **FEDERAL FALSE CLAIMS ACT**

### **Policy Statement**

Under the Deficit Reduction Act of 2005, UCP Central PA must make its employees aware of the Federal False Claims Act, and the rights of employees as whistleblowers, and the policies for detecting and preventing fraud, waste, and abuse. A report of Medicaid fraud or abuse can be reported by telephone, face to face, email, or a written note. Any person reporting suspected Medicaid fraud or abuse will be protected from retaliation from any Supervisor or fellow employee.

### **Purpose**

The purpose of this policy is to communicate the specific guidelines and operating procedures for compliance with the Federal False Claims Act.

### **Procedures**

#### Billing

Managers and Supervisors are required to verify that participants are authorized to receive services and that services rendered are accurate and valid. Through detailed internal controls, UCP Central PA practices sound fiscal and business practices and ensures the accuracy and integrity of the data collected for billing and other operational needs.

The Finance Department at UCP Central PA handles all billing and is ultimately responsible for the accuracy and validity of claims submitted for payment. The Finance Department is audited once a year by representatives of the various programs funded by the Department of Human Services of the Commonwealth of Pennsylvania. The Finance Department is also audited once a year by an outside independent auditing agency.

#### Fraud and Abuse

Under the Pennsylvania Code for Provider Fraud, Section 1101.74:

"If, after investigation, the Department determines that a provider has submitted or has caused to be submitted claims for payments which the provider is not otherwise entitled to receive, the Department will, in addition to the administrative action described in section 1101.82-1101.84 (relating to administrative procedures), refer the case record to the Medicaid Fraud Control Unit of the Department of Justice for further investigation and possible referral for prosecution under Federal, State, and local laws. Providers who are convicted by a Federal court of willfully defrauding the Medicaid program are subject to a \$25,000 fine or up to five years imprisonment, or both."

#### Reporting Fraud and Abuse

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5 If an employee suspects fraud or abuse in the operations at UCP Central PA, he/she should report it to the Compliance Officer by calling the UCP Compliance Hotline at 877-410-9091 or by email at [Compliance@ucpcentralpa.org](mailto:Compliance@ucpcentralpa.org). The Compliance Officer will conduct an investigation into the fraud allegation. The employee reporting the fraud can make the report anonymously.

10 UCP Central PA has implemented a *Protection from Retaliation* policy (“Whistleblower” Protection policy). It is the responsibility of the CEO, the Board of Directors, Directors, Managers, Supervisors, and all employees to maintain a safe working environment, free from retaliation for reporting any suspicion of fraud. Any employee found retaliating against a person reporting fraud or abuse will be disciplined in accordance with the progressive discipline policy. Any reported allegations of retaliation will be  
15 investigated promptly, thoroughly, and impartially. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge. Confidentiality will be maintained throughout the investigatory process to the extent consistent with adequate investigation and appropriate corrective action. False and malicious complaints of retaliation may be subject of appropriate disciplinary action.

### 20 Corrective Actions

Depending on the outcome of the investigation of the reported fraud/abuse, the result could be termination, a warning, job suspension, and/or recovery of any lost money. The investigator will make a report to the CEO and Board of Directors and include: the issue, findings, corrective action, and timeframe for correction. If after UCP has taken action the employee feels that UCP has failed to adequately address the issue internally, he/she must first follow the grievance procedures presented within the *Open Door* policy.

### 30 FRAUD AND ABUSE HOTLINE

The Department of Human Services has established a hotline to report suspected fraud and abuse committed by any entity providing services to Medical Assistance recipients.

The **hotline number** is 1-866-DHS-TIPS (**1-866-379-8477**) and operates between the hours of 8:30 AM and 4:00 PM, Monday through Friday. Voice mail is available at all other times. Callers may remain anonymous and may call after hours and leave a voice mail if they prefer.

- Anyone calling the hotline is not required to identify who he or she is.
- If you do not want to speak to a hotline representative, you can leave a message during non-business hours.
- The caller will need the provider’s name and address that they suspect of fraud.
- The caller will have to describe the activity they suspect of fraud, the time period, recipient name, and ID number.
- If you want to be contacted, you can leave a phone number where you can be reached.

Examples of fraud and abuse appropriate for reporting are set forth below:

### 45 Falsifying Claims/Encounters

- Billing for services not rendered
- Billing separately for services in lieu of an available combination code
- Misrepresentation of the service/supplies rendered (billing brand name for generic drug, upcoding to more expensive service than was rendered, billing for more time or units of service than provided)
- Altering claims
- Submission of any false data on claims, such as date of service, provider or prescriber of service
- Duplicate billing for the same service

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- Billing for services provided by unlicensed or unqualified persons
- Billing for used items as new
- Administrative/Financial

### Falsifying credentials

- Fraudulent enrollment practices
- Fraudulent third-party liability reporting
- Offering free services in exchange for a recipient's Medical Assistance identification number
- Providing unnecessary services/overutilization
- Kickbacks-accepting or making payments for referrals
- Concealing ownership of related companies

### Recipient Fraud and Abuse

- Forging or altering prescriptions or orders
- Using multiple ID cards
- Loaning his/her ID card
- Reselling items received through the Medical Assistance program
- Intentionally receiving excessive drugs, services or supplies

### Abuse of Recipients

- Physical, mental, emotional or sexual abuse
- Discrimination
- Neglect
- Providing substandard or inappropriate care

### Denial of Services

- Denying access to services
- Limiting access to services
- Failure to refer to needed specialist
- Underutilization

To report suspected fraud or abuse of services provided under the MA Program, please call the Bureau of Program Integrity at 1-866-DHS-TIPS (1-866-379-8477), complete and submit the MA Provider Compliance Hotline Response Form on the website (<http://www.dhs.pa.gov/learnaboutdhs/fraudandabuse/maprovidercompliancehotlinerresponseform/index.htm>), or write to: Department of Human Services, Office of Administration, Bureau of Program Integrity, P.O. Box 2675, Harrisburg, PA 17105-2675

### Employee Education about Section 6032 of the Deficit Reduction Act

UCP Central PA provides a copy of the "Compliance Program at UCP Central PA for Section 6032 of the Federal Deficit Reduction Act" to its employees (including management), and to any of its contractors and agents that perform billing or coding functions, or provide/monitor health care services on behalf of UCP Central PA. Any new employee shall be made aware of "Compliance Program at UCP Central PA for Section 6032 of the Federal Deficit Reduction Act" through the "New Hire Orientation Training Program".

5 **IMMIGRATION LAW COMPLIANCE (I-9 and E-Verify)**

**Policy Statement**

UCP is committed to employing only United States citizens and foreign nationals who are authorized to work in the United States.

10 **Purpose**

In compliance with the Immigration Reform and Control Act of 1986, new hires (and rehires), as a condition of employment, must complete the Employment Eligibility Verification Form (I-9) and present acceptable documentation or a receipt for the application of such documents, verifying their identity and employment eligibility within three (3) business days of their start date.

15 **Procedures**

All new hires (and rehires) are provided the Form I-9 list of acceptable documents when they receive their offer of final employment, prior to their start date.

20 All new hires (and rehires) will be required to complete the Form I-9 and supply necessary employment verification document(s) as required on the form.

If a new hire (or rehire) is unable to present the required employment verification document(s) within three (3) business days of their start date, they may be subject to termination.

25 UCP will use E-Verify (provided by the US Department of Homeland Security) to verify all Form I-9 documents. Processes will be followed as established by E-Verify guidelines.

30 **INCIDENT REPORTING**

**Policy Statement**

Each UCP employee is responsible for being aware of and is expected to comply with UCP's *Incident Management and Abuse, Neglect, and Exploitation* policy. Supervisors are responsible for distributing and reviewing the entire policy document with staff members.

35 **Purpose**

The purpose of this Employee Handbook policy is to provide an introductory summary of the *Incident Management and Abuse, Neglect, and Exploitation* policy. Supervisors must provide a copy of the comprehensive policy document to their staff members.

40 **Procedures**

Individual abuse/neglect is **not** tolerated under any circumstances. Intentional action or inaction by anyone that results in abuse is prohibited. To protect the rights of the people we serve, as well as all employees, it is the policy of UCP Central PA to **immediately** report and/or investigate any allegations of individual abuse/neglect in a fair and consistent manner.

45 It is imperative that agency staff err on the side of protecting the safety of people in our care. To that end, it is critical that any issue that you consider unusual, or outside of the standards of normal behavior be immediately reported to a Point Person (list of current Point Persons is included in the comprehensive *Incident Management and Abuse, Neglect, and Exploitation* policy document), and/or the Manager/Supervisor for your program. An allegation of abuse may involve something you see, or something you learn about from others. The allegation may involve a staff member, another consumer, a family member,

5 or someone uninvolved with the individual. In other words, we need to be aware of potential abuse of an individual by anyone in any setting.

10 Any employee who witnesses or has knowledge of an act of abuse, suspected abuse, or neglect is required to report this **immediately to a Point Person and/or a Manager/Supervisor**. Failure to do so is a serious violation of agency policy and is subject to disciplinary action, up to and including termination. Employees are protected by the agency “whistleblower” *Protection from Retaliation* policy, which guarantees no reprisals will be brought by the agency against any employee who reports abuse/neglect according to agency procedures. Upon receipt of any report of alleged individual abuse, the Program Manager/Supervisor or Point Person makes all notifications required by regulation.

15 When reporting an allegation of abuse to a Point Person or Manager/Supervisor you will immediately be asked to provide a maximum of cooperation. Your highest priority will be to ensure the safety of the person who is allegedly being abused. Secondly, you will be asked to “secure the scene” when possible, to ensure that any evidence remains exactly as it was during the proposed incident when the Certified Investigator, or  
20 other appointed representative arrives to begin the investigation. You will also be asked to provide a written statement of the incident.

25 Any alleged incident of physical or sexual abuse, as well as neglect may result in a report of the incident to the police department by the President/CEO.

30 Upon the initial selection of UCP Central PA as a service provider, and annually thereafter, either the individual consumer or parent/guardian receives information regarding our abuse/neglect policies. These policies include an affirmation of our responsibility to notify law enforcement, a “no reprisal” statement assuring an individual reporter that he/she will not face reprisal by reporting abuse/neglect by a caregiver, and a list of agencies a consumer/family can contact if the consumer/family suspects or experiences abuse/neglect. Individuals/parents/guardians sign a statement for UCP Central PA files that they have received this information. The signed statements will be kept in the individual consumer’s file.

35 The reporting and investigative procedures for each program are included within the comprehensive policy document. Proper adherence to the policy ensures timeliness, accuracy, and appropriate documentation for all incidents.

40 A copy of the comprehensive **INCIDENT MANAGEMENT AND ABUSE, NEGLECT, AND EXPLOITATION POLICY & PROCEDURES** document is available on the training portal.

## **INTRODUCTORY PERIOD**

### **Policy Statement**

45 UCP is committed to providing orientation, training, education, and resources to newly hired employees.

### **Purpose**

The purpose of this policy is to communicate specific guidelines and operating procedures for the initial Introductory Period of employment for newly hired employees.

### **Procedures**

50 New employees are required to complete an Introductory Period of ninety (90) days. The Introductory Period is a time of orientation and training to help employees become familiar with UCP’s policies and procedures, and the duties and responsibilities of their position. During the Introductory Period, new employees are expected to meet or exceed the established performance standards for new employees in

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5 their positions and to learn and observe standard policies, procedures, and work rules. Time off is limited to three (3) days. Managing Employers will closely monitor employees' work and will be available to assist or answer employees' questions. In some situations, and in UCP's sole discretion, an employee's Introductory Period may be extended by UCP. Employees will typically be evaluated at or near the end of their Introductory Period.

10 During an introductory period, employees are not eligible to apply for promotional opportunities. An employee may indicate their interest in another position that becomes available, but they are not eligible to apply until they successfully complete their introductory period.

15 If an employee, or management identify transfer opportunities that support an employee's engagement, retention, development, or a corrective action plan, an employee may be transferred. This will be evaluated by management to make sure it is equitable with policies, and procedures.

20 Starting a new position is a time of change and adaptation, so recognizing and designating this time as an Introductory Period should enable new employees to make this adjustment as smoothly and comfortably as possible. If during the Introductory Period it becomes apparent that the employee, even with an appropriate level of supervisory counseling, will not be able to meet the requirements of the position, the employee will be terminated. This policy does not change the at-will nature of employment, nor does it guarantee employment of any length of time.

### **OPEN DOOR**

#### **Policy Statement**

30 UCP promotes an atmosphere whereby employees can talk freely with each other and members of management. Employees are encouraged to openly discuss with their Supervisor any problems so that appropriate action can be taken.

#### **Purpose**

35 The purpose of this policy is to provide a productive channel of communication so questions, concerns, suggestions, or problems are heard and addressed in a timely fashion and without retribution.

#### **Procedures**

40 If employees have a question or problem about any aspect of their employment, they will receive fair and objective consideration of the question or problem without fear of reprisal. This includes problems concerning safety, wages, supervision, corrective action, application of policy, working conditions, or any other job-related issue.

45 Whenever possible, employees should attempt to resolve problems or conflicts at their "source ." Many times, a frank and respectful discussion between the employee and Managing Employer will suffice to address workplace concerns.

50 Employees may also contact their Instructor or Managing Employer when concerns or questions arise about their job, work environment, or treatment. If the employee does not believe a discussion with the Instructor or Managing Employer is appropriate, they may contact their Supervisor, the next level of management, and after that a Human Resources representative.

The manager or Human Resources representative is expected to respond in a timely manner to an employee's request to discuss the issue. All matters will be handled professionally and with discretion. It is



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5 the responsibility of management and the Human Resources Department to investigate situations thoroughly, when needed, and to resolve matters in a fair and equitable manner.

If the employee continues to believe a solution to their concerns remains unsettled, they are encouraged to continue up the chain of command within the organization (Supervisor, Manager, Director, Senior Director  
10 of Operations, President/CEO).

The concern or conflict should be presented to the appropriate parties as soon as possible, but in no event more than thirty (30) calendar days after the concern or conflict was known or should have been known by the employee.

15 No retaliation will result from exercising these procedures. If any retaliation is suspected, the individual alleging retaliation will report that circumstance directly to a Human Resources representative, who will investigate the situation. Conversely, willfully malicious or fraudulent complaints will be grounds for corrective action, up to and including termination.

### **OUTSIDE EMPLOYMENT**

#### **Policy Statement**

25 Employees are permitted to hold outside jobs provided they do not hinder in any way the employee's ability to meet the responsibilities and demands of their current position. UCP encourages outside involvement in community and charitable activities, as long as they do not cause conflicts of interest or create demands that interfere with the employee's job.

#### **Purpose**

30 The purpose of this policy is to promote successful job performance and to limit conflicts caused by outside employment obligations.

#### **Procedures**

35 Employees should notify their Instructor and Managing Employer if they have any other jobs in addition to their employment with UCP.

40 Activities and conduct associated with other employment, must not compete with, conflict, or compromise UCP's interests, or adversely affect job performance and the ability to fulfill all job responsibilities in a timely manner. Employees are prohibited from performing any services for another employer or engaging in private pay arrangements with UCP participants for services that are normally performed by UCP.

45 Outside employment that constitutes a conflict of interest is prohibited. Employees are not permitted to be employed with any vendor that is under contract with UCP. If there is any question about whether a conflict of interest exists, employees should direct questions to their Supervisor, who will consult with the Human Resources Department before making a final determination. Please refer to the Code of Ethics and Conflicts of Interest policy for more information.

50 Employees are cautioned to carefully consider the demands that additional employment will create before accepting outside employment. Outside employment will not be considered an excuse for regressing job performance, absenteeism, tardiness, leaving early, refusal to travel or refusal to work overtime or different hours. An employee may not solicit or conduct activities for outside employment during work hours. If UCP determines that an employee's outside work interferes with performance, the employee may be required to terminate the outside employment to continue their work with UCP.

5 **PERSONAL DATA CHANGES**

**Policy Statement**

Employees are expected to provide the Human Resources Department and the Payroll Department with accurate personal information and to promptly notify the respective Departments of any changes in personal data such as legal name, mailing address, telephone numbers, number and names of dependents, W-2 withholding, or individuals to contact in the event of an emergency.

**Purpose**

The purpose of this policy is to fulfill requirements to maintain accurate information and provide data to insurance carriers, the Department of Labor, IRS, Social Security Administration, and other entities.

**Procedures**

New hires are required to provide the Human Resources Department with a Social Security card, current mailing address, telephone number, whom to contact in case of emergency, and other information via appropriate new hire forms.

Official employment records (i.e. email naming conventions) will reflect each employee's name as it appears on the employee's Social Security card. If the employee's name is not correct as shown on the card, he/she must apply for a new card from the Social Security Administration (i.e. change in last name because of marriage).

Employees are required to make updates to personal data information by logging on to the ADP Employee Portal (workforcenow.adp.com), which is available through any Internet connection. Any changes to personal information, including mailing address, telephone number, and emergency contact, should be made in the ADP Employee Portal within thirty (30) days of the change (also reference the *Qualifying Life Events* policy; as most data updates regarding benefit plan coverage must be updated within thirty (30) calendar days of the date of the Qualifying Life Event). Changes to tax withholding and direct deposit must be made by completing the appropriate form (available on the ADP Portal) and sending to [HRHelpdesk@ucpcentralpa.org](mailto:HRHelpdesk@ucpcentralpa.org).

Employees separating from employment are required to provide the Human Resources Department with correct/updated data during the separation process (i.e. ensure that the home mailing address is accurate so that the subsequent W-2 may be provided).

40 **PERSONNEL FILES**

**Policy Statement**

UCP is committed to maintaining employee personnel files that are in compliance with the "Pennsylvania Personnel Files Act."

**Purpose**

The purpose of this policy is to provide operational standards for the proper management of personnel files, and inform employees of how they may access their personnel file.

50 **Procedures**

Contents of Personnel Files

A personnel file includes any document or accumulation of documents maintained in the Human Resources Department, which relates to application for employment, changes in status, performance, pay increases,

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5 commendations, attendance, disciplinary actions, or other relevant activities regarding active or inactive employment status.

Each employee's personnel file will contain information that is needed by UCP in conducting its business or as required by federal, state, or local law. In accordance with the Pennsylvania Personnel Files Act, the  
10 following information will normally be included:

- Employment application form and résumé as applicable.
- Changes in status/termination data.
- Performance appraisals and related pay information.
- Disciplinary action documents.
- 15 • Letters of commendation.

Medical information, retirement plan forms, Form I-9, and information pertaining to an illness, disability, and/or worker's compensation claim are maintained in confidential files at secure locations separate from the personnel files. Payroll records and supporting information are maintained in the Payroll Office.

### 20 Access to Personnel Files

Personnel files are the property of UCP, and access to the information they contain is restricted. Generally, only authorized Human Resources Department staff members, Supervisors, and Managers who have a legitimate reason to review employment information are permitted to review personnel records. A hiring  
25 manager considering hiring a former or current employee may also be granted access to a file.

Employees may review their personnel files, using the following guidelines:

- With reasonable advance notice (5-10 working days), an employee may review material in his/her file in the Human Resources Department by submitting a written request to Human Resources.
- 30 • Only current employees or those on leave of absence may review their files.
- The review will be made on the employee's time (lunch period or before/after working hours).
- Review of the individual's file must be made in the presence of a member of the Human Resources Department. The personnel file cannot be removed from the Human Resources Department, however, the employee may request copies of the contents of the file, as appropriate. Material  
35 cannot be removed or changed by the employee or Supervisor. Only the Human Resources Department may make any removals or changes.
- Human Resources will maintain a log of the employee file access.

If an employee believes that certain material is irrelevant, inaccurate, or obsolete, they may submit a  
40 written request to remove the material from the file. The material will be removed, or the employee will be informed why the request has been denied. If the employee disagrees with statement(s) in their file, they may place a written statement of disagreement in the file.

Except for reasonable cause, the Human Resources Department may limit inspection of the personnel file to once every calendar year.  
45

Representatives of government or law enforcement agencies may be allowed access to personnel file information. This decision to allow access will be made at the discretion of the Human Resources Department in response to the request, a legal subpoena, or court order.  
50

5 **PROTECTION FROM RETALIATION**

**Policy Statement**

10 Pennsylvania law provides job-related protections that apply to a UCP employee who makes a report in good faith of such matters as abuse, neglect, wrongdoing or waste. It is UCP’s policy to encourage each employee to make a report in good faith or cooperate with authorities, and to comply with these laws to the fullest extent. UCP therefore commits to reassure each employee that such action will not result in interference, discrimination, retaliation or intimidation.

15 **SEPARATION OF EMPLOYMENT**

**Policy Statement**

Pursuant to UCP’s *Employment At-Will* policy, employees can leave the organization at any time and UCP can initiate separation of employment at any time, with or without notice or cause.

20 **Purpose**

The purpose of this policy is to create consistent, mutually respectful separation guidelines for exiting employees.

**Procedures**

25 Voluntary Resignation

Employees voluntarily resigning from their position are required to provide advance notice of two (2) weeks in writing to their Instructor and Managing Employer.

30 An employee who first notifies his/her Instructor and Managing Employer of a resignation verbally (i.e. via a telephone call) shall be required to submit the resignation in writing. The written notification (i.e. email, memo, letter) must include the date when the correspondence has been submitted, the anticipated “last day of work,” and either a signature or a clear indication of “from” in an email correspondence.

35 In order to consider a voluntary resignation as a retirement, an employee must be age fifty-five (55) or older with a minimum of ten (10) years of service. Employees who are considering retirement are encouraged to notify their Supervisor at least ninety (90) days in advance of the projected retirement date, to allow for an adequate amount of time to determine joint and survivor election options under the 403(b) Plan, if applicable.

40 An employee who fails to report to work and does not call to report the absence is considered to have an unreported absence, more commonly known as a No Call/No Show. Failure to notify the Supervisor for a second consecutive day of a No Call/No Show will be considered a voluntary resignation of employment without notice (see *Attendance* policy for further details).

45 The notice period is predominantly used to allow for a smooth transition of operations and staffing within a department. Accordingly, an employee who is separating from the employment relationship is normally required to work each day throughout the notice period. Therefore, time off may not normally be utilized as part of the notice period. While the Managing Employer may provide exceptions, employees are expected to remain on the job each day of the notice period. If time off was scheduled in advance, the notice period ending date shall be adjusted to a later date. The notice period must end on a normally scheduled workday. The final date of employment must be a date when an employee is engaged in work on behalf of UCP.

5 Upon separation, the employee has the opportunity to participate in an Exit Interview survey. The Exit Interview survey is used to gather information that will serve to generate better selection, placement, training practices, working conditions, and supervisory practices.

Involuntary Termination

10 Although not exhaustive, below are four common reasons for involuntary termination and accompanying processes:

*Unsatisfactory Performance*

15 If an employee does not meet performance standards in their position, the Managing Employer or Supervisor may decide to terminate employment. Unsatisfactory performance may entail a failure to meet job expectations or to sufficiently demonstrate job-related competencies. Depending on the circumstances, an appropriate corrective action process may be undertaken before a decision is made.

*Misconduct/Gross Misconduct*

20 Acts of misconduct and gross misconduct may be cause for the termination of employment. Employees discharged for misconduct or gross misconduct will not be eligible for notice from UCP and will be terminated immediately.

25 “Gross misconduct” is misconduct deemed serious enough to jeopardize the functioning of business operations, UCP’s reputation, or the safety and well-being of UCP employees and/or participants. It is at UCP’s sole discretion to assess individual situations and to determine the level of severity in order to assign the termination reason.

30 Examples of misconduct that may constitute gross misconduct, depending on the circumstances, include but are not limited to:

- Criminal damage to UCP property
- Acts or threats of physical violence
- Being impaired during work hours as a result of drug or alcohol abuse
- Theft or fraud
- 35 • Harassment or discrimination toward other employees, participants, or other constituents
- Repeated absenteeism without due cause
- Inappropriate use of email, telephones, or the Internet Insubordination
- Falsifying experience or qualifications
- Breach of confidentiality
- 40 • Falsifying timecards, business records, work product or any other data

*Business Necessity*

There are times when business conditions necessitate the separation of employment.

45 *Inactivity*

If an employee has not worked in the past two quarters, UCP will contact the Managing Employer to discuss the reason the employee has not worked. UCP may notify an employee of their termination of employment. Employees who are terminated for inactivity are eligible for rehire.

50 Communication to staff of an employee’s involuntary termination due to unsatisfactory performance, misconduct/gross misconduct, or position elimination shall be initiated by the Managing Employer or Supervisor; and not by the employee him/herself

5 Final Payments

*Final payments will be processed as follows:*

*Earnings:* Regular pay will continue through the last working day. Final pay, including any overtime pay, will be usually processed on the next regular bi-weekly payroll cycle following the last day of work.

10 Benefits  
Health insurance terminates the last day of employment (termination date). Information for Consolidated Omnibus Budget Reconciliation Act (COBRA) continued health coverage will be mailed to the last address on file from a third-party vendor (currently BeneDirect WageWorks).

15 Unemployment Compensation  
The Human Resources Department will coordinate the administration of all matters related to unemployment compensation claims. Within normal facts and circumstances, the Human Resources Department will contest unemployment compensation claims that follow from voluntary resignation  
20 and terminations for cause.

UCP Property  
All UCP property must be returned on or before the last day of employment. This includes any confidential or proprietary company documents. All company property should be returned to the Managing Employer  
25 before the employee leaves on their final workday..

5 **COMPENSATION AND PAYROLL**

**FAIR LABOR STANDARDS ACT (FLSA)**

**Policy Statement**

10 UCP is committed to complying with all applicable federal, state, and local wage and hour laws and regulations.

**Purpose**

15 The purpose of this policy is to communicate specific operating procedures for compliance with the Fair Labor Standards Act (FLSA) as well as applicable state and local wage laws.

**Procedures**

Exempt and Non-Exempt Positions

20 The FLSA prescribes which types of positions are eligible for overtime pay and which types of positions are not eligible for overtime pay and identifies two categories of employment for purposes of wage payment. For purposes of this policy, "exempt" employees are those employees that are exempt from the provisions of State and Federal wage and hour laws, which establish rules for overtime pay. These employees are typically paid a fixed salary per workweek that is not subject to reductions based on the quality or quantity  
25 of work performed. For purposes of this policy, "non-exempt" employees are those employees that are covered under the provisions of applicable State and Federal wage and hour laws, including minimum wage and overtime requirements. Employees in this category are entitled to an overtime premium in accordance with applicable State and Federal law.

30 The last page of each position description at UCP clearly indicates the FLSA status of the position.

Overtime Pay

Exempt positions are not eligible for overtime pay (i.e. they receive no additional compensation for hours worked in excess of 40 in a work week).

35 Non-exempt positions are eligible for overtime pay for hours worked in excess of 40 in a workweek. Non-exempt employees shall be paid straight time for hours worked in their regular work schedule up to 40 hours in a workweek. As provided by the FLSA, an overtime premium rate (time and one-half) shall be paid for hours worked in excess of 40 in a workweek.

40 **All overtime must be approved by an employee's Supervisor.** However, all overtime, whether approved or unapproved, will be paid at time and one-half for hours worked in excess of 40 hours in a workweek. An employee who fails to request or obtain his/her Supervisor's approval for overtime work may be subject to disciplinary action.

45 The total hours worked for one or more departments, or recipients of service are all included when determining overtime.

Minimum Wage

50 All non-exempt positions are subject to the minimum wage provisions of the FLSA and applicable state minimum wage laws. Detailed information pertaining to federal and state minimum wage laws is presented on bulletin boards located within UCP buildings and facilities.

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5 It is UCP’s policy to comply with all aspects of the FLSA therefore we prohibit any improper deductions from the pay of non-exempt employees. We want employees to be aware of this policy and know that UCP does not allow deductions that violate the FLSA.

### What To Do If An Improper Deduction Occurs

10 If an employee believes that an improper deduction has been made to his/her pay, he/she should immediately report this information to the Instructor or to the Human Resources Department ; and report shall include the following: Employee's name; amount believed to be improperly deducted; reason given for the deduction; and reason the employee believes that the deduction was improper.

15 The Payroll Office will promptly investigate reports of improper deductions. If it is determined that an improper deduction has occurred, the employee will be promptly and fully reimbursed for any improper deduction made. There will be no retaliation of any kind for having utilized this complaint procedure. Employees who have any questions regarding this policy should speak with the Human Resources Department.

### Meal and Break Periods

20 Though not required, UCP provides meal periods and break periods when an individual work assignment can accommodate the break period. Managing Employers will provide meal periods and break periods during each workday where possible when not in conflict with business operations (i.e. ratios or supervision needs).

25 For purposes of this policy, a “meal period” is a 30-minute period of time during which the employee does not perform any business and is not compensable (is unpaid time). A “break period” is a 10-minute period which is compensable (is paid time). Meal periods are not permitted at either the beginning of or end of a workday to offset arrival and departure times.

### Nursing Mothers’ Accommodation

30 UCP commits to providing nursing mothers with reasonable paid break periods and appropriate space to express breast milk during work hours (see *Nursing Mothers’ Accommodation* policy).

### Training Programs

35 Training programs required by UCP and conducted during regular working hours constitutes work time for non-exempt employees and must be compensated. Required annual trainings cannot be completed at the same time as providing support to a participant.

40 After hours training pursued by a non-exempt employee, such as attendance at lectures, classes, conferences and similar activities, are not counted as working time if all of the following four criteria are met:

- Attendance is outside of the employee's regular working hours;
- Attendance is voluntary (*Attendance is not voluntary if it is required or expected by the employer. It is also not voluntary if the employee is given to understand or led to believe that his/her present working conditions or the continuance of employment would be adversely affected by non-attendance*);
- The training is not directly related to the employee's job (*Training is directly related to the employee's job if it is designed to make the employee handle the job more effectively as distinguished from training for another job, or for a new or additional skill. Where a training course is instituted for the purpose of preparing for advancement through upgrading the employee to a higher skill, and is not intended to make the employee more efficient in his/her present job, the*



5            *training is not considered directly related to the employee's job even though the course incidentally improves his/her skill in doing his/her regular work); and*

- The employee does not perform any productive work during such attendance.

10 If an employee on his/her own initiative attends an independent school, college, or independent trade school after hours, the time is not hours worked for his/her employer even if the courses are related to his/her job.

#### Multiple Wage Rates

15 Specific overtime calculation procedures apply for non-exempt employees who perform more than one service at different rates of pay, the employee's overtime rate must be based on a "weighted average" of the different wage rates.

20 Example: If an employee works 30 hours at \$10/hour and 20 hours at \$8/hour in one week, he/she is entitled to 10 hours overtime premium pay. This employee's weighted average wage is calculated by computing his/her total straight-time earnings, [(30 hours x \$10) + (20 hours x \$8) = \$460] and dividing this figure by the total hours of work (\$460/50 hours), which yields the weighted average wage rate of \$9.20 per hour. The weighted average wage rate is then multiplied by one-half to produce the total overtime wage premium earned (\$9.20/hour x 10 hours x .5 = \$46). The employee is therefore entitled to straight time earnings of \$460 plus an overtime premium of \$46, for total weekly earnings of \$506.

25 When an employee performs more than one service with the same rate of pay, his or her overtime premium is not affected by a "weighted average" formula.

#### Sleep Time Hours of Work

30 An employee is considered to be working even though some of his/her time may be spent sleeping or in certain other activities. Employees may be paid a different rate for sleep time.

If the employee is paid a different rate for sleep time and is interrupted by a call to duty, the interruption must be compensated as regular hours worked.

## **PAYROLL ADMINISTRATION**

### **Policy Statement**

40 UCP is committed to complying with all applicable federal, state, and local wage and hour laws and regulations.

### **Purpose**

The purpose of this policy is to communicate the specific operating procedures for payroll administration at UCP.

### **Procedures**

#### Payroll Schedule

50 Employees are paid on a bi-weekly basis, every other Friday. If a payday falls on a holiday or where unforeseen circumstances arise that prevents a Friday delivery, necessary changes will be made to accommodate the processing of that payroll.

The AWC work week is Sunday through Saturday, beginning at 12:00AM Sunday and ending at 11:59PM Saturday. Standard work schedules are presented within the *Employment Categories* policy.

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### Paychecks

Employees are expected to regularly review their paychecks to verify the accuracy of the payment and the accuracy of the information presented on the paycheck.

### Payment Methods

Employees are paid in one of the following manners:

1. Direct Deposit. An employee must submit a completed Direct Deposit Authorization form and voided check to the Payroll Office.
2. A Pay Card. An employee must submit an Enrollment Form to the Payroll Office.
3. A check. If an employee does not select either of the preceding options, they will receive a check via mail.

The same process must be followed if an employee changes their method of payment, or financial institutions, or accounts.

An employee should never close out his/her direct deposit account without first contacting the Payroll Office. Direct Deposit will stop for at least one pay period while the change is being processed and verified. An employee will be paid by check in the interim. Split deposits may be made into a maximum of three (3) different financial institution accounts. In the unlikely event that the financial institution an employee chooses is not certified to receive Automated Clearing House transfers, the employee will be paid by check until an alternate institution can be selected by the employee.

In the event an employee receives an actual paycheck and it is lost or stolen, the employee must notify the Payroll Office immediately. The Payroll Office will attempt to put a stop-payment notice on the check. If the Payroll Office is able to do so, the employee will be issued another check. Unfortunately, however, UCP is unable to take responsibility for lost or stolen paychecks, and if the Payroll Office is unable to stop payment on the missing check, the employee will be responsible for such loss.

### ADP System (Employee Self-Service)

Employees using the ADP Time and Attendance system are required to register for their ADP account on the first day of employment. All other employees are expected to register within the first month of employment. All employees' pay vouchers will be posted in the ADP Employee Portal. Each payday employees are encouraged to log onto <https://workforcenow.adp.com> (go to Myself>Pay>Pay Statements) to view their pay stub which itemizes gross pay, required deductions, authorized benefits contributions and net pay.

The ADP Employee Portal enables employees to view, print, and save images of paychecks, to view images of W-2 forms, and to receive email notification whenever new documents are available for viewing.

### Required Documents

All employees are required by law to complete a W-4 on or before the first day of employment. If the number of allowances increases or decreases during the course of employment, the employee may complete a new W-4 at any time.

An employee may not be set up in the payroll system until the Payroll Office is in receipt of a completed Federal Form I-9 Employment Eligibility Verification.

### Garnishments

Whenever an employee is served with a writ of garnishment or attachment, a notice of levy by the Internal Revenue Service or other taxing authority, or any similar order requiring payment of a portion of an

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5 employee's compensation to someone other than the employee, the matter should be immediately referred to the Payroll Office for appropriate action.

In the event that a valid and enforceable garnishment order is issued against an employee, the Payroll Office will deduct the required amount from the employee's paycheck. The amount deducted from the  
10 employee's earnings will not exceed that permitted by law.

An employer may generally not garnish an employee's wages except to satisfy an order arising out of (1) a child or marital support proceeding; (2) an action for unpaid board of four weeks or less; (3) a proceeding for back loans due under the Pennsylvania Higher Education Assistance Agency Act; or (4) an action for  
15 unpaid taxes.

### Information Updates

Employees enter all changes to their personal information in the ADP Employee Portal. This includes mailing address, telephone number, and emergency contact. For changes to tax withholding a revised and signed W-4 and PA Local Tax form must be completed. For changes to Direct Deposit, a new Direct Deposit  
20 form must be completed. These forms are available in the ADP Portal and once complete, must be sent to the Human Resources Department at [HRHelpdesk@ucpcentralpa.org](mailto:HRHelpdesk@ucpcentralpa.org). Failure to notify UCP of changes to personal information can result in improper withholdings during the course of the tax year.

### Payroll Inquiries

25 Employees should contact their Instructor with any questions about pay and/or payroll deductions that are applied. Any concerns regarding a paycheck (i.e. improper deductions, pay does not reflect all hours worked, etc.) must be reported to your Instructor immediately. Your Instructor will work with Payroll Office staff to assist employees in taking all necessary steps to correct any errors.

## RECORDING OF WORK TIME

### **Policy Statement**

35 UCP is committed to complying with all applicable federal, state, and local wage and hour laws and regulations.

### **Purpose**

The purpose of this policy is to communicate the specific operating procedures for the accurate recording of work time by employees.

### **Procedures**

40 Non-exempt (hourly) employees are responsible for ensuring that actual hours worked are recorded accurately and in a timely manner. Non-exempt (hourly) employees are expected to record their time in real time, at the start and end of their shift.

45 Employees must record their time using the MatrixCare for Home Care application or MatrixCare Telephony for each shift worked. Payroll timelines for submitting time records must be followed to ensure timely payment.

50 Should an employee forget to clock in or clock out, the employee must notify his/her Instructor as soon as possible. Continuous failure to clock in or clock out may be considered a violation of this policy and may result in disciplinary action being taken.

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5 Falsification of a time record is a breach of policy and is grounds for disciplinary action, up to and including termination.

Instructors are responsible to ensure employees are using the approved clock in and out procedures. When an Instructor(s) is contacted regarding a discrepancy in an employee's clock in and out procedure, the  
10 employee is responsible to ensure the Instructor receives the information by the following Monday at 3pm.

### Travel Time

Travel between the employee's home and the participant at the start of the workday does not constitute hours-worked and will not be compensated by UCP. Likewise, an employee's return travel from the  
15 participant's home at the end of the workday to the employee's home does not constitute hours-worked and will not be compensated by UCP. This is true even though the commute to-and-from work may be substantial and cumbersome for the employee.

In direct contrast, time engaged in travel as part of the employee's principal activity during the workday will  
20 be counted as hours worked. Employees working in AWC are only compensated transportation miles if the participant has transportation miles included in their ISP, the activity is an approved activity under transportation mile and while the participant is physically in the vehicle.

### "Off-the-Clock" Time

25 Overtime is not permitted without authorization. Employees may not work more than 40 hours per week without authorization. All requests for overtime must receive advance approval from the Supervisor.

It is the Supervisor's responsibility to ensure that non-exempt employees are compensated for all work that  
the Supervisor knows or should know is being performed.

30

### "Comp Time"

Any pay practice or timekeeping arrangement which provides non-exempt staff with paid time off in lieu of compensation – such as a compensatory time off program – is strictly prohibited.

5 **LEAVE PROGRAMS ADMINISTRATION**

**DOMESTIC VIOLENCE LEAVE**

**Policy Statement**

10 UCP is committed to providing leave time for employees when they themselves, a family member or a household member is a victim of domestic violence.

**Purpose**

15 The purpose of this policy is to communicate the guidelines and operating procedures for the use of Domestic Violence Leave.

**Procedures**

20 Employees may be granted leave for themselves, a family member or household member who is a victim of domestic violence. Employees may take three (3) working days of unpaid leave (in any 12-month period (unless applicable state and local laws allow for more days).

Domestic Violence Leave may be used to:

- 25 • Seek a restraining order, temporary restraining order, or other injunctive relief for protection against domestic violence or an injunction for protection in cases of repeat violence, dating violence, or sexual violence;
- Obtain medical care or mental health counseling for the employee or a family or household member to address physical or psychological injuries resulting from the act of domestic violence;
- Obtain services from a victim-services organization, including, but not limited to, a domestic violence shelter or program or a rape-crisis center as a result of the act of domestic violence;
- 30 • Make the employee’s home secure from the perpetrator of the domestic violence or to seek new housing to escape the perpetrator; or
- Seek legal assistance regarding issues arising from the act of domestic violence or to attend and prepare for court related proceedings arising from the act of domestic violence.

35 An employee must provide reasonable, advance notice of the need for leave, as defined by applicable state and local law, except in cases of imminent danger to the health or safety of the employee or an employee’s family or household member. The request must be accompanied by sufficient documentation of the act of domestic violence (for example: copy of police report, restraining order, or order to appear in court).

40 All information regarding an employee’s Domestic Violence Leave will be kept confidential by the Human Resources Department.

5 **FAMILY AND MEDICAL LEAVE**

**Policy Statement**

10 In accordance with the Family and Medical Leave Act of 1993 (FMLA), UCP will grant up to 12 weeks of unpaid family and medical leave during a 12-month period to eligible employees who are temporarily unable to work because of their own serious health condition or to care for an eligible family member. Leave under this policy is considered protected and will include continuation of health insurance coverage under the same terms and conditions as if the employee had not taken leave.

**Purpose**

15 The purpose of this policy is to comply with federal law and to support employees with family and medical leave needs.

**Procedures**

20 Under this policy, UCP will grant up to 12 weeks (or up to 26 weeks for military caregiver leave) during a 12-month period to eligible employees. The leave is unpaid depending on the circumstances of the leave and as specified in this policy.

Eligibility

25 To qualify to take family and/or medical leave under this policy, the employee must meet the following conditions:

- The employee must have worked for UCP for 12 months or 52 weeks. The 12 months or 52 weeks need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years.
- The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence.
- In determining whether a veteran covered under the Uniformed Services Employment and Reemployment Rights Act (USERRA) meets the FMLA eligibility requirements, the months employed and the hours that were actually worked for UCP will be combined with the months and hours that would have been worked during the 12 months prior to the start of the FMLA leave requested but for the military service.

Type of Leave Covered

An employee may utilize FMLA leave for one of the following reasons:

- The birth of the employee's child.
- The placement of a child with the employee in connection with an adoption or foster care.
- To care for a spouse, child or parent with a serious health condition. "Spouse" means a husband or wife as defined or recognized in the state where the individual was married. This includes individuals in domestic partnerships.
- The serious health condition of the employee. Serious health condition is defined as an illness, injury, impairment, or physical or mental condition that involves either inpatient care at a medical care facility or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of their job or prevents the qualified family member from participating in school, work, or other daily activities. The continuing treatment requirement may be met by a period of incapacity of 3 full consecutive calendar days combined with at least two visits to a health care provider, or one visit to a health care provider and a regimen of continuing treatment under the supervision of a health care provider, or incapacity due to pregnancy, or incapacity due to a chronic condition. Employees with questions about what illnesses are covered under this FMLA policy or under UCP's leave policies are encouraged to consult with Human Resources. If an employee takes paid leave for a condition that progresses into a serious health

5 condition and the employee qualifies for leave under this policy, then UCP may designate all or some portion of the related leave taken as short-term disability (paid or unpaid).

**Qualifying Exigency Leave.** Eligible employees with a spouse, child, or parent on covered active duty or who has been notified of an impending call or order to covered active duty in the Armed Forces, including the National Guard or Reserves, may use their twelve (12) week leave entitlement for one or more qualifying exigencies. Covered active duty means in the case of a member of a regular component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country; and in the case of a member of a reserve component of the Armed Forces, duty during the deployment of the member with the Armed Forces to a foreign country under a call or order to active duty. Qualifying exigencies include: a) short-notice deployment, b) military events and activities, c) child care and school activities, d) financial and legal arrangements, e) counseling, f) rest and recuperation, g) post-deployment activities, h) parental care, and i) additional activities that arise out of active duty, provided that the employer and employee agree that such leave shall qualify as an exigency, and agree on the timing and duration of the leave.

**Military Caregiver Leave.** This leave is to care for a spouse, child, parent or next of kin (closest blood relative as defined by the government) who is a covered service member. A “covered service member” under this leave is defined as a current member of the Armed Forces, including National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness incurred in the line of duty on active duty; or is a veteran who is undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy. A “serious injury or illness” means: (1) in the case of a member of the Armed Forces (including a member of the National Guard or Reserves), an injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating; and (2) in the case of a veteran who was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the preceding 5 years, a qualifying injury or illness that was incurred by the member in the line of duty on active duty in the Armed Forces (or existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the Armed Forces) and that manifested itself before or after the member became a veteran.

Amount of Leave

An eligible employee (for all leave types except military caregiver) may take up to 12 weeks under this policy during any 12-month period. UCP will measure the 12-month period as a rolling 12-month period measured backward from the date an employee uses any leave under this policy. Each time an employee takes leave, UCP will compute the amount of leave the employee has taken under this policy in the last 12 months and subtract it from the 12 weeks of available leave, and the balance remaining is the amount of time the employee is entitled to take at that time.

An eligible employee can take up to 26 weeks for the FMLA military caregiver leave circumstance above during a single 12-month period. For this military caregiver leave, the company will measure the 12-month period as a rolling 12-month period measured forward. FMLA leave already taken for other FMLA circumstances will be deducted from the total of 26 weeks available.

If an employee and the employee’s spouse (or domestic partner) both work for UCP and each wishes to take leave for the birth of a child, adoption or placement of a child in foster care, or to care for a parent (but not a parent "in-law") with a serious health condition, the two employees may only take a combined

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5 total of 12 weeks of leave. If an employee and the employee's spouse (or domestic partner) both work for UCP and each wish to take leave to care for a covered injured or ill service member, the two employees may only take a combined total of 26 weeks of leave. UCP has decided to voluntarily include "domestic partner" as an eligible family member for purposes of this policy. In order to qualify as a "domestic partner," an employee must submit a notarized Affidavit of Domestic Partnership, if not already on file with  
10 the Human Resources Department.

### Procedure for Requesting FMLA

All employees requesting FMLA leave must notify their Supervisor or Human Resources Department verbally or in writing. The employee will be required to review and complete the FMLA Leave Policy and  
15 Request Form. If an employee first notifies their Supervisor, the Supervisor will assist the employee in completing the request and sending it to the Human Resources Department. If the employee notifies Human Resources directly, Human Resources will assist them in completing the Request Form and provide the Supervisor with written notice of the request and approximate start and end time of the leave if available.

20 When the need for the leave is foreseeable, the employee must provide the employer (the Human Resources Department and the Supervisor) with at least thirty (30) days' notice. When an employee becomes aware of a need for FMLA leave less than thirty (30) days in advance, the employee must provide notice of the need for the leave either the same day or the next business day. When the need for FMLA  
25 leave is not foreseeable, the employee must comply with UCP's usual and customary notice and procedural requirements for requesting leave.

30 Within five (5) business days after the employee has provided this notice, Human Resources will provide the employee with the Department of Labor (DOL) Notice of Eligibility and Rights and the appropriate DOL Certification of a Serious Health Condition form (for either the employee or a family member) for the treating physician to complete and return to UCP.

### Designation of FMLA Leave

35 Within five (5) business days after the employee has submitted the appropriate certification form, Human Resources will provide the employee with a response to the employee's request for FMLA leave.

### Employee Status and Benefits During Leave

40 Employees will retain their employee status during their leave. Time off will not count as a break in service for purposes of determining service or eligibility for employer benefits.

Subject to the terms, conditions, and limitations of the applicable plans, health insurance benefits will continue to be provided by UCP until the end of the medical leave up to a maximum of 12 weeks.

45 Under current UCP policy, employees pay a portion of their health care premium. While on unpaid leave employees are responsible to make this payment. Employees are provided a Benefits Agreement upon request for leave, with the option to remit a monthly payment to the Human Resources Department or choose to designate that premium costs be deducted from their first three paychecks upon their return to work. To avoid cancellation or interruption of health and welfare plans, employees must ensure payments are made in a timely manner.



5 Intermittent Leave or a Reduced Work Schedule

The employee may take FMLA leave in 12 consecutive weeks, may use the leave intermittently (take a day periodically when needed over the year) or, under certain circumstances, may use the leave to reduce the workweek or workday, resulting in a reduced-hour schedule. If an employee needs leave intermittently or on a reduced leave schedule for planned medical treatment, then the employee must make a reasonable effort to schedule the treatment so as not to disrupt unduly UCP's operations. In all cases, the leave must be in increments of no less than one hour and may not exceed a total of 12 weeks (or 26 weeks to care for an injured or ill service member over a 12-month period).

15 To accommodate UCP's operations, UCP may require the employee to transfer to another position for the duration of such intermittent or reduced schedule leave. The time, duration, and essential terms of such intermittent or reduced schedule leave shall be confirmed in writing by the Human Resources Department.

Certification

20 UCP will require certification for all FMLA leave. The employee must respond to such a request within fifteen (15) days of the request, unless it is not practicable to do so under the particular circumstances, despite the employee's diligent, good-faith efforts. If an employee fails to provide such timely certification, the leave may be delayed until a reasonable period after the required certification is provided. Failure to provide a medical certification within a reasonable time may result in a delay of continuation of the employee's leave. If an employee never produces the required certification, the leave will not qualify for FMLA leave and the employee will not be entitled to FMLA protection.

The certification must contain the following information:

- The date on which the serious health condition commenced;
- The probable duration of the condition;
- 30 • The appropriate medical facts within the knowledge of the health care provider regarding the condition; and
- Any other information specifically required by the FMLA for the particular type of leave being requested.

35 Medical documentation must be sent directly to the Human Resources Department (or its designated third-party vendor, if applicable). Medical documentation must not be sent to the Managing Employer, Instructor or Supervisor. If an Instructor or Supervisor is provided with medical documentation, they must instruct the employee to send the medical documentation to the Human Resources Department and confirm that the action has been taken.

40 Recertification

UCP may request recertification for the serious health condition of the employee or the employee's family member when circumstances have changed significantly, or if UCP receives information casting doubt on the reason given for the absence, or if the employee seeks an extension of his or her leave, or for any other reason permitted by law.

Procedure During the Leave

50 An employee who will be on a FMLA leave for more than one (1) month is required to contact their Managing Employer and Supervisor every thirty (30) days to report when and if the employee expects to return to work. The employee must also furnish new certification from the appropriate health care provider, upon expiration of the initial certification. Upon receipt of such certification, UCP may require the employee to obtain a second certification in the same manner as provided for in the case of the original certification.

5 Employee’s Return to Work After Leave

An employee who takes leave under this policy because of his or her own serious health condition must provide a medical certification from their health care provider clearing them to return to their former position.

10 Except where the law authorizes a different result, an employee who complies with the provisions of this policy will be guaranteed reemployment upon expiration of an approved leave, provided the total period of the leave does not exceed 12 weeks (or 26 weeks in the case of military caregiver leave). The Company will reinstate an employee returning from an FMLA leave of absence to his or her former position, or an equivalent position, upon return to work.

15 If an employee fails to return to work at the end of an FMLA leave of absence, UCP will treat the absence as a voluntary resignation, unless additional leave time has been applied for and granted as an ADA or similar state disability law accommodation (see *Americans with Disabilities Act* policy).

20 A Statement of FMLA Employee Rights is included in the Appendix section of this Employee Handbook.

**JURY DUTY/WITNESS DUTY LEAVE**

**Policy Statement**

25 UCP supports employees who fulfill their civic responsibilities of jury duty and/or witness duty by enabling employees to serve without loss of income.

**Purpose**

The purpose of this policy is to provide income and job protection while an employee carries out their civic responsibility, and to comply with applicable state and federal laws.

30 **Procedures**

AWC30+ and AWC employees are eligible for Jury Duty leave and Witness Duty leave.

The jury duty notification or witness subpoena must be provided by the employee to his/her Supervisor no later than the end of the workday following the day that the notification or subpoena is received. This notification is necessary in order to allow the Supervisor to implement any necessary operational  
35 adjustments (i.e. work schedule and/or staffing re-assignments) to accommodate the employee's absence.

The employee is expected to report to work whenever the court schedule permits. For example, if the employee is not required to report to the Court House until 1pm, the employee would be expected to report to work for work hours scheduled in the morning.

40 Employees must submit court documentation to their Supervisor at the end of their jury duty/witness duty leave; verifying the number of days served. “Jury Duty” must be entered by the Supervisor onto the employee’s timecard.

45 Employees must also scan and send to the Human Resources Department a copy of the jury duty/witness duty payment. The jury duty/witness duty payment will be deducted from a future paycheck; and recorded as an offset to the previously provided paid jury duty/witness duty leave. Reimbursement by the Court for travel or parking fees shall not be included in the offset calculation.

**MILITARY SERVICE LEAVE**

5 **Policy Statement**

Employees taking part in a variety of military duties are eligible for benefits under this policy, in compliance with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and applicable state laws. To receive a military leave of absence, the employee must be absent from work because of uniformed service in the United States Armed Forces or Reserves, National Guard, Commissioned Corps of the Public Health Service, or any other category of persons designated by the President of the United States or Governor of Pennsylvania in time of war or emergency.

15 **Purpose**

The purpose of this policy is to comply with military service legislation and to support UCP employees in the uniformed services. UCP is committed to protecting the job rights of employees absent on military leave. In accordance with federal and state law, it is UCP's policy that no employee will be subjected to any form of discrimination based on that person's membership in or obligation to perform service for any of the Uniformed Services of the United States.

20 **Procedures**

Employees are eligible for Military Service leave if they are absent from work because of eligible military service.

For purposes of this policy, eligible military service means certain types of service (listed below) in the following branches of the US military:

- Armed Forces (Army, Navy, Air Force, Marine Corps, and Coast Guard), including the Reserves.
- National Guard, including the Army National Guard and Air National Guard, when the employee is engaged under federal authority in active duty for training, inactive duty training, or full-time National Guard duty.
- Commissioned corps of the Public Health Service.
- Any state's military force.
- Any other category of persons designed by the President or Governor of Pennsylvania in time of war or national emergency.

35 Eligible employees may take leave under this policy for the following types of military service:

- Active duty.
- Active duty for training.
- Initial active duty for training.
- Inactive duty training.
- Full-time National Guard duty.
- Submitting to an examination to determine the employee's fitness for any of these services.
- Funeral honors duty performed by National Guard or Reserve members.
- Service as an intermittent disaster response appointee of the National Disaster Medical System when employees are:
  - activated under federal authority; or
  - attending authorized training in support of a federal mission.

50 **Notice Procedures**

If an employee needs to take military service leave, the employee or an authorized military service officer should provide advance notice to the employee's Managing Employer and Supervisor or the Human Resources Department. When possible, the employee should give at least thirty (30) days' notice of the request for leave. If 30-days' notice is not possible because of military necessity or for other reasons, the employee should give as much advance notice to UCP as possible. Written notice is preferred, but not

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5 required. When possible, an employee should submit a copy of your military orders, training notice, or order to active duty to his or her Supervisor or the Human Resources Department.

10 Training Duty – If an employee is required to take annual military training, they will be granted a military leave of absence, not to exceed ten (10) working days per year. This type of leave is guaranteed and is not at the discretion of the Supervisor.

15 Involuntary Call to Active Duty – If an employee is called to Involuntary Active Duty a leave of absence will be granted in accordance with USERRA. This type of leave is guaranteed and is not at the discretion of the Supervisor.

### 15 Reemployment

Employees will be reemployed with UCP if the following criteria are met:

- Absent from the job on account of service in the uniformed services;
- Gave advance written or verbal notice to UCP that the employee was leaving the job for service in  
20 the uniformed services, unless such notice was precluded by military necessity or otherwise impossible or unreasonable;
- The cumulative period of military service with UCP must not have exceeded five (5) years;
- Must not have been released from service under dishonorable or other punitive conditions; and
- Must have reported back to UCP in a timely manner or have submitted a timely application for  
25 reemployment, unless timely reporting back or application was impossible or unreasonable.

30 USERRA establishes a five-year cumulative total of military service with a single employer, with certain exceptions allowed for situations such as call-ups during emergencies, reserve drills, and annually scheduled active duty for training. USERRA also allows an employee to complete an initial period of active duty that exceeds five years.

### Employee Rights

35 USERRA provides that returning service members are to be reemployed in the job that they would have attained had they not been absent for military service, (the "escalator" principle), with the same seniority, status and pay, as well as other rights and benefits determined by seniority. USERRA also requires that reasonable efforts (such as training or retraining) be made to enable returning service members to qualify for reemployment. If the service member cannot qualify for the "escalator" position, he or she must be reemployed, if qualified, in any other position that is the nearest approximation to the escalator position and then to the pre-service position. USERRA also provides that while an individual is performing military  
40 service, he or she is deemed to be on a leave of absence and is entitled to the non-seniority rights accorded other similarly situated individuals on non-military leaves of absence. The time limits for returning to work are as follows:

- Less than 31 days service: By the beginning of the first regularly scheduled work period after the  
45 end of the calendar day of duty, plus time required to return home safely and an eight-hour rest period. If this is impossible or unreasonable, then as soon as possible.
- 31 to 180 days: The employee must apply for reemployment no later than 14 days after completion of military service. If this is impossible or unreasonable through no fault of the employee, then as soon as possible.
- 181 days or more: The employee must apply for reemployment no later than 90 days after  
50 completion of military service.
- Service-connected injury or illness: Reporting or application deadlines are extended for up to two years for persons who are hospitalized or convalescing.

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5 If any employees are unable to comply with this schedule through no fault of their own or if they are injured or recovering from an injury, they should speak with the Human Resources Department as soon as possible to determine if they are eligible for a reasonable accommodation or additional time to apply for reemployment. Employees who do not report to work or apply for reemployment within the applicable timeframe will be subject to UCP's rules about unexcused absences.

10 Nothing in this policy requires UCP to reemploy individuals who are not eligible for reemployment rights under applicable law.

### **Benefits and Compensation**

15 UCP prohibits and will not tolerate discrimination or retaliation against any employee or applicant because of that person's membership in or obligation to perform service for any branch of the U.S. military. Specifically, no one will be denied employment, reemployment, promotion, or any other benefit of employment, or be subjected to any adverse employment action based on that person's membership in or service for any branch of the US or state military. In addition no one will be disciplined, intimidated, or  
20 otherwise retaliated against because that person exercised rights under this policy or applicable law.

## **NURSING MOTHERS' ACCOMMODATION**

### **Policy Statement**

25 UCP commits to providing nursing mothers with reasonable break periods and appropriate space to express breastmilk during work hours.

### **Purpose**

30 The purpose of this policy is to support the health and well-being of employees and their infant children, and to ease the transition for women returning to work from maternity leave. This policy reflects UCP's commitment to work-life balance.

### **Procedures**

35 For up to twelve (12) months after the child's birth, an employee who is breastfeeding will be provided a reasonable number of breaks to express breastmilk. The employee, Managing Employer, and Supervisor should work together to determine the number and duration of the breaks to accommodate the employee's needs as well as those of the department.

40 For assistance, please contact the Human Resources Department.

## **PERSONAL LEAVE OF ABSENCE**

### **Policy Statement**

45 Under limited circumstances, UCP may approve a personal, non-medical leave of absence without pay.

### **Purpose**

The purpose of this policy is to accommodate a leave request when the nature of an employee's request for leave does not fit the eligibility criteria for other established leave policies.

### **Procedures**

50 An employee of any Employment Category may request a Personal Leave of Absence.

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5 All requests for leave will be considered on an individual basis and must be submitted in writing to the Supervisor and department head at least ten (10) days prior to the start of the leave, unless extenuating circumstances prevail. Requests must include reasons for the leave and requested duration of leave. All requests for personal leave must be approved by the employee's Managing Employer and Supervisor or department head, and the Human Resources Department.

10 The decision to grant a personal leave is at the sole discretion of UCP. The following factors may be considered in determining whether to approve a personal leave of absence:

- Job responsibility and length of employment,
- Past attendance record and general performance record,
- 15 • Total time away from UCP requested,
- Purpose of the leave; and,
- The operational needs of UCP.

20 A leave of absence for personal reasons will be at the employee's own expense and may not exceed six (6) months.

If the employee is enrolled in UCP's group insurance plans, coverage continues during a personal leave as long as the full monthly premiums are paid on time.

25 Except where mandated by law, neither return to benefits eligible employment nor the employee's former position or former pay level is guaranteed when the employee returns from a personal leave. If the former position is not available upon the employee's return from personal leave, the employee may apply for any open position for which they are qualified. If upon return from leave the employee does not accept a position that is offered, the employee will be considered to have voluntarily terminated their employment.

30 An employee is required to return from the personal leave of absence on the scheduled return date. If the employee is unable to return, the employee must request an extension of the leave in writing. Failure to return upon expiration of leave will be considered a voluntary resignation of employment.

### 35 RELIGIOUS OBSERVANCES

#### Policy Statement

40 An employee may take time off from work to observe a religious or cultural holiday, provided work schedules can be accommodated without undue hardship to the department.

#### Purpose

The purpose of this policy is to demonstrate respect for religious and cultural practices and traditions.

#### Procedures

- 45 • Employees must request this time from their Supervisor as far in advance as possible so that any necessary departmental scheduling or operational adjustments can be made.
- Supervisors are expected to make reasonable scheduling or operational adjustments. However, if scheduling or operational adjustments cannot be made, the employee's request may be denied.

5 **BENEFIT PLANS ADMINISTRATION**

**BENEFIT PLANS**

**Policy Statement**

10 UCP strives to establish a workplace culture that supports employee engagement and retention. Accordingly, UCP is committed to providing benefit plans that are comprehensive, and competitive with those provided by other similar non-profit organizations.

**Purpose**

15 The purpose of this policy is to provide an overview of the numerous benefit plans that are offered by UCP to eligible employees.

**Procedures**

20 **Benefit Plan Eligibility**

Benefit plan eligibility is determined by the Employment Category of the employee (below). Benefits are effective the 1<sup>st</sup> of the month following thirty (30) continuous calendar days of employment. UCP reserves the right to change these benefits at its sole discretion and at any time.

25 **AWC30+:** *Employees regularly scheduled to work at least 30 hours per week.* Eligible for health insurance coverage (medical, dental, and vision), and a retirement savings plan.

**AWC:** *Employees regularly scheduled to work less than 30 hours per week.* Eligible for retirement savings plan.

30 **For full details, employees are encouraged to reference the benefit plan documents and Summary Plan Descriptions (SPDs) which are accessible through the ADP Employee Portal, or request copies of the documents from the Human Resources Department.**

35 Employees are encouraged to also reference the following policies: Employment Categories, and Workers' Compensation.

40 This policy contains a very general description of the benefits to which employees may be entitled as an employee of UCP. This general explanation is not intended to, and does not provide, employees with all the details of these benefits. This policy does not change or otherwise interpret the terms of the official plan documents. An employee's rights can be determined only by referring to the full text of the official plan documents as stated below. To the extent that any of the information contained in this policy is inconsistent with the official plan documents, the provisions of the official documents will govern in all cases.

45 Nothing contained in the benefit plans described herein shall be held or construed to create a promise of employment or future benefits, or a binding contract between UCP and its employees, or their dependents, for benefits or for any other purpose. All employees shall remain subject to discharge or discipline to the same extent as if these plans had not been put into effect.

50 UCP reserves the right, in its sole and absolute discretion, to amend, modify or terminate, in whole or in part, any or all of the provisions of the benefit plans described herein. Further, UCP reserves the exclusive right, power and authority, in its sole and absolute discretion, to administer, apply and interpret the benefit

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5 plans described herein, and to decide all matters arising in connection with the operation or administration of such plans.

### **CONFIDENTIALITY OF EMPLOYEE MEDICAL INFORMATION**

#### **Policy Statement**

10 UCP and its' Human Resources Department will comply with applicable standards of privacy when accessing, using or disclosing medical information for employees.

#### **Purpose**

15 The purpose of this policy is to present specific guidelines and operating procedures that the Human Resources Department will follow when using or disclosing medical information for employees.

#### **Procedures**

20 HIPAA establishes legal rules for "covered entities" to follow when accessing, using or disclosing "protected health information" (PHI). UCP is a covered entity to the limited extent that it may employ health care providers or administer group health plans. When protected health information is received by UCP and its' Human Resources Department in these capacities, UCP shall comply with applicable HIPAA privacy rules. The rules require that covered entities who provide or process health information obtain special written authorization from patients before accessing or using PHI for anything other than normal administrative tasks. The HIPAA Notice of Privacy Practices document presents your rights in relation to PHI and is available via the ADP Employee Portal.

30 HIPAA does not apply to medical information that UCP and its Human Resources Department receives in other capacities (e.g. employee medical records submitted to Human Resources for purposes of leaves of absence, workers compensation, reasonable accommodation, etc.). The Human Resources Department shall make every reasonable effort to ensure that such medical information is used only for legitimate business and administrative purposes. Disclosure shall be limited to those individuals with a legitimate business or legal need to have access.

35 Human Resources also stores all medical information in secure files that are maintained separately from general personnel information in accordance with the Americans with Disabilities Act.

40 The handling of employee health information for the administration of other health and welfare programs (i.e. FMLA, Return to Work Certifications, etc.), shall be managed with the utmost care to guard against improper use.

45 Any questions or concerns pertaining to the management of PHI should be addressed to the Privacy Officer for the plan, who may be contacted through the Human Resources Department. Any questions relating to non-HIPAA medical information (e.g. Human Resources file information) should be directed to a Human Resources Department representative.

### **CONSOLIDATED OMNIBUS BUDGET RECONCILIATION ACT (COBRA)**

#### **Policy Statement**

50 The Consolidated Omnibus Budget Reconciliation Act (COBRA) mandates a "continuation of coverage option" for group health plans. COBRA rules require that a temporary extension (of usually 18 months) of healthcare insurance coverage be made available to employees, spouses, and children who lose coverage due to a "qualifying event", i.e. termination of employment, divorce, legal separation, a child that is no longer a dependent, etc. Individuals who are eligible for COBRA continuation coverage are provided with a



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5 notice of their right to elect coverage and must do so in a timely manner. The COBRA notice provides detailed information regarding election of coverage, cost, payment instructions and duration of coverage.

### Purpose

10 The purpose of this policy is to provide specific guidelines and operating procedures for compliance with the Consolidated Omnibus Budget Reconciliation Act (COBRA).

### Procedures

For termination of employment from UCP, the termination date of employment is the qualifying event; and COBRA coverage, if elected in a timely manner, will begin the day following the date of separation.

15 Individuals who elect COBRA coverage are responsible for paying the full monthly premium in a timely manner. The cost for continuation of coverage will be at the same group rate UCP pays plus a 2% surcharge to help defray administrative expenses. The premiums are submitted directly to the third-party COBRA administrator and must be done so in a timely basis. Payments not received due to insufficient funds, changes in address, or other issues within the control of the COBRA participant will cause termination of benefits.

The domestic partner of an employee who is covered by UCP's group insurance plan in accordance with UCP policy has the right to choose continuation coverage for him/herself if coverage is lost due to any of the following reasons:

- The death of the employee
- Termination of the employee's employment or reduction in the employee's hours of employment
- Termination of the domestic partner relationship
- The employee becomes entitled to Medicare

30 The employee is required to notify the Human Resources Department of the termination of a domestic partner relationship within thirty (30) days of such event by submitting a written statement of the termination of the relationship. Failure to do so may result in denial of coverage (denial of extension of coverage) and the employee and domestic partner may be held responsible for reimbursing UCP for any claims and premiums that were paid by the plan and UCP during the period in which coverage was not properly in effect.

A statement of COBRA Continuation Rights is included in the Appendix section of this Employee Handbook.

## FEDERAL STUDENT LOAN FORGIVENESS PROGRAM

### Policy Statement

40 UCP is committed to participating in the Federal Student Loan Forgiveness Program which assists eligible employees with expenses incurred with federal student loans.

### Purpose

45 The purpose of this policy is to provide eligible UCP employees with an opportunity to participate in the Federal Student Loan Forgiveness Program.

### Procedures

50 The Federal Student Loan Forgiveness Program (FSLF) provides forgiveness of eligible federal student loans to qualified individuals that work full-time (defined as at least an average of 30 hours per week) in public service jobs. UCP meets the definition of a "public service organization" because UCP is a 501(c)(3) not-for-profit organization. UCP does not administer this program, but UCP can support employees seeking loan forgiveness under this program by completing the necessary application forms.

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5 Employees interested in this program are encouraged to contact the Human Resources Department. The Human Resources Department will assist in the employee’s completion of the “Employment Certification for Public Service Loan Forgiveness” form. Employees should first complete sections 1 and 2 of the form and then scan the form to the Human Resources Department Helpdesk via: [HRHelpdesk@ucpcentralpa.org](mailto:HRHelpdesk@ucpcentralpa.org).

10 The Human Resources Department will complete sections 3 and 4. The employee is responsible for submitting the completed form to the Federal Loan Servicing Agency listed in Section 6 of the form.

### QUALIFYING LIFE EVENTS

#### 15 Policy Statement

Employees are expected to provide the Human Resources Department with accurate personal information that impacts eligibility for and coverage under the various healthcare plans.

#### 20 Purpose

The purpose of this policy is to provide specific guidance that employees are expected to follow regarding the reporting of “qualifying life events” to the Human Resources Department.

#### Procedures

The following life events may qualify you to be able to make mid-year changes to your benefit elections:

- 25 • Marriage/Divorce
- Birth/Adoption
- Loss of other coverage
- Gain of other coverage
- Change in dependent status (i.e. domestic relations orders)
- 30 • Dependent satisfies or ceases to satisfy eligibility (i.e. age or student status)
- Change in residence

In order to make changes based on the above listed life events, an employee must notify the Human Resource Department in writing by sending an email to the HR Helpdesk via [HRHelpdesk@ucpcentralpa.org](mailto:HRHelpdesk@ucpcentralpa.org). The email communication must include the date of the qualifying life event and indicate which qualifying life event has or will occur.

40 Employees must report a qualifying life event no later than thirty (30) days after the date of the qualifying life event. Relevant proof of the qualifying life event is required. Examples include: A letter from the insurance carrier verifying enrollment into a different healthcare plan, letter from spouse or dependent’s employer, letter from the state, are all examples of proof of the qualified life event and will be required to prove an event of “gain or loss of other coverage.”

45 Once the Human Resources Department receives notification of the qualifying life event, the request will be approved or disapproved. If approved for new or additional coverage, the Human Resources Department will provide the employee with further instructions regarding plan enrollment.

See also the *Personal Data Changes* policy.

### 50 WORKERS COMPENSATION

#### Policy Statement

Workers Compensation law provides wage loss and medical benefits to employees who cannot work, or who need medical care, because of a work-related injury or illness.

5

**Purpose**

The purpose of this policy is to communicate specific guidelines and operating procedures for the administration of workers compensation coverage and benefits for UCP employees.

10

**Procedures**

Employees must report work related accidents or injuries to their Managing Employer and Instructor immediately; as soon as they occur, even if they appear minor at the time. This includes but is not limited to all falls, bumps on the head, cuts which bleed, and exposure to body fluids, or blood borne pathogens through a bite, cut, etc. In the event of an emergency situation and a Managing Employer or Instructor is not available, treatment should be sought first by the employee; with the Managing Employer and Instructor notified as soon as the employee is able to do so.

15

20

Employees are provided the Workers Compensation policy and procedures and are provided the Employee Acknowledgment of Rights and Responsibilities for review and signature as part of their first day of employment or on Day 1 of their new employee orientation training. They are also provided the Notice of Medical Treatment for review and signature, and the Panel of Physicians as their resource for future possible use.

25

UCP must report injuries to the insurance provider within 24-hours of the incident, or if the injury occurs outside of normal business hours, the incident must be reported immediately on the next business day.

30

Injuries resulting in hospitalization or a fatality must be reported immediately regardless of whether or not the injury occurs within regular business hours. These have mandatory reporting timeframes to the Occupational Safety and Health Administration (OSHA) of the federal government.

35

- Injuries to an employee resulting in death must be reported to OSHA within 8 hours. If you are present during such an incident you should contact the Supervisor immediately, who will complete the notification process and notify the Human Resource Department.
- Injuries that result in the employee being hospitalized must be reported within 24-hours to OSHA. The injured employee, if able, should report this to the Managing Employer and Instructor immediately, as able. Other employees present during the incident should contact the Instructor immediately to assure they are aware. The Instructor will complete the notification process and notify the Human Resource Department.

40

**Incidents NOT Involving a Motor Vehicle Accident**

**IMMEDIATELY UPON LEARNING OF INJURY:**

If the injury requires medical treatment, the Managing Employer or Instructor (or Supervisor) must direct the employee to seek medical attention immediately! If it's an emergency, call 911 or send the employee immediately to the closest urgent care or emergency room to be seen. The employee should then follow up with a panel provider after discharge.

45

50

If the injury is not serious and does not require immediate medical treatment, the Instructor will complete the Claim Filing Form with assistance by the injured employee. The Instructor must ensure that the form is completed immediately, the same day upon receiving notice of the incident. The form must be completed IN FULL with all \* fields filled in. The claim cannot be set up without a complete report.

The Instructor submits the completed report directly to Encova (formerly BrickStreet) and copies the Human Resources Department WITHIN 24 HOURS of the date of injury.

EMAIL: or FAX: 304-941-1151

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5 COPY the Human Resources Department:

[HRHelpdesk@ucpcentralpa.org](mailto:HRHelpdesk@ucpcentralpa.org) or HR Fax: 717-731-1058

The Instructor provides the following forms for the employee to immediately complete and return to the Instructor, who sends to the Human Resources Department (and HR forwards to the claims adjuster at BrickStreet):

- Medical Records Release – returns to Instructor
- Employee’s Rights and Duties – employee and Instructor sign
- Notice for Medical Treatment – employee and Instructor sign

15 The Instructor provides the following forms to the employee to take to the treating physician and pharmacy, as applicable:

- Physician Statement of Capabilities – employee gives this form to their treating physician(s); the physician uses this form to provide UCP with whether the employee can return to work at full duty, or it outlines restrictions with regards to duty for the employee to return to work; physician sends to UCP and the insurer.
- First Fill Form – used for prescriptions needed that first day, the employee then contacts the insurer’s vendor on the Provider Panel to discuss procedure for future refills and prescriptions

The Instructor gives the employee the Physician Provider Panel document.

- If the employee is faced with a medical emergency, the employee should use the closest urgent care or hospital emergency room, and then follow up with a panel provider for treatment.
- The employee uses the Physician Provider Panel document for first visit (non-emergency), any referrals from the first visit and/or for follow up appointments. The employee should refer to this document to schedule their appointments.
- The employee is required to complete the Refusal of Medical Treatment/Observation document if the employee insists on treating with someone not on the panel. The Instructor must witness the employee’s signature on this document and send to the Human Resources Department (who provides insurer with a copy). If the employee treats with a non-panel provider, they must understand the risk that their claim may not be paid. This is not required if the employee is simply not seeking treatment for a non-serious incident only claim.

### **WITHIN 3 DAYS OF INJURY DATE:**

The Instructor completes the Accident Investigation form and forwards completed form to the Human Resources Department. When completing this form, any applicable witnesses should provide information as requested. The Safety Team reviews accidents monthly and uses this report to identify trends and determine if any corrective action is needed.

### **RETURN TO WORK:**

Employees are expected to return to work when medically cleared by the treating physician. UCP retains the right to arrange for independent evaluations if there is a disagreement about the employee’s readiness to return to work.

In the event that an employee may only return to work with certain work restrictions, the Supervisor and the Human Resources Department may develop a light duty position description, if the light duty accommodation does not compromise the quality of service or safety requirements of the position.

If applicable, the Supervisor works with the Human Resources Department to identify the light duty work, assure its within restrictions including duties and work hours, and to prepare the Transitional RTW (Return

5 to Work) Job Offer document. This document is only needed for employees who were off work on an indemnity (loss of work time) claim with restrictions in place when they are able to return to work.

**Incidents Involving a Motor Vehicle Accident**

10 **IMMEDIATELY UPON LEARNING OF INJURY:**

If the injury requires medical treatment, the Managing Employer or Instructor ( Supervisor ) must direct the employee to seek medical attention immediately! If it's an emergency, call 911 or send employee immediately for treatment.

15 Because the injury has involved a motor vehicle accident, the employee must also submit to post-accident drug and alcohol testing, paid for by UCP, and provided by WorkNet (no weekend hours), Concentra, MedExpress, and Juniata Valley Occupational Health (no weekend hours). If the accident occurs outside normal business hours when these designated providers are not available, Supervisors may take the employee to any urgent health or emergency room provider. The Supervisor must provide the employee with the Employer Authorization form (as applicable). WorkNet, Concentra and Med Express each have an  
20 authorization form. Juniata Valley does not require an authorization form.

The Supervisor or designated co-worker must take the employee to the visit and testing immediately after the accident.

25 The Instructor provides the following forms to the employee to take along to the treating physician and pharmacy as applicable:

- Physician Statement of Capabilities – employee gives this form to their treating physician(s); physician sends to insurer.
- First Fill Form – retained for prescriptions until a permanent card is received.

The Instructor gives the employee the Physician Provider Panel document.

- If the employee is faced with a medical emergency, the employee may obtain assistance from any hospital, physician, or other healthcare provider, and then obtain subsequent treatment from a provider included within the panel.
- The employee uses this document for any referrals from the first visit or for follow up appointments. The employee refers to this document to schedule their appointments.
- The employee is required to complete the Refusal of Medical Treatment/Observation document if the employee insists on treating with someone not on the panel. The Instructor must witness the employee's signature on this document. If the employee treats with a non-panel provider, they  
40 must understand the risk that their claim may not be paid.

The Instructor provides the following forms for the employee to immediately complete and return to the Supervisor, who sends to the HR Department (and HR forwards to the claims adjuster at BrickStreet):

- Medical Records Release – returns to Instructor
- Employee's Rights and Duties – employee and Instructor sign
- Notice for Medical Treatment – employee and Instructor sign

50 If the injury is not serious and does not require immediate medical treatment, the Instructor will complete the Claim Filing Form with assistance by the injured employee. The Instructor must ensure that the form is completed immediately, the same day upon receiving notice of the incident. The form must be completed IN FULL with all \* fields filled in. The claim cannot be set up without a complete report.

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5 The Instructor submits the completed report directly to Encova (formerly BrickStreet) and copies the Human Resources Department WITHIN 24 HOURS of the date of injury.

EMAIL: or FAX: 304-941-1151

COPY the Human Resources Department:

[HRHelpdesk@ucpcentralpa.org](mailto:HRHelpdesk@ucpcentralpa.org) or HR Fax: 717-731-1058

10

### **WITHIN 3 DAYS OF INJURY DATE:**

The Instructor completes the Accident Investigation form. When completing this form, any applicable witnesses should provide information as requested.

15

### **RETURN TO WORK:**

Employees are expected to return to work when medically cleared by the treating physician. UCP retains the right to arrange for independent evaluations if there is a disagreement about the employee's readiness to return to work.

20

In the event that an employee may only return to work with certain work restrictions, the Supervisor and the Human Resources Department may develop a light duty position description, if the light duty accommodation does not compromise the quality of service or safety requirements of the position.

25

If applicable, the Supervisor prepares a draft of the Transitional RTW (Return to Work) Job Offer document and submits it to the Human Resources Department for review. This document is only needed for employees with restrictions in place when they are able to return to work.

30

A Statement of Workers' Compensation Rights and Duties is included in the Appendix section of this Employee Handbook.

5 **STANDARDS OF CONDUCT**

**APPROPRIATE DRESS**

**Policy Statement**

10 Employees are expected to present a professional, clean, and neat appearance, and to dress appropriately for the workplace setting and the work being performed. “Casual dress” is appropriate for Support Service Professionals.

**Purpose**

15 The purpose of this policy is to provide standards for appropriate dress and grooming; support a professional, productive, and safe work environment that aligns with the UCP culture; and to assist in creating a positive impression of UCP to those whom we serve, their families, and the community at large.

**Procedures**

20 The Managing Employer and Supervisor are responsible for interpreting and enforcing the appropriate dress guidelines in their areas of responsibility. Managing Employers are expected to review all attire and grooming standards with newly hired staff members. Staff members who are unsure of what is appropriate attire should check with their Supervisor.

25 **Support Service Professionals**

While “casual dress” is the general dress guideline, UCP relies on employees to exercise good judgment in determining appropriate attire according to their role, their department, and the business activities of the day.

30 Guidelines for casual dress attire for **men** includes, but is not limited to, the following:

- **Appropriate:** Jeans, casual pants, sweatpants, knee-length shorts, UCP T-shirts, T-shirts not having inappropriate messages/graphics, sweatshirts, athletic shoes.
- **Not Appropriate:** Exercise wear, full military or hunting fatigues, bib overalls, muscle shirts, sleeveless shirts, flip flops. Tight, revealing, ripped, frayed, disheveled, or other inappropriate clothing. Shirts with inappropriate messages/graphics are also prohibited.

35 Guidelines for casual dress attire for **women** includes, but is not limited to, the following:

- **Appropriate:** Jeans, casual pants, capris, thigh-length shorts, sweatpants, UCP T-shirts, T-shirts not having inappropriate messages/graphics, sweatshirts, athletic shoes, casual closed-toed sandals with straps.
- **Not Appropriate:** Full military or hunting fatigues, bib overalls, tank tops, tube tops, spaghetti strap tops or dresses, flip flops or backless shoes. Tight, revealing, ripped, frayed, disheveled, or other inappropriate clothing, including spandex/lycra. Shirts with inappropriate messages/graphics.

40 Some positions include job duties that require bending, stooping, squatting, kneeling, stretching, and/or lifting within a typical workday. Accordingly, staff members who serve in these positions are expected to wear non-restrictive comfortable clothing that enables the effective performance of all job duties. Clothing that is restrictive or reveals excessive cleavage, back, chest, stomach, or undergarments is not appropriate.

45 **To ensure the safety of staff members and participants, staff members who provide direct services to participants must wear shoes that are closed toe, flat and sturdy, with straps on the back.**

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5 UCP recognizes and respects the importance of individually held religious beliefs of staff members. UCP will reasonably accommodate a staff member's request for religious belief attire (i.e. hijab head scarf, yarmulke skull cap), unless the accommodation creates an undue hardship. Supervisors who receive a request from a staff member to wear religious belief attire should refer the request to the Human Resources Department. The Human Resources Department reviews and approves all exception requests.

10 A staff member with a disability may request a modification of the *Appropriate Dress* policy as a reasonable accommodation. For example, a staff member may request to wear sneakers instead of dress shoes due to a foot condition that is a result of a diabetes medical condition. Supervisors who receive a request from a staff member for a modification of the *Appropriate Dress* policy due to a disability should refer the request  
15 to the Human Resources Department.

UCP recognizes and respects the interests of staff members who are in gender transition or choose to express themselves as the opposite gender. Accordingly, UCP will reasonably accommodate a staff member's request for gender transition or opposite gender attire, unless the accommodation creates an  
20 undue hardship.

Supervisors who receive a request from a staff member for a modification of the *Appropriate Dress* policy should refer the request to the Human Resources Department.

25 Natural and artificial scents may become a distraction within the workplace. Some staff members or participants may have a sensitivity or allergic reaction to various fragrant products. Scented personal products (such as fragrances, perfumes, colognes, lotions, and powders) that are perceptible to others should be used sparingly. Employees required by medical necessity to use medicinal lotions or skin creams that contain odors perceptible to others may request a reasonable accommodation from their Supervisor. If  
30 a staff member's personal hygiene or use of fragrance becomes a concern, the Supervisor will counsel the staff member in private, including recommendations for solutions to the areas of concern.

Employees exhibiting poor judgment regarding appropriate attire will be counseled by their Supervisor. If appearance is unduly distracting or unacceptable, employees may be sent home to correct the problem.  
35 Non-exempt staff members will not be compensated for any work time missed because of failure to comply with this *Appropriate Dress* policy. Violations of this policy will be considered as misconduct and will result in disciplinary action up to and including termination.

## ATTENDANCE

### Policy Statement

40 It is the policy of UCP to provide consistent guidelines and practices with regard to attendance and tardiness. Regular attendance by all employees is essential for our organization to operate effectively. Attendance problems add to inefficiency, extra cost, burdens on co-workers, and difficulty in maintaining a  
45 high quality of service. In order for UCP to operate in an orderly, efficient manner, it is imperative that absenteeism, tardiness and other attendance irregularities be minimized.

Employees have the responsibility for their attendance and for reporting ready for work on time. UCP expects its employees to report for work as scheduled and to maintain regular attendance. UCP recognizes  
50 that some absenteeism will occur and will take corrective action to minimize excessive absenteeism and ensure regular work attendance.

### Purpose



## AGENCY WITH CHOICE – A UNITED CEREBRAL PALSY OF CENTRAL PA, Inc. (UCP) EMPLOYEE HANDBOOK

5 This policy defines reasonable and necessary expectations to ensure adequate attendance and to meet UCP operational needs.

### Procedures

#### 10 Reporting To Work

Employees are responsible for obtaining scheduled work hours from his/her Supervisor. The Managing Employer is responsible to communicate the schedule to the Instructor. The schedule may vary based on the participants needs. Employees are expected to be at their work location and ready to work at the assigned time. Employees are expected to comply with procedures for recording time (see *Recording of Work Time* policy). Employees are expected to adhere to all schedule requirements and demonstrate flexibility in the scheduling process.

#### Absence From Work

20 Any time planned by the employee to be away from their regularly scheduled hours of work must be approved in advance by the Managing Employer and must be done in compliance with any departmental policies regarding scheduled time off. The advance notice that is required to classify the absence as a “scheduled absence” varies by department. In most cases, at least 24-hours advance notice is required.

25 Some departments require more than a 24-hours advance notice (two weeks advance notice is required, unless not possible because of extenuating circumstances). Questions about these procedures may be referred to your Supervisor or Human Resources.

30 If for any reason an employee is unable to report to work it is that employee’s responsibility to notify his/her Managing Employer through the appropriate departmental notification procedures. This is necessary so that arrangements can be made to cover that employee’s assignment. Notification should be at least two (2) hours in advance of the scheduled start time. Employees are required to follow the call off procedures unless the Managing Employer has approved an extended absence. Failure to follow the minimal reporting standard may result in disciplinary action.

35 If an employee is going to be late for duty, it is that employee’s responsibility to notify his/her Managing Employer through the appropriate departmental notification procedures. Notification should be made as soon as the employee realizes they are going to be late. Failure to follow the notification process may result in disciplinary action.

40 Employees are expected to inform the Managing Employer and Supervisor if an absence is due to a medical condition covered by the Family and Medical Leave Act (“FMLA”) or the Americans with Disabilities Act (“ADA”).

45 An employee who fails to report to work and does not call to report the absence is considered to have an unreported absence, more commonly known as a “No Call/No Show.” This is the most serious absence offense. The first day of a No Call/No Show will result in a Final Written Warning. Failure to notify the Managing Employer for a second consecutive day will be considered a voluntary resignation of employment without notice. If the No Call/No Show is related to a medical condition covered by the FMLA or the ADA, the employee is expected to inform their Supervisor as soon as possible and in accordance with FMLA and ADA policies.

#### Disciplinary Action

##### Attendance Evaluation Factors

55 Unsatisfactory attendance must be determined by the relevant circumstances of each case. Management discretion should be exercised equitably and fairly, considering the following:

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- The type, frequency and pattern of absences from work;
- Whether extenuating circumstances (i.e. hospitalization, catastrophic event, bereavement, etc.) exist;
- Precedent; and
- The severity of the violation(s).

### Occurrence of Absence/Unavailable for Work

Each of the following are counted as **one occurrence** for purposes of this policy:

- One (1) unscheduled and/or unapproved absence from work - Absences of two (2) or more consecutive days for the same reason (e.g., illness) will be considered one occurrence. If an employee is absent one day, returns for one day or more, and is absent again, this would count as two occurrences.
- One (1) episode of tardiness 60 minutes or greater.
- One (1) episode of short-time 60 minutes or greater.
- Two (2) episodes of tardiness and/or short time less than 60 minutes.
- Two (2) episodes of forgetting to clock in or out in one pay period. Employees are expected to clock in at the beginning of the shift and clock out at the end of the shift.
- Any absence related to the untimely renewal of state licensure required by the employee's position. Any combination of the above occurrences will be counted together to determine the appropriate disciplinary action step.

### Progressive Disciplinary Steps

Disciplinary Action	Number of Occurrences	Time Frame
Documentation of Verbal Warning	3 occurrences of absence/unavailable for work	Within 6 months
First Written Warning	2 occurrences of absence/unavailable for work	Within 6 months of Verbal Warning
Final Written Warning	2 occurrences of absence/unavailable for work	Within 6 months of First Written Warning
Termination	1 occurrence of absence/unavailable for work	Within 6 months of Final Written Warning

Absences due to illness or injury which qualify under the FMLA or ADA will not be counted against an employee's attendance record. Medical documentation within the guidelines of FMLA or ADA may be required in these instances. It is the employee's responsibility to assure all documentation is accurate and up to date. If medical documentation, i.e. doctor's note, is presented by the employee and it is unrelated to an approved FMLA or ADA leave, the time away from work may be considered an attendance occurrence. For more information, see *Americans with Disabilities Act and Family Medical Leave Act* policies.

An employee who has no occurrences of absence/unavailable for work within six (6) consecutive months of the last disciplinary action will revert to the beginning of the disciplinary process.

### Responsibility and Authority

All employees shall:

- Recognize their responsibility to maintain a good attendance record and resolve those factors which could result in unsatisfactory attendance. Employees should attempt to schedule personal appointments during non-working hours whenever possible.

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- Account for his/her personal compliance with all aspects of the time and attendance policy. Deviations from this policy may result in disciplinary action, up to and including termination.
- Refrain from falsifying time records, which could include clocking in or out for another employee or permitting another employee to clock in or out for them. Employees are prohibited from clocking in before parking their car, driving into work, etc., and also from clocking out after getting into their car to leave or after they drive home from work. Non-exempt employees are also prohibited from clocking out of work and then continuing to work “off the clock.”

All Supervisors and Managing Employers shall:

- Educate all employees under their supervision about their attendance responsibilities from the first day of employment, including but not limited to, procedures for requesting time off and notification of absences, defining specific hours of work for each employee, and defining the timeframe that will determine a tardy or short-time.
- Review all employee attendance records and ensure that attendance occurrences are brought to that employee’s attention through the corrective progressive discipline procedure outlined in this policy. Each Supervisor is responsible for enforcing the policy fairly and consistently and for maintaining an attendance record for each employee.
- Ensure that the attendance record for a new employee is reviewed thoroughly during and prior to the completion of the initial employment period.
- Ensure that time documents and records are properly coded and summarized each pay period to accurately reflect unscheduled attendance discrepancies. This includes documentation of employee absences related to an approved leave of absence as defined by the FMLA or ADA.
- Report and recommend employees to the Supervisor who may be subject to disciplinary action in accordance with this policy to Human Resources.

Human Resources shall:

- Monitor attendance records and reports and consult with the Managing Employer and Supervisors, as necessary.
- Review all progressive discipline actions and/or termination actions to ensure the consistent application of this policy.

### **Definitions**

**Available for Work:** Employee reports to the assigned work area ready for work and on time, as scheduled.

***Scheduled Absence:***

- A scheduled absence occurs when an employee has arranged with the Managing Employer at least 24 hours in advance (or the advance notice requirement of the department, whichever is greater) and has received approval.
- Employees are not subject to disciplinary action for approved scheduled absences.

***Unscheduled Absence:***

- Missing work for one or more scheduled days without providing the required advance notice expected for a scheduled absence, or not receiving prior approval.
- Not being present to perform work, e.g. employee has reported to work but cannot be found and/or is not responding to calls/pages.

***Tardiness:***

- Arrival at the assigned work area after the scheduled start time or arrival at the work area at the scheduled time but not ready for duty, i.e. eating breakfast, etc. This includes late arrivals from meals breaks or other approved break times.

5

*Short time / Leaving work with less than scheduled hours worked:*

- When, because of illness or emergency, the employee must leave his or her work area after reporting for a shift, the employee must notify the Managing Employer. Failure to give notice may result in an unavailable for work occurrence.
- If an employee is sent home for a non-FMLA or non-ADA approved reason, the time away from work will be considered an attendance occurrence.

10

15

*Pattern:* Repeated occurrence of absence from work in relation to a significant date. For example, the day after a payday, the Friday before or Monday after a weekend, the day before or the day after a Holiday, absences when scheduled for weekend work, etc.

## CELLULAR PHONES

### Policy Statement

20

Unless otherwise authorized by a Supervisor, the use of cellular phones and other electronic communications devices during work time is restricted.

### Purpose

25

To ensure the highest level of service and safety for our participants, minimize distractions to business operations, reduce the potential for errors, respect program participant privacy rights, and avoid the misuse of confidential information, guidelines for the use of cellular phones and other electronic communications devices during work have been established.

### Procedures

30

Staff members who provide direct service to participants are prohibited from using cellular phones and other electronic communications devices for personal use during work time.

35

Personal cell phone use for the purpose of clocking in, clocking out and submitting appropriate documentation is permitted during work time.

40

Staff are expected to provide full attention to participants and to the completion of all assigned responsibilities. During work time, staff must set their personal communication device to silent or vibrate and secure the item within their own purse, backpack, attaché case or other personal item.

45

Should extenuating circumstances or emergency situations arise, staff members are encouraged to alert their Managing Employer to the situation. The Managing Employer may then permit the staff member to be accessible to incoming communications by allowing use of the cellular phone. If a staff member must leave the worksite to respond to an emergency, the Managing Employer must be notified in order to ensure that staffing coverage can be arranged.

All staff members are encouraged to inform family members and friends of the communications guidelines presented within this policy.

50

### Privacy Rights and Confidential Information

The non-business-related use of cellular phones and other electronic communications devices to take photographs, videos, or audio recordings of participants, co-workers, Protected Health Information, proprietary information of UCP, and/or other confidential information is strictly prohibited.

5  
Transportation  
Use of a cellular phone or other electronic communications device, including the use of a hands-free device, while driving participants is strictly prohibited.

10 Texting or receiving texts while driving is strictly prohibited.  
Enforcement Standards  
Violations of this policy will be considered as severe misconduct and will result in disciplinary action up to and including termination.

15 **CODE OF ETHICS AND CONFLICT OF INTEREST**

**Policy Statement**

It is every employee’s responsibility to perform their duties in a manner that promotes and preserves public trust, proper stewardship, and confidence in the integrity of UCP. Employees must respect and comply with  
20 UCP policies, rules and regulations, observe high standards of conduct, and participate in establishing and maintaining such high standards. Adverse consequences, up to and including employee termination, can result from failure to comply with the Code of Ethics and Conflict of Interest policy.

25 All employees are expected to do their best to advance UCP’s mission and avoid situations that could create conflicts of interest. A conflict of interest occurs when your personal interests conflict or even appear to conflict with your ability to make sound, objective decisions on behalf of UCP.

**Purpose**

30 The Code of Ethics and Conflict of Interest policy was developed to define a set of ethical principles to be used to guide decision-making and actions for UCP employees, consultants, and business associates. The policy establishes a framework for professional behavior and responsibilities when professional obligations conflict or ethical uncertainties arise, and it also provides principles that participants and the general public can use to hold UCP accountable.

35 No single code can cover all possible scenarios and does not take the place of personal character, integrity and the use of sound judgment. Employees of UCP, volunteers, contractors, and members of the Board of Directors are expected to be knowledgeable of and adhere to the spirit of this policy as well as the specific standards and guidelines outlined in this policy.

40 **Procedures**

Business Ethics and Conduct

45 The successful business operation and reputation of UCP is built upon the principles of fair dealing and the ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and the letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

50 The continued success of UCP is dependent upon our participants’ trust and we are dedicated to preserving that trust. Employees are obligated to UCP and its participants to act in a way that will merit the continued trust and confidence of the public.

UCP will comply with all applicable laws and regulations, and expects its Directors, Officers, and employees to conduct business in accordance with the letter, spirit and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct.

5  
In general, the use of good judgment, based on high ethical principles, will guide the employee with respect to lines of acceptable conduct. If a situation arises where it is difficult to determine the proper course of action, the matter should be discussed openly with your immediate Supervisor for advice and consultation. Any issues of suspected fraud and abuse should be elevated to the immediate attention of the Corporate Compliance Officer and/or management at UCP.  
10

15  
Compliance with this policy is the responsibility of every UCP employee. Employees are required to report, under penalty of a criminal statute, violations of this policy occurring on or off the premises, or while conducting business. Disregarding or failing to comply with this standard can lead to disciplinary action, up to and including termination.

General Ethical Practice and Standards Guidelines

UCP expects its employees to adhere to the highest principles of honesty and integrity. Employees shall:

- Adhere to the ethical business principles and practices.
- 20 • Practice professional behaviors that demonstrate honesty, integrity and accountability.
- Maintain a level of competency as outlined in the Standards of Practice applicable to your specific profession/practice area.
- Seek the trust and confidence of all participants.
- Respect all laws and avoid involvement in any false, fraudulent or deceptive activity.
- 25 • Promote the right of privacy for all participants and protect the maintenance of confidential information to the fullest extent permitted by law.
- Avoid conflict of interest situations.

Conflicts of Interest

30  
Conflicts of interest may arise if you:

- Have a significant financial or other interest in one of UCP’s vendors;
- Have a family member or friend who is a partner, controlling shareholder, executive, director, or other decision maker of an entity that works with UCP;
- Hire, supervise, determine, or influence pay raises for a family member, spouse, or cohabitant;
- 35 • Hire a vendor or supplier managed by a family member, relative, or close friend;
- Receive compensation for services with respect to individual transactions involving UCP;
- Use UCP time, personnel, equipment, or supplies for any purpose other than UCP-approved activities, programs, or purposes.

40  
Employees must disclose to their Managing Employer and Instructor any relationship or activity that might impair, or even appear to impair, their ability to make objective and fair decisions when performing their jobs. Employees with a conflict-of-interest question should seek advice from their Managing Employer and Supervisor or Human Resources Department.

45  
Gifts, Gratuities, and Honoraria

The following operational standards are designed to ensure that UCP and/or staff members serving participants, or making decisions regarding purchases/services from contractors, are not unjustly enriched as a result of self-serving or abusive financial arrangements. Where specific contract stipulations conflict with any of the following, the contract stipulations take precedence\*. UCP’s operational standards include:

- 50 • Gifts from participants or contractors to staff members are neither expected nor encouraged.
- Employees shall not solicit or accept for their personal, professional or business gain gifts, gratuities, honoraria, entertainment, favors or other goods or services from current or prospective vendors, providers of services, or persons with a direct, material financial interest in the outcome of UCP programs, policies or positions.

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- Staff members may only accept gifts from participants or contractors of minimal value (less than or equal to \$25).
- Nominal gifts such as pens; paperweights; t-shirts; coffee mugs; soft drinks; flowers; chocolates or other small tokens may be accepted. No personal gift of cash or a cash equivalent (i.e. gift cards, gift checks, vouchers, phone cards, checks or money orders, etc.); special discounts; tickets for entertainment where the host will not be present; gifts that would embarrass UCP; or situations where UCP's commitment to diversity and respect for others could be violated or could cause unease, shall never be accepted from a vendor.
- Staff members are not permitted to borrow money from participants.
- Staff members may not solicit participants for the purchase of merchandise or fundraising; nor may staff solicit participants' families on behalf of non-UCP related purchases or fundraising.
- Staff members are not permitted to solicit gifts, favors, money, or other items of value from a program participant or contractor.
- Staff members are not permitted to make their services contingent on gifts(s) or being named beneficiary of a life insurance policy or a will, nor may they exert undue influence or coercion concerning gifts, life insurance, or a will of a participant.
- If evidence of coercion is presented by a court or if beneficiary status is contested, UCP may investigate, and, if justified, terminate the employee.
- Staff members are not permitted to make their decisions regarding contractor purchases or services contingent on gifts, favors, money, or other items of value from contractors.
- Staff members are not permitted to participate in making financial decisions about a program participant's personal funds.

\*Employees with questions about these standards should seek advice from their Supervisor or Human Resources Department.

### Adhering to Laws and Regulations

Employees of UCP are required to obtain criminal background checks and clearances as a condition of employment. Falsification on any background check or clearance application and/or an UCP employment application are considered violations of law and regulations. Fraudulent time keeping practices (including making unauthorized alterations on a time and attendance record) are also considered violations of law and regulations.

### Billing

UCP practices sound fiscal and business practices to ensure the accuracy and integrity of the data collected for billing and other operational needs. Instructors are required to verify that participants are authorized to receive services, that the services rendered are accurate and valid, and that appropriate documentation substantiating the services rendered has occurred within the required timeframes. UCP utilizes internal auditing and monitoring practices and detailed internal Financial policies and procedures to establish valid and accurate claims are submitted for payment.

### Fraud and Abuse

Examples of fraud and abuse include, but are not limited to, the following: falsifying or altering claims or records, up coding or incorrect coding, double billing, billing for services that were not rendered or authorized, failing to maintain appropriate documentation/records of services, any issues or actions resulting in overpayment, embezzlement, theft, failure to return funds not authorized, falsifying time sheets and or any other actions that cause the submission of a false claim (the submission of a claim for payment which the provider is not otherwise entitled to receive).

Any employee, contractor, and business associate that suspects fraud, waste and/or abuse should report it to the Corporate Compliance Officer directly at **717-737-3477**, via the Compliance Hotline at **1-877-410-**

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5 **9091** or the Compliance email at: [Compliance@ucpcentralpa.org](mailto:Compliance@ucpcentralpa.org). The Corporate Compliance Officer will conduct an investigation into the issue reported. The person making the report can do so directly or anonymously.

10 UCP maintains *Non-Retaliation* and *Protection from Retaliation* policies, and holds the CEO, Board of Directors, Program Directors, and Supervisors, all employees, contractors and business associates responsible for maintaining a safe working environment free from retaliation for reporting suspicious or fraudulent concerns. Anyone found retaliating against a person reporting fraud, waste or abuse will be disciplined in accordance with UCP's disciplinary procedures. Any reported allegations of retaliation will be investigated by the Corporate Compliance Officer and any additional Senior Level Director as applicable.

15 This policy is a part UCP's complete Compliance Program and practices. If any questions arise concerning this policy, or you would like to report a violation, you can make a confidential report to the compliance hotline at: **1-877-410-9091** or make a confidential report by email: [Compliance@ucpcentralpa.org](mailto:Compliance@ucpcentralpa.org).

20 Reports can also be made directly to the Compliance Officer, your immediate Supervisor or any member of Senior Management.

### CONFIDENTIALITY AND INTELLECTUAL PROPERTY

#### 25 **Policy Statement**

UCP has a legal and ethical responsibility to maintain the privacy of its participants, employees, donors, and volunteers. UCP must also safeguard the organization's other confidential information concerning its business practices and intellectual property. Employees are expected to protect confidential information, as described below, as well as UCP's intellectual property.

#### 30 **Purpose**

The purpose of this policy is to provide operational guidance for the proper handling of confidential information and intellectual property by employees.

#### 35 **Procedures**

##### Confidential Information

40 Confidential information includes, but is not limited to, program participant case file information, financial records, personnel and payroll records regarding current and past employees, employee medical record files and donor information.

45 Confidential information also includes participant protected health information ("PHI"). PHI is individually identifiable health information, in any form, about a past, present, or future physical or mental condition, which is created in the process of caring for the participant. Examples of individually identifiable information include patient name, address, date of birth, age, medical record number, phone number, fax number, and email address. All PHI including, but not limited to, medical records, diagnoses, x-rays, photos and images, recordings, prescriptions, specimens, lab work and other test results, billing records, claim data, referral authorizations and explanation of benefits must be protected.

50 All individuals working at or on behalf of UCP who come into contact with PHI must maintain the confidentiality of an individual's health information at all times. Protections for the privacy of individually identifiable health information are contained within the *Health Insurance Portability and Accountability Act* of 1996 (HIPAA). The major goal of HIPAA is to assure that individuals' health information is properly protected while allowing the flow of health information needed to provide and promote quality care. The



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5 key elements of HIPAA include the use and disclosure of PHI, authorization for any use and disclosure, adherence to the principle of “minimum necessary” use and disclosure, and privacy practices notice.

10 UCP personnel responsible for the provision of clinical or patient care services will encounter PHI during performance of their jobs. Privacy protections are intended to provide UCP participants with assurance that their health information will be properly protected while not compromising either the availability or the quality of medical care.

15 UCP complies with all laws, rules, and regulations that protect the confidentiality of information maintained by UCP and does not disclose confidential information to unauthorized parties. Additionally, UCP establishes policies and procedures to protect information designated as confidential for UCP business purposes but not specifically made confidential by law, rule or regulation.

20 PHI shall be secured to the fullest extent possible. Where PHI is maintained in physical form (i.e. paper), it shall be stored in a secured location at times where it is not in use (i.e. locked). If in electronic form, PHI must be secured (e.g., locking of computers, locking away thumb/flash drives or CDs). When in use, PHI must be kept out of sight of persons not authorized to view the records. All confidential information shall not be reproduced or distributed without a “need to know.” If an employee is uncertain as to whether certain information is considered confidential, the employee must first check with his/her immediate Supervisor for guidance.

25 Employees are expected to adhere to reasonable safeguards (i.e. store confidential information in locked files drawers, password protect electronic files) to protect confidential information in their possession.

30 If a law enforcement representative or state licensing agent requests the disclosure of confidential information from an employee, the employee must immediately notify his/her Supervisor who will notify the Human Resources Department. The Human Resources Department may confer with legal counsel to determine if a signed release will be required prior to the release of the requested information.

35 This policy is intended to alert employees to the need for discretion at all times and is not intended to inhibit normal business communications. Nothing in this policy is intended or will be interpreted to prevent employees from discussion, public or private, of wages, hours, and/or working conditions at UCP.

### Intellectual Property

40 All rights, title, and interest to UCP’s copyrighted works, information of any kind, digital assets, and any other UCP-owned intellectual property belongs to and remains solely the property of UCP. In addition, all employee work and related materials prepared, conceived, or developed during employment – including, without limitation, reports, documents, writings, flow charts, formulas, programs, designs, diagrams, specifications, software, and data, and any other works in any tangible expression, regardless of form, as well as modifications and improvements thereof, and copyrights and other rights therein (also known as Work Product), shall be the sole and exclusive property of UCP.

45 Employees are expected to exercise reasonable care in their use of UCP’s intellectual property.

5 **DRIVER SAFETY AND TRANSPORTATION**

**Policy Statement**

Employees who have driving responsibilities must meet designated standards of eligibility and engage in safe driving practices.

10 **Purpose**

The purpose of the Driver Safety and Transportation policy is to make employees aware of the specific standards of eligibility for fulfilling driving responsibilities that have been designated for employees.

15 **Procedures**

Record Check

Motor Vehicle Driving Record Check: A ten (10) year look-back Motor Vehicle Driving Record Check is required for any employee who would meet any of the following instances when fulfilling the duties and responsibilities of his/her position: (a) transport a UCP recipient of services (whether in a UCP vehicle, one's own vehicle, or a participant's vehicle), (b) drive a UCP owned, leased, or rented vehicle, or (c) operate one's own vehicle for purposes of conducting UCP business activities. The results of the Motor Vehicle Driving Record Check are applied to the UCP Group Insurance Carrier's Standards which have been included below.

25 Document Requirements

*Safe Driver Document Requirements (Group Insurance Carrier Standards):*

30 The following documents are required for any employee who (a) transports a UCP recipient of services (whether in one's own vehicle, or a participant's vehicle), or (b) operates one's own vehicle for purposes of conducting UCP business activities:

1. copy of a valid driver's license;
2. copy of vehicle insurance coverage;
3. a completed Motor Vehicle Driving Record Check that confirms at least six (6) months of prior driving experience; and
- 35 4. a completed Motor Vehicle Driving Record Check that confirms a safe driving record, as defined by the UCP Group Insurance Carrier's Standards (included below).

*Safe Driver Document Requirements (Office of Developmental Programs - Department of Human Services):*

40 The following documents are required for any employee who transports a UCP recipient of services in his/her own vehicle:

1. copy of the current driver's license;
2. copy of the current vehicle registration;
3. copy of the current vehicle insurance; and
- 45 4. copy of the inspection invoice from an official Inspection Station or photo of the inspection sticker.

The following documents are required for any employee who transports a UCP recipient of services in the recipient of services vehicle:

1. copy of the current driver's license;
- 50 2. copy of the current vehicle registration (recipient's vehicle);
3. copy of the current vehicle insurance (recipient's vehicle); and
4. copy of the inspection invoice from an official Inspection Station or photo of the inspection sticker (recipient's vehicle).

5 Safe Driving Record Requirements

Safe Driving Record: A motor vehicle record report that reveals any of the following items will disqualify an employee from engaging in driving activities:

10 Any conviction within the last five (5) years for driving under the influence (DUI) or driving while intoxicated (DWI) for drugs and/or alcohol will constitute an unsafe driving record.

Three or more traffic violations and/or at fault accidents within a three (3) year period, or One or more of the following type of serious traffic convictions within the past three (3) years -

- Refusal to submit to a Blood Alcohol Content test.
- 15 • Failure to stop and report an accident and leaving the scene of an accident as defined by state law.
- Conviction for homicide, manslaughter, or assault arising out of the use of a vehicle.
- Conviction for reckless or careless driving.
- Racing.
- Passing a stopped school bus.
- 20 • Possession of a controlled substance.
- Making a false report.
- Two or more company vehicle physical damage claims in any 12-month period.
- One company vehicle physical damage claim in excess of \$1,500.
- Speeding 10+ miles per hour over the posted speed limit in a school zone.
- 25 • Speeding 25+ miles per hour over the posted speed limit.
- Conviction for attempting to elude a police officer.
- Suspension, revocation, or administrative restriction of a driver's license within the last 3 years.

Operational Standards

30 The transportation of UCP participants in a staff member's personal vehicle is permitted. The transportation need must be directly related to the UCP participant's service plan.

As applicable, employees must immediately (no later than the next scheduled work day) provide their agency Supervisor with copies of any *renewed* documents such as: (a) driver's license, (b) vehicle registration, (c) vehicle insurance, or (d) inspection invoice from an official Inspection Station or photo of the vehicle inspection sticker. The Supervisor shall then forward copies of the applicable documents to the Human Resources Department.

If documents are not provided, the employee will be placed on administrative leave until received.

40 Employees must immediately (**no later than the next scheduled workday**) report any changes in their driving record, driver's license (i.e. suspension, revocation, or expiration), or vehicle insurance coverage (i.e. loss of coverage) to their Supervisor. Failure to do so shall result in disciplinary action, up to and including termination of employment.

45 If reasonable suspicion of an unsafe driving record arises (not yet appearing within a motor vehicle report), either by a staff member's own admission or obtained from another source, the staff member shall be immediately suspended from engaging in driving activities until the conclusion of a thorough investigation.

50 Upon notification of driver's license suspension, revocation, or expiration, loss of vehicle insurance coverage, or an unacceptable driving record, the employee shall be suspended from engaging in any driving activities. The Supervisor shall then explore whether or not the driving responsibilities can be re-assigned to other staff members, or if the employee may be transferred to a different position that does not require

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5 driving responsibilities. Termination of employment may result if various alternative options cannot be provided to the employee.

The Human Resources Department shall complete annual Motor Vehicle Reports for any employees who transport UCP participants in private vehicles or drive UCP owned, leased, or rented vehicles.

10 Staff members who use their own personal vehicles when engaging in UCP business activities assume liability for accidents that may occur up to their vehicle insurance liability limits. UCP assumes no liability and will not cover damage costs to the staff member's personal vehicle that is used to conduct UCP business activities. Accordingly, employees are required to carry the state minimum single limit coverage for both bodily and property damage. UCP carries non-owned automobile liability insurance that will provide coverage only in excess of the staff member's personal automobile insurance limits.

### Safe Driving Standards

When driving for UCP-related business, employees are expected to follow common safe driving standards that include, but are not limited to, the following:

- Never text or talk on a cell phone while driving.
- Maintain the radio volume at a low level.
- Never follow another vehicle too closely.
- Obey all traffic laws (i.e. do not exceed the posted speed limit).
- Always wear your seat belt and ensure that all passengers wear seat belts.
- Adhere to all requirements as identified in UCP's Driver Safety and Transportation policy.

### Accident Reporting Procedures

If an accident occurs while conducting UCP business activities, the following accident reporting procedures must be followed:

- Contact the local police (dial 911) if the accident involves injuries, the vehicle is not drivable, or the incident involves a moving violation.
- Immediately report the incident to the Instructor, who will then initiate the worker's compensation reporting process, reasonable suspicion testing, and the paperwork necessary to report to insurance.
- Complete and submit an Accident Report Form to the Supervisor no later than the next workday.
- Email all supporting documentation and any available photos to [vehicles@ucpcentralpa.org](mailto:vehicles@ucpcentralpa.org).

## DRUG AND ALCOHOL-FREE WORKPLACE

### **Policy Statement**

UCP is committed to safeguarding the health and safety of its employees and participants. To that end UCP prohibits employees from using, possessing, selling or being Under the Influence of Alcohol and/or Illegal Drugs while performing work functions, on the Company's premises or traveling for business purposes. UCP also prohibits the inappropriate use of Legal Drugs that compromises the safety of the employee, other employees, or participants.

While UCP has strict requirements related to maintaining a safe work environment for its employees and the clients it serves, it does so while respecting the privacy of its employees and not interfering with their lawful, off-duty conduct that does not violate UCP's legitimate, non-discriminatory policies and procedures. UCP further recognizes that employees with certain prescriptions may need accommodations pursuant to the Americans with Disabilities Act ("ADA") and Pennsylvania Human Relations Act ("PHRA"). Any request

5 for accommodation will be considered on a case-by-case basis following the interactive process and handled in accordance with applicable law. See UCP's *Medical Marijuana and Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA)* policies for additional information. Employees with questions, or who may need accommodation, should contact the Human Resources Department.

10 **Purpose**

The purpose of this policy is to maintain a productive, safe, and healthy workplace environment, free from Illegal Drug and/or alcohol use, possession, and to provide an environment free from the inappropriate use of Legal Drugs.

15 **Definitions**

20 The term "**Under the Influence**" shall mean that the employee is affected by a drug or alcohol or the combination of a drug and alcohol in a detectable manner. The symptoms of being Under the Influence are not confined to those consistent with misbehavior, nor to obvious impairment of physical or mental ability such as slurred speech or difficulty in maintaining balance. With respect to any Illegal Drug (as further defined below), the term shall mean the presence of any detectable level in blood or urine or as may be revealed through any other recognized and approved testing method (*e.g.*, hair, saliva or breath). With respect to Marijuana consumption pursuant to a valid certification under the Pennsylvania Medical Marijuana Act ("PA MMA"), the term "Under the Influence" shall mean a blood content of more than 10 nanograms of active tetrahydro-cannabis ("THC") per milliliter of blood serum. For individuals without a valid certification under the PA MMA, the term "Under the Influence" with respect to Marijuana shall mean the presence of any detectable level of THC in blood serum or the associated metabolite in urine. "Under the Influence" of alcohol shall refer to a blood alcohol content ("BAC") of 0.04% or greater.

30 The term "**Illegal Drug**" shall mean any drug: (a) not legally obtainable; or (b) legally obtainable, but not legally obtained or used by the individual employee or applicant. Therefore, the term includes prescription drugs obtained illegally and prescription drugs not being used for prescribed purposes. It also includes any Controlled Substance (as defined below), Marijuana, cocaine, and heroin and derivatives of those drugs, and any other illegal drugs. Notwithstanding the foregoing, Marijuana obtained pursuant to a valid certification under the PA MMA will not be considered an Illegal Drug for purposes of this policy unless if the employee is employed in a Safety-Sensitive Position. Medical Marijuana utilized in violation of the restrictions set forth in the *Medical Marijuana* policy will be treated as use of an Illegal Drug for purposes of this policy.

40 The term "**Legal Drug**" shall mean a drug or other substance prescribed and/or over-the-counter drugs legally obtained and being used for the purpose for which they were prescribed and/or manufactured (and taken per label instructions or a physician's recommendation).

45 The term "**Reasonable Suspicion**" shall mean a belief based on observed, specific, objective facts where the rational inference to be drawn under the circumstances is that the person is Under the Influence of drugs and/or alcohol. Employees will not be subject to testing based on a hunch or guess alone. The suspicion must be based on objective observations concerning the employee's appearance, behavior, performance, speech, or smell that are usually associated with drug and/or alcohol use. Examples include, but are not limited to:

- 50 1. Unusual work response or behavior;
2. Inconsistent job performance or attendance;
3. Involvement in an accident or other clinical error;
4. Signs of job impairment;
5. Aggressiveness, confusion, or disorientation to work methods;
6. Unsteady gait or balance;
- 55 7. Drowsiness; and



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5 An employee may not operate motor vehicles while Under the Influence of prescription and/or over-the-counter medications that impair the ability to operate the motor vehicle in a safe manner. The employee must notify his/her Supervisor when they are taking these medications so that the safety risk may be analyzed and alternative arrangements may be made with the employee, if necessary. UCP is committed to complying with all applicable federal and state Department of Transportation regulations.

10 Being Under the Influence of, and/or the use, possession, sale, attempted sale, attempted purchase, or attempted transfer of an Illegal Drug or drug paraphernalia by any employee while on the Company's premises, traveling for business purposes, or while performing business is strictly prohibited. Such action may be reported to appropriate law enforcement officials and is cause for immediate termination, see  
15 *Reasonable Suspicion and Testing* policy.

An employee who has been convicted of a criminal drug statute violation must notify their Supervisor, department director, or the Human Resources Department, no later than five (5) days after such a conviction. A conviction includes a guilty plea with adjudication withheld or a plea of nolo contendere (no  
20 contest) with adjudication withheld. Failure to disclose such a conviction as defined herein constitutes insubordination and may be grounds for disciplinary action, up to and including termination.

All employees share responsibility for maintaining a safe work environment and must report their suspicions to a Supervisor immediately, if they observe: a co-worker using alcohol or other drugs in the  
25 workplace; or a co-worker's behavior indicates that they may be using alcohol or other drugs in the workplace. Reports of suspicions shall remain confidential and are shared only with UCP personnel who have a need to know, see *Reasonable Suspicion and Testing* policy.

UCP will occasionally sponsor events that allow for the use of alcoholic beverages (i.e. fundraising events).  
30 It is expected that employees who choose to consume alcohol will conduct themselves in a professional manner befitting the image of UCP and will not over-indulge in alcohol to the point whereby judgment is markedly impaired. UCP reserves the right to limit the service of alcohol to an employee during these occasions. The inappropriate use of alcohol by an employee at a UCP sponsored event may result in discipline, up to and including termination of employment.

35 UCP recognizes that drug and alcohol abuse can be successfully treated and is committed to helping employees who suffer from these challenges, while holding them responsible for their own recovery. Employees are encouraged to seek help for drug and alcohol related problems before these problems affect the health and safety of the employee or impact the workplace. UCP encourages a staff member who is  
40 abusing alcohol or drugs to seek voluntary assistance. An employee may request and receive confidential assistance for any drug or alcohol related problem. However, if the employee waits until confronted with substance abuse, this policy will be strictly enforced.

Any violation of this policy will result in disciplinary action, up to and including termination of employment.  
45

### MEDICAL MARIJUANA

#### Policy Statement

50 UCP is committed to safeguarding the health and safety of its employees and participants. To that end, UCP has established a *Drug and Alcohol-Free Workplace* policy. That policy includes operational procedures to address an employee's use of controlled substances and/or inappropriate use of prescribed medications. In support of the *Drug and Alcohol-Free Workplace* policy, UCP has established guidelines for the acceptable and unacceptable use of Medical Marijuana by employees.

5 **Purpose**

The purpose of this policy is to establish guidelines for the acceptable and unacceptable use of Medical Marijuana by employees.

**Definitions**

10 (See *Drug and Alcohol-Free Workplace* policy)

**Procedures**

15 UCP prohibits employees from bringing Medical Marijuana onto the Company’s premises (including program participant residences and UCP vehicles), using Medical Marijuana at the workplace and/or during working hours, and being Under the Influence of Medical Marijuana when performing Safety-Sensitive positions.

20 Marijuana, even if authorized under Pennsylvania’s medical marijuana law remains illegal under federal law, is generally prohibited by UCP, and is a violation of Schedule 1 of the Federal Controlled Substances Act.

UCP will not refuse to hire a prospective employee who discloses Medical Marijuana use.

25 If an employee occupies a Safety-Sensitive position and is issued a drug test in accordance with UCP’s *Reasonable Suspicion and Testing* policy and the test is positive, UCP will not accept a Medical Marijuana explanation for a positive drug test.

30 If an employee who occupies a position that requires driving responsibilities is issued a drug test in accordance with UCP’s *Reasonable Suspicion and Testing* policy and the test is positive, UCP will not accept a Medical Marijuana explanation for a positive drug test.

If an employee occupies a non-Safety-Sensitive position, UCP will accept a Medical Marijuana explanation for a positive drug test.

35 UCP will not discharge, threaten, refuse to hire, or otherwise discriminate or retaliate against an employee regarding an employee’s compensation, terms, conditions, location, or privileges solely on the basis of such employee’s status as an individual who is certified to use Medical Marijuana.

40 UCP recognizes that there are numerous serious health conditions for which someone may become certified to use Medical Marijuana. Many of the serious health conditions would also qualify as a disability under the Pennsylvania Human Relations Act. Accordingly, UCP will engage in the interactive process with an employee who is known to be using or discloses he/she is using Medical Marijuana. The Human Resources Department will evaluate the employee’s ability to safely perform the essential functions of the job with or without reasonable accommodation.

45 Employees who have been prescribed Medical Marijuana to treat a medical condition and/or disability, should inform the Human Resources Department if they believe the medication will impair their job performance, safety, or the safety of others or if they believe they need a reasonable accommodation before reporting to work while under the influence of that medication. For more information on how to request a reasonable accommodation, please refer to the *Americans with Disabilities Act (ADA) and the ADA Amendments Act (ADAAA)* policy.

50



5 **NON-HARASSMENT/NON-DISCRIMINATION**

**Policy Statement**

UCP is committed to a work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal employment opportunities and prohibits unlawful discriminatory practices, including harassment. Therefore, UCP expects that all relationships among persons will be free of bias, prejudice, and harassment.

It is the policy of UCP to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion or religious creed, sex, gender, sexual orientation, gender identity, genetic information, ancestry, national origin, age, physical or mental disability, marital status, veteran status, or any other class or category protected by federal, state, or local law. UCP prohibits any such discrimination or harassment.

UCP encourages good faith reporting of all perceived incidents of discrimination or harassment. It is the policy of UCP to promptly and thoroughly investigate such reports. UCP prohibits retaliation against any individual who reports discrimination or harassment or who participates in an investigation of such reports.

**Purpose**

The purpose of this policy is to communicate UCP’s commitment to a workplace free from harassment and discrimination, present definitions of harassment, outline the complaint procedures and investigation procedures, and reinforce UCP’s stance against retaliatory actions.

**Procedures**

Definitions of Harassment

Sexual harassment constitutes discrimination and is illegal under federal, state, and local laws. For the purposes of this policy, sexual harassment is defined, per the Equal Employment Opportunity Commission Guidelines, as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when, for example: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; b) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or c) 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.

Sexual harassment may include a range of subtle and not-so-subtle behaviors and may involve individuals of the same or different gender. Depending on the circumstances, these behaviors may include unwanted sexual advances or requests for sexual favors; sexual jokes and innuendos; verbal abuse of a sexual nature; commentary about an individual's body or attire, sexual prowess or sexual deficiencies; leering, whistling or inappropriate touching; insulting or obscene comments or gestures; display in the workplace of sexually suggestive objects or pictures; and other physical, verbal, or visual conduct of a sexual nature.

Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal, written or physical conduct that belittles or shows hostility or aversion toward an individual because of his/her race, color, religion, gender, pregnancy, sexual orientation, national origin, age, disability, marital status, citizenship, genetic information or any other class or characteristic protected by law or that of his/her relatives, friends or associates, and that a) has the purpose or effect of creating an intimidating, hostile or offensive work environment; b) has the purpose or effect of unreasonably interfering with an individual's work performance; or c) otherwise adversely affects an individual's employment opportunities.

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5 Harassing conduct includes epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; defaming jokes; and written or graphic material that belittles or shows hostility or aversion toward an individual or group. This extends to social media postings.

### Bullying

10 Bullying may rise to the level of harassment and is therefore prohibited. Bullying is defined as unwelcome or unreasonable behavior that demeans, intimidates, or humiliates people, either as individuals or as a group. Bullying behavior is often persistent and part of a pattern, but it can also occur as a single incident. Some examples of bullying behavior are abusive and offensive language, insults, slandering, ridiculing, persistent name calling which is hurtful, abusive and offensive remarks, teasing, and the spreading of rumors. It can also  
15 include a manipulation of the work environment or psychological manipulation which negatively affects a person's ability to do their job or interact with other persons.

### Individuals and Conduct Covered

20 These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to UCP (e.g. an outside vendor, consultant).

Conduct prohibited by these policies is unacceptable in the workplace and in any work-related setting outside the workplace, such as during business trips, business meetings, and business-related social events.

### Complaint Process

25 When possible, UCP encourages individuals who believe they are victims of conduct prohibited by this policy to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. UCP recognizes, however, that an individual may prefer to pursue the matter through complaint procedures. Individuals can direct their complaints to,  
30 among others, their Supervisor or the Human Resources Department for harassing or discriminatory conduct they believe they are a victim of or that they have witnessed.

UCP encourages the prompt good faith reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Therefore, although no fixed  
35 reporting period has been established, early reporting and intervention have proven to be the most effective method for resolving actual or perceived incidents of harassment.

Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately.

40 Malicious complaints of harassment, discrimination or retaliation may be the subject of progressive discipline.

### Investigatory Process

45 Any reported allegations of harassment, discrimination, or retaliation will be investigated promptly by the Human Resources Department. The investigation may include individual interviews with the parties involved and, when necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with  
50 adequate investigation and appropriate corrective action, up to and including termination, following the conclusion of the investigation. Corrective action will be administered as UCP deems appropriate in its sole discretion.

5 Protection Against Retaliation

Retaliation against an individual for reporting harassment in good faith or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately to the Human Resources Department or the Compliance Hotline (877-410-9091) and will be promptly investigated and addressed (see *Non-Retaliation* policy).

**NON-RETALIATION**

**Policy Statement**

15 Federal and state law and UCP prohibit retaliation against any employee, by another employee or by UCP and its Supervisors, for making a good faith complaint about or participating in an investigation about an alleged violation of the non-discrimination, non-harassment, workplace violence, other unlawful behavior or conduct that violates UCP policies.

20 **Purpose**

The purpose of this policy is to communicate UCP’s commitment to a workplace free from retaliation, present a definition of retaliation and protected activity, and outline the reporting procedures for possible violations of this policy.

25 **Procedures**

Intent

30 Employees are protected against retaliation for in good faith filing, testifying, assisting or participating in any manner in any investigation, proceeding or hearing conducted by UCP and/or federal or state enforcement agencies. This policy also prohibits retaliation against employees “who are closely associated with or connected to” the reporting employee or the alleged incident.

35 Employees who have a reasonable and good faith belief that a policy or practice of UCP violates legal standards, and based on that belief oppose, implicitly or explicitly, that policy or practice, are protected against retaliation, even when UCP was acting lawfully. In addition, UCP prohibits retaliation against anyone who, in good faith, reports a perceived violation of any UCP policy, or in good faith cooperates with an investigation of such a claim.

40 Individuals may state their opposition to a specific practice or activity that they believe constitutes an unlawful action(s). Such opposition must be based on a reasonable and good faith belief. A person claiming retaliation does not necessarily need to be the person engaged in the opposition. Individuals may participate in an investigation, proceeding, hearing or litigation without fear of retaliation.

Protected Activity

45 Protected activity includes, but is not limited to, the following:

- Initiating an internal complaint or report of discrimination or harassment;
  - Filing a claim of discrimination;
  - Requesting an accommodation for a disability;
  - Filing a Workers’ Compensation claim following a work-related injury;
  - 50 • Reporting incidents in regard to Child Protective Services Law or the Older Adults Protective Services Act;
  - Requesting leave under the Family and Medical Leave Act;
  - Filing a safety or environmental related complaint with the state and/or federal oversight agency;
- or

- Participating in an investigation of any of the foregoing incidents, claims or complaints.

#### Retaliation Defined

Adverse actions that may constitute retaliation may be general or specific actions. Examples of general adverse actions that may be considered retaliatory are denial of promotion, refusal to hire, denial of job benefits, demotion, suspension or termination.

Other actions may include threats, reprimands, unwarranted negative evaluations, pay reductions, change in job assignments, harassment, or hostile behavior or attitudes toward the complainant. Other adverse actions that may or may not be intentionally motivated, but which result in negative treatment of an individual, can also be considered retaliatory.

Post-employment actions that may be considered retaliatory are actions that are designed to interfere with an individual's prospects for employment, such as baseless negative job references and informing prospective employers of the individual's protected activity, also constitute retaliation. Negative references do not constitute retaliation unless the reference was based on a retaliatory motive.

#### Reporting Violations

Any employee who in good faith believes that he/she or any other employee is being subjected to retaliation in violation of this policy or any other UCP policy or law is urged to report the situation to the Human Resources Department or UCP management as soon as possible. You can contact the Human Resources Department at 717-737-3477 or at [HRHelpDesk@ucpcentralpa.org](mailto:HRHelpDesk@ucpcentralpa.org).

Reports of retaliatory conduct will be promptly and objectively investigated in accordance with UCP's investigatory procedures. If a retaliation complaint is substantiated, appropriate disciplinary action, up to and including termination, will be taken against those who have engaged in such behaviors, as UCP deems appropriate in its sole discretion.

Co-workers are legally prohibited from engaging in retaliation against other employees and will be subject to discipline, up to and including termination, for such conduct.

### **NON-SOLICITATION**

#### **Policy Statement**

UCP prohibits the solicitation, distribution, and posting of materials on or at any UCP property by any employee or non-employee, except as may be permitted by this policy.

#### **Purpose**

The purpose of this policy is to maintain a professional work environment, minimize disruption of work, and maintain appropriate standards for workplace safety and security.

#### **Procedures**

Solicitation includes, but is not limited to, any verbal or written communication made by any employee, employee family member, or UCP volunteer to an employee or employee family member which encourages, advocates, demands, or requests a contribution of money, time, effort, or personal involvement; membership in any organization (charitable or otherwise), cause, church, club; signature to express support of an initiative or cause; or the purchase of any merchandise, product, raffle ticket or lottery ticket.

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5 Employee solicitation pertaining to UCP programs (i.e. UCP Foundation fundraising events) is permitted during work time. Distribution of UCP program literature is permitted during work time.

10 Employee solicitation pertaining to non-UCP programs is prohibited during work time but is permitted during non-work time, such as scheduled meal breaks. Employees must notify their Supervisor prior to soliciting any material. Working time includes the working time of both the employee doing the soliciting and distributing and the employee to whom the soliciting or distributing is being directed.

15 Employee solicitation pertaining to non-UCP programs during non-work time, such as scheduled meal breaks, must be conducted in accordance with the UCP's *Bulletin Board* policy. Distribution of literature by employees outside of the UCP Bulletin Board posting procedures (i.e. distribution through the UCP mail system, email, non-sanctioned UCP Bulletin Boards) is prohibited.

20 Non-employees are not permitted on UCP property, including UCP parking lots, for soliciting or distributing literature or collecting for any cause.

25 Nothing in this policy is intended or will be interpreted to prevent employees from discussion, public or private, of wages, hours, and/or working conditions at UCP.

### PERSONAL PROPERTY

#### 25 Policy Statement

Employees are responsible for the care and safekeeping of their personal property and are encouraged to keep personal property out of public view and access. UCP is not responsible for lost or stolen personal property.

#### 30 Purpose

The purpose of this policy is to emphasize employee responsibility for personal items brought to the workplace and to state a process for reporting lost and found items.

#### 35 Procedures

Employees are responsible for the care and safekeeping of any property they bring to the workplace. Employees are encouraged to keep personal property out of public view and to store items in a locked drawer, if possible. Employees are discouraged from bringing valuables to work (i.e. expensive jewelry, large amounts of cash, etc.).

40 Lost or stolen articles should be reported immediately to the Managing Employer and Supervisor . If an allegedly stolen item is of substantive value, agency Supervisors will contact the Human Resources Department to explore the possible need for an investigation of the incident.

### 45 PROFESSIONAL CONDUCT EXPECTATIONS

#### 50 Policy Statement

UCP expects that employees will maintain the highest degree of professional conduct, integrity, and honesty whenever interacting with co-workers, participants, volunteers, and others with whom they do business. UCP's prestige and reputation in the community will be determined by the work we do and by the employees who represent us. UCP is proud of those who work for us and employees can be proud of the positions of trust they hold. UCP must continue to earn that trust in everything we do.

#### Purpose

5 The purpose of this policy is to provide general professional conduct expectations for employees.

**Procedures**

Supervisors are responsible for communicating clear, professional conduct expectations, and for ensuring that employees understand and commit to those expectations. This policy is not intended to interfere with concerted activity rights protected by the National Labor Relations Act (NLRA) such as the right to discuss wages, hours, and other terms and conditions of employment.

In addition to job specific performance, behavior and attendance standards, employees are expected to meet the following non-exhaustive professional conduct expectations:

- 15 • Conduct yourself and all of your job activities ethically and honestly.
- Approach your job responsibilities with enthusiasm, professionalism, and self-confidence.
- Promote goodwill by handling all contact with co-workers, Supervisors, volunteers, and participants (those whom we serve) in a spirit of courtesy, cooperation and attentiveness.
- Remain actively engaged in the performance of your job responsibilities throughout the entire workday.
- 20 • Deal with all co-workers, Supervisors, volunteers, and participants without unlawful regard to their race, color, religion, sex, gender, pregnancy, sexual orientation, gender identity, genetic information, ancestry, national origin, age, physical or mental disability, marital status, veteran status or any other class or category protected by local, state or federal law.
- 25 • Refrain from using language that is profane, boisterous, sexually offensive or explicit, or of a derogatory nature; including language that is or may be perceived as being a racial or ethnic slur.
- Refrain from engaging in hostile, abusive, intimidating, threatening or demeaning behavior when dealing with subordinates, co-workers, Supervisors, volunteers, participants and others with whom you do business.
- 30 • Report to work physically and mentally fit for duty (e.g., free from the influence of illegal drugs and/or alcohol).
- Report to work promptly and regularly; keeping absences, late arrivals and early departures to a minimum; and provide appropriate notice of an unavoidable absence, lateness or early departure in accordance with established policy.
- 35 • Perform your job responsibilities efficiently, thoroughly and promptly, seeking continually to improve quality.
- Perform your job responsibilities prudently and carefully, observing all health, safety and security rules at all times.
- Protect the confidentiality of information which you acquire in the course of your employment and which is not generally accessible to the public.
- 40 • Avoid engaging in any conduct which could create an actual or potential conflict of interest.
- Safeguard UCP property to prevent its damage, loss, misuse or theft.
- Report accidents, injuries (whether your own, a co-worker's, a volunteer's, a participant's or otherwise), fire, theft, or other unusual incidents immediately after occurrence or discovery.
- 45 • Refrain from using UCP property, services or supplies for personal reasons, unless prior permission has been obtained.
- Provide complete and honest information in connection with all pay, time, business, expense, and employment records.
- Ensure that your personal appearance, oral communication and physical conduct are consistent with high standards of professionalism and propriety.
- 50 • Treat others with dignity and respect; abiding by our shared values of integrity, fairness, stewardship, and engagement.
- Follow all established UCP policies, rules, and procedures as well as the specific instructions of your Supervisor.

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The professional conduct expectations are supported by other policies within this Employee Handbook. Accordingly, employees are encouraged to read through and be familiar with each policy contained within this Handbook. Questions pertaining to any policy may be addressed to one’s Supervisor or the Human Resources Department.

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Every effort will be made to assist you in understanding the professional conduct expectations. UCP is committed to providing an opportunity for every employee to succeed. However, certain actions and behaviors cannot be tolerated because they are wholly inconsistent with our mission and our Guiding Principles or could result in jeopardizing the best interests or reputation of UCP. These actions and behaviors constitute serious misconduct and necessitate disciplinary action. Disciplinary action, up to and including termination from employment, may result for any of the following actions:

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- Inappropriate conduct or abuse of a sexual, physical or psychological nature, whether involving an employee, a program participant, a volunteer or any other person.
- Threatening, intimidating, or coercing another employee, program participant, volunteer, or other person, by word or deed.
- Any act which might endanger the safety of an employee, a program participant, a volunteer or any other person.
- Refusal to perform work assignments properly provided by a Supervisor.
- Unauthorized disclosure of confidential information (i.e. patient information or donor information) to employees, volunteers, constituents, or other persons, in violation of UCP policies, agreements and standards.
- Communication of UCP business matters with others wherein information is shared that is not of a “need-to-know” basis; and/or is a violation of the *Confidentiality and Intellectual Property* policy.
- Theft, damage, concealment, unauthorized possession, or misuse of any property (i.e. misallocation of participant property, donor contributions, etc.) belonging to or in the care of UCP or a participant. Unauthorized access to or removal of UCP records (i.e. identity theft).
- Violation of the *Drug and Alcohol-Free Workplace* and/or *Medical Marijuana* policies.
- Falsification of UCP records, reports, payroll records, payroll information or employment documents.
- Conviction of a misdemeanor or felony; consideration will be made based on the totality of the situation including, but not limited to, the nature, number and disclosure of the conviction.
- Violation of the *Weapons-Free Workplace* policy.
- Acts inconsistent with the *Code of Ethics or Conflict of Interest* policy.
- Other acts not specified, but which are inconsistent with our mission and values, or might seriously jeopardize the best interests or reputation of UCP.

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## **PROGRESSIVE DISCIPLINE**

### **Policy Statement**

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At times, events occur which require that positive correction measures be taken so as to prevent future misconduct, poor attendance, or unsatisfactory work performance. UCP promotes an atmosphere whereby employees and Supervisors freely discuss areas in need of improvement and collaboratively identify action steps for positive progress. UCP supports disciplinary action that is corrective in nature, rather than punitive, and that is applied as equally as possible to all staff members who commit similar violations of rules and/or policies.

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### **Purpose**

The purpose of this policy is to provide guidelines for a corrective action plan that Supervisors will use when concerns arise regarding a staff member’s performance, behavior and/or attendance.

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**Responsibilities of Employees**

It is the duty and the responsibility of every UCP employee to be aware of and to abide by existing policies, work rules, and expectations. It is also the responsibility of employees to perform their duties to the best of their ability and to the standards set forth in their position descriptions or as otherwise established.

10 Employees are encouraged to take advantage of all learning opportunities available and to request additional instruction when needed.

**Responsibilities of Supervisors, Managers and Directors**

15 The Managing Employer, and Supervisor, Manager or Director should approach corrective measures in an objective manner. If an employee's performance of assigned tasks is the issue, the Managing Employer, Supervisor, Manager or Director should confirm that proper instructions, appropriate orientation, adequate training, and appropriate resources have been given and that the employee is aware of job expectations. If misconduct is the issue, the Managing Employer, Supervisor, Manager or Director should take steps to ensure that the employee is aware of UCP policies and expectations regarding employee conduct. If, in  
20 either case, appropriate instruction or information was not communicated, the Managing Employer, Supervisor, Manager or Director should immediately develop a plan for delivering such instruction or information and should review the content with the employee.

**Procedures**

25 The steps below are designed to help a staff member improve performance, behavior, and/or attendance while maintaining accountability. The steps identified are a guide, some behaviors that are serious in nature may cause steps to be bypassed. UCP reserves the right to modify these procedures at its sole discretion.

30 *Coaching* - In most cases, the Managing Employer, and Supervisor will have an informal conversation with a staff member about standards and expectations before formal disciplinary action is taken. It is UCP's hope that most concerns can be resolved at this level. Coaching should be documented by the Managing Employer and Supervisor for future reference. Coaching is not documented in the employee's personnel file.

35 *Verbal Warning* – When on-going coaching has not resulted in an adequate improvement within the areas that have been addressed, policies or procedures are not followed, or work rules are broken, the Managing Employer and Supervisor will deliver a verbal warning. The verbal warning establishes a more formal improvement plan and advises the staff member that further disciplinary action may result, up to and including termination if substantive improvement does not occur. A written record of the verbal warning is  
40 included in the staff member's personnel file. Supervisors are encouraged to contact the Human Resources Department before initiating this step.

45 *Written Warning* - When more serious policies or procedures are not followed, work rules are broken, or problems continue in the areas of performance, behavior, or attendance, the Managing Employers and Supervisor will deliver a Written Warning, may establish a formal improvement plan, and advises the staff member that further disciplinary action may result, up to and including termination, if substantive improvement does not occur. A written record of the Written Warning is included in the staff member's personnel file. Supervisors must contact the Human Resources Department before initiating this step.

50 *Termination* - If the above steps have been taken and poor performance, behavior, or attendance problems continue, a staff member's employment may be ended. Employment may be ended without application of the above steps for serious failures in performance, unacceptable behavior, unacceptable attendance, and/or violations of policies, procedures or work rules. Supervisors must contact the Human Resources Department before initiating this step.

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5 The Progressive Discipline process is intended to encourage the correction of problem areas, but  
termination may result whenever management concludes that it is appropriate. UCP’s use of any of these  
procedures in no way limits or alters the employee’s at-will employment status, nor does it require UCP to  
follow any “progressive discipline.” While the Company will generally take disciplinary action in a  
progressive manner, it reserves the right, in its sole discretion, to determine the appropriate level of  
10 discipline for any inappropriate conduct.

*Disciplinary Administrative Leave* - A staff member may be placed on a paid or unpaid Administrative Leave  
for a period of time, normally from two (2) to five (5) full workdays, but could be longer depending on the  
parameters of an investigation, for disciplinary and/or investigatory purposes. Administrative Leave may  
15 follow a Written Warning and may follow without warning for more serious offenses or allegations.  
Immediate administrative leave may be considered when circumstances make attendance at work  
dangerous to the staff member or others, when an investigation is needed, or when circumstances  
seriously impair the employee's effectiveness on the job. If circumstances require an immediate  
administrative leave the administrative leave may be issued verbally, but a Written Warning will follow as  
20 soon as possible (normally within five (5) working days). Any staff member who has been suspended  
without pay and who is later exonerated and reinstated after appeal or further investigation shall be paid at  
his/her regular rate from the date of the administrative leave.

*Misconduct/Gross Misconduct* - Acts of misconduct and gross misconduct may be cause for the termination  
25 of employment. Employees discharged for misconduct or gross misconduct will not be eligible for notice  
from UCP and will be terminated immediately. “Gross misconduct” is misconduct deemed serious enough to  
jeopardize the functioning of the business, its reputation, or the safety and well-being of UCP employees. It  
is at UCP’s sole discretion to assess individual situations and to determine the level of severity in order to  
assign termination reasons.

30 Examples of misconduct that may constitute gross misconduct, depending on the circumstances, include  
but are not limited to:

- Criminal damage to work property
- Acts or threats of physical violence
- 35 • Being impaired during work hours as a result of drug or alcohol abuse
- Theft or fraud
- Harassment or discrimination toward other employees or participants
- Repeated violations of the *Attendance* policy
- Inappropriate use of company resources i.e. email, telephones, Internet
- 40 • Insubordination
- Falsifying experience or qualifications
- Breach of confidentiality
- Falsifying timecards, business records, work product, or any other data
- Violation of the *Code of Ethics and Conflict of Interest / Professional Conduct Expectations* policies.

45 Where conduct involves violation of attendance policies, see the disciplinary steps outlined in the  
*Attendance* policy.

50 During the applicable Introductory Period, newly hired staff members are provided with an Introductory  
Period Evaluation which reviews the areas of performance, behavior, and attendance. Accordingly, the  
*Progressive Discipline* policy does not apply to staff members within the Introductory Period. Discipline  
during the Introductory Period will be made at the discretion of UCP on a case-by-case basis.

5 Staff members on an active corrective action plan associated with a verbal warning, written warning, or performance improvement plan may not be considered for internal job opportunities. Upon successful completion of the corrective action plan, and consistent performance for at least 6 months, the staff member may apply for internal job opportunities.

## 10 **PROPERTY INSPECTIONS**

### **Policy Statement**

15 UCP reserves the right to inspect its property and any personal items that may be on UCP property, including but not limited to, employees' offices, work stations, desks, computers, personal electronic devices (including inspecting the data contained on these devices), phones and file cabinets based on reasonable suspicion. "Reasonable suspicion" for purposes of this policy means circumstances suggesting to a reasonable person that there are objective factors (e.g. observable conduct, credible reports or other circumstances) that one or more individuals may be in possession of a prohibited item or engaged in a prohibited act. Any search under this policy will be done in a manner protecting employees' privacy, confidentiality and personal dignity to the greatest extent possible.

### **Purpose**

25 The purpose of this policy is to safeguard the well-being of our employees, participants, volunteers, and other constituents, and to protect UCP's interests and property.

### **Procedures**

30 UCP reserves the right to conduct searches of any UCP office, workstation, desk, computer, phone and cabinet, as well as personal property such as backpacks, electronic devices, computer cases, vehicles, desk, locker, lunch box, briefcase, purse, wallet, packages and luggage. Accordingly, employees should have no expectation of privacy on any worksite or other UCP property.

35 Expediency and approval for searches shall be determined by the Director of Human Resources and the CEO. Searches will be conducted by either a representative of the Human Resources Department or senior management staff member (i.e. Director level or higher).

40 Employees are required to cooperate and must be present during any property search conducted under this policy. No employee will be physically forced to submit to a search; however, an employee who refuses to submit to a search request may face corrective action, up to and including termination of employment.

## 40 **PROTECTION AND USE OF WORK LOCATION PROPERTY**

### **Policy Statement**

45 Employees are expected to exercise reasonable care in their use of the work location. The misuse, theft, misappropriation or destruction of property shall not be tolerated.

### **Purpose**

The purpose of this policy is to ensure that work location property and resources are protected from misuse, theft, misappropriation or destruction.

### **Procedures**

50 Work location property includes, but is not limited to, the following: participant owned vehicles, and all physical property inside or outside the work location.

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5 Participant vehicles must be used for business purposes only. When using participant vehicles, employees are reminded to maintain the cleanliness of the vehicle and conform with UCP's *Driver Safety and Transportation* policy.

10 Employees who know of or witness the misuse, theft, misappropriation or destruction of work location property must immediately inform their Supervisor and Managing Employer. The Supervisor must then immediately inform their program Director and/or the Human Resources Department.

In accordance with UCP's *Separation of Employment* policy, all work location property must be returned when an employee leaves UCP or at the request of management.

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### PUBLIC POLICY ACTIVITIES

#### Policy Statement

20 As a condition of its tax-exempt status, UCP is absolutely prohibited from directly or indirectly supporting or opposing political candidates; and may only engage in a limited amount of lobbying. There are no exceptions to these rules, and violations can result in IRS scrutiny, significant financial penalties and/or loss of tax-exempt status.

#### Purpose

25 The purpose of this policy is to preserve and protect UCP's tax-exempt status, as well as to align with UCP's non-partisan, non-political position.

#### Procedures

30 No UCP employee may participate in or use UCP resources for any activity that could be interpreted as UCP supporting or opposing any candidate or political party.

35 UCP employees planning activities that involve candidates, political parties, or lobbying activities must consult with their Supervisors. The Supervisor and the Senior Director of Operations will help properly structure the activity to ensure compliance with the operational standards of this policy. If necessary, the Senior Director of Operations will cancel the planned activity.

Any questions regarding this policy should be directed to the Human Resources Department.

### 40 REASONABLE SUSPICION AND TESTING

#### Policy Statement

45 In support of the Drug and Alcohol-Free Workplace and Medical Marijuana policies, a Reasonable Suspicion and Testing policy has been developed to ensure that respectful, reasonable and legally compliant procedures are followed when discerning Reasonable Suspicion and completing drug and/or alcohol testing.

#### Purpose

50 The purpose of this policy is to establish specific procedures for the implementation of drug and/or alcohol testing that is pursued as a result of the determination of a Reasonable Suspicion of an employee's violation of the Drug and Alcohol-Free Workplace and/or Medical Marijuana policies.

#### Definitions

(See *Drug and Alcohol-Free Workplace* policy).

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## Procedures

### Testing Based on Reasonable Suspicion

Supervisors must require an employee to undergo drug and/or alcohol testing if there is Reasonable Suspicion that the employee is Under the Influence of Illegal Drugs and/or alcohol.

The Human Resources Department shall provide Supervisors with training and resources to assist in the proper management of incidences involving Reasonable Suspicion of an employee being Under the Influence (i.e. "A Supervisor's Manual – Guidelines for Reasonable Suspicion Drug and Alcohol Testing;" "Reasonable Suspicion Observation Checklist").

#### *Procedures for Management with Reasonable Suspicion of an Employee Being Under the Influence:*

If Reasonable Suspicion that an employee is Under the Influence exists, the Supervisor must immediately contact the Human Resources Department to review and discuss the reason for the suspicion. The reporting party and the Supervisor will complete the "Reasonable Suspicion Observation Checklist," which will be reviewed by the Human Resources representative. If possible, a second person in a supervisory capacity should also observe the employee and complete the "checklist."

Upon approval from the Human Resources Department representative, the Supervisor will remove the suspect employee from the work area. Removal from the work area may occur earlier if the employee demonstrates behavior that poses a threat to himself/herself or others. The Supervisor will advise the suspect employee of the reason for such removal, using the "checklist" as talking points. A copy of the "Reasonable Suspicion Observation Checklist" will be provided to the employee upon request. If possible, the Supervisor is encouraged to have a peer Supervisor or Human Resources representative present to serve as a witness. The employee must not be left unattended through this whole process.

#### *Procedures for management of post-accident incidences:*

Employees must report an on-the-job accident or injury, including a motor vehicle accident, to their Supervisor immediately after it occurs. Employees involved in any work-related accident or incident involving the violation of any safety or security procedures and suspected of being Under the Influence of Illegal Drugs and/or alcohol may be required to submit to drug and/or alcohol testing. This applies even if the incident did not result in injury to any person or any property damage.

If the employee's non-serious injuries do not necessitate medical care other than minor first aid, the employee will be escorted to the testing site by the Supervisor or his/her designee. If the employee's injuries do necessitate medical care other than minor first aid, the employee must first be provided with appropriate medical care before any steps are initiated for the completion of associated drug testing.

### Searches

If the Supervisor has a Reasonable Suspicion that an employee is violating or may have violated the Drug and Alcohol-Free Workplace and/or Medical Marijuana policies, the employee may be asked to immediately submit to a search of his or her vehicle, desk, locker, lunchbox, briefcase, purse, wallet, packages, personal possessions or other items on Company Premises which he or she has access, and/or where circumstances require, to a search of his or her person. Refusal to agree to a search or an inspection requested by the Supervisor is insubordination and may be grounds for disciplinary action, up to and including termination of employment.

### Collection and Testing Procedures

The employee will be escorted to the testing site by the Supervisor or his/her designee. Prior to testing, the employee will be asked to review the *Drug and Alcohol-Free Workplace* policy and this policy and provide

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5 their written consent for the testing (“*Substance Abuse Testing Consent and Release*” form). The employee will be escorted home by the Supervisor or his/her designee after testing.

10 Urine, blood or saliva specimens, as applicable, will be collected and tested by trained technicians using approved methods and testing devices. All drug and alcohol testing under this policy will be conducted by an independent testing facility licensed by the state. UCP will pay for the full cost of the test. Employees will be compensated at their regular rate of pay for time spent submitting to a drug and/or alcohol test required by UCP.

15 Employees understand that submission to testing under this policy, which may include a blood test, are a condition of employment at UCP.

### Disposition and Treatment of Employee with Positive Drug Test

20 Alcohol test results are usually immediately available. Drug test confirmation results may not be available for a number of days. Pending the results of the drug test, the employee will be placed on Administrative Leave and will be unpaid .

25 If a drug test is positive, the employee will continue on Administrative Leave and will be unpaid i. Within two (2) working days after receipt of a positive confirmed test result, the Human Resources Department will inform the employee in writing of such positive test result, the consequences of such result, and the options available to the employee, as applicable. The Testing Center will provide the employee, upon request, a copy of the test results.

30 A Human Resources Department representative will contact the employee to determine whether there is a legitimate explanation for the confirmed positive test result. The employee will be given the opportunity to provide any information relevant to the test, including identification of current or recently used prescription drugs and/or non-prescription medications or other medical information. A list of the medications by brand name or common name, as well as the clinical name, which may alter or affect a drug test must be provided.

35 If an employee’s explanation or challenge of the positive test results is unsatisfactory to the Human Resources Department, a written explanation as to why the employee’s explanation is unsatisfactory along with the report of the positive test results, shall be provided by the Human Resources Department and the Testing Center to the employee.

40 If the drug test is confirmed positive, the employee will be subject to discipline, up to and including termination. In general, employees who fail a drug test will be dismissed, barring extenuating circumstances, and at management’s discretion. In most cases, employees who occupy Safety Sensitive positions and fail a drug test will be terminated.

45 The disciplinary consequences of a positive drug test are determined on a case-by-case basis at the sole discretion of UCP.

50 At the discretion of the Human Resources Department, if employment is not terminated, employees who test positive for the first time may be required to enter into a “Last Chance Agreement,” requiring an evaluation by a substance abuse professional, completion of recommended treatment (if any) and potential return-to-duty testing and follow-up testing as appropriate. .

55 UCP considers drug test results to be confidential. UCP will not release any information concerning drug screen results obtained per this policy without a written consent form signed voluntarily by the person tested, unless required by law.

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Disposition of Employee Who Refuses to Cooperate

Employees who Refuse to Cooperate with the procedures outlined this policy will be terminated.

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If the employee attempts to drive a motor vehicle and the Supervisor determines that doing so would be a *significant safety threat*, the Supervisor should record a description of the motor vehicle and license plate number and immediately contact law enforcement authorities.

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Disposition of Employee with Negative Drug Test

If the drug test comes back negative, the employee will be paid their regular base rate of pay for the scheduled workdays that they missed while on Administrative Leave.

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Administration of this Policy

UCP expressly reserves the right to change, modify or delete the provisions of this policy without notice. The Human Resources Department is responsible for the administration of this policy. If you have any questions regarding this policy or if you have questions about drug testing in the workplace that are not addressed in this policy, please contact the Human Resources Department.

5 **RECORD RETENTION AND DESTRUCTION**

**Policy Statement**

UCP has established administrative procedures for the proper retention and destruction of hard copy and electronic records for compliance with applicable regulations.

10 **Purpose**

The purpose of this policy is to provide specific guidelines and operating procedures for the retention and destruction of hard copy and electronic records.

15 **Procedures**

Retention Schedules

20 UCP's Retention Schedules provide guidelines for the appropriate retention of numerous types of records. The Human Resources Department shall maintain a Retention Schedule for all personnel records and related government compliance records. The office of the Chief Executive Officer shall maintain an organization-wide Retention Schedule for all other records subject to regulatory compliance.

25 Records will ordinarily be kept in the administrative unit creating a document. If, after consulting this policy and the Retention Schedules, there exists a question regarding the proper disposition or retention of a particular document or class of documents, it shall be the responsibility of the department head in possession of the document to determine the proper disposition of the item or items. This policy is designed to facilitate the routine, orderly and timely archiving or disposition of documents by staff members. If it becomes apparent that this policy fails to address certain classes of documents, concerns should be brought to the attention of the Chief Executive Officer for appropriate action.

30 Personnel Records

The Human Resources Department retains and destroys personnel records in accordance with federal and state laws governing record retention. The following employee information records are maintained in segregated personnel files:

- 35 • Personnel file: general employee personnel records
- Envelope in personnel file: pre-employment testing and background check information
- Medical File: benefit plan, employee medical records, health and safety records
- Binder: I-9 Forms

40 Government compliance reports are maintained in reverse chronological sequence and filed separately from the above employee information records.

Destruction of Records

45 When a confidential record must be discarded or destroyed, it shall be marked as confidential; stored in a locked cabinet, drawer or other secure location; and destroyed in a secure manner either on location or through formal arrangements with a third-party approved vendor.

50 All paper personnel records and confidential employee data maintained by the Human Resources Department will be destroyed by shredding after retention dates have passed. This procedure pertains to all personnel records, not just those governed by the Fair and Accurate Credit Transactions Act (FACTA).

Records Maintenance

UCP recognizes its need to maintain the confidentiality of Personal Identity Information (PII) and understands that such information is unique to each individual. PII may reside in hard copy or electronic

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5 records; both forms of PII fall within the scope of this policy. The PII covered by this policy may come from various types of individuals performing tasks on behalf of UCP and includes employees, applicants, volunteers and independent contractors.

*Personal Identity Information (PII):* Unique personal identification numbers or data, including:

- 10       ▪ Social Security Numbers (or their equivalent issued by governmental entities outside the United States).
- Taxpayer Identification Numbers (or their equivalent issued by governmental revenue entities outside the United States).
- 15       ▪ Employer Identification Numbers (or their equivalent issued by government entities outside the United States).
- State or foreign driver’s license numbers.
- Date(s) of birth.
- Company or individually held credit or debit transaction card numbers (including PIN or access numbers) maintained in organizational or approved vendor records.

20 UCP understands the importance of minimizing the amount of PII data it maintains and retains such PII only as long as necessary.

25 All employees must maintain the confidentiality of PII as well as proprietary data to which they may have access and understand that that such PII is to be restricted to only those with a business need to know. Accordingly, employees are discouraged from printing out or creating hard copies of confidential records (i.e. documents that include PII) where possible. If hard copies must be printed, created or kept, they should be stored in a locked cabinet, drawer or other secure location until they are no longer needed, or until the maximum retention period has ended.

30 If an employee has reason to believe that his or her PII data security has been breached, or that UCP employees are not adhering to the provisions of this policy, an employee should immediately contact the Human Resources Department.

35 UCP views the protection of PII data to be of the utmost importance. Infractions of this policy or its procedures will result in disciplinary actions under the discipline policy and may include suspension or termination in the case of severe or repeat violations.

### Data Breaches/Notification

40 Databases or data sets that include PII may be breached inadvertently or through wrongful intrusion. Upon becoming aware of a data breach, UCP will notify all affected individuals whose PII data may have been compromised, and the notice will be accompanied by a description of action being taken to reconcile any damage as a result of the data breach. Notices will be provided as expeditiously as possible and in no event be later than the commencement of the payroll period after which the breach was discovered.

45 Outside Counsel will handle breach notifications(s) to all governmental agencies to whom such notice must be provided in accordance with time frames specified under these laws. Notices to affected individuals will be communicated by Human Resources after consultation with legal advisors and within the time frame specified under the appropriate law(s).

### Litigation Hold

50 When UCP is involved in or anticipates that it may be involved in litigation, the Human Resources Department, on advice of counsel, will issue a litigation hold. This means that all documents relating to the litigation matter must be kept in order to preserve any potential evidence. If UCP fails to comply, it can be sanctioned by the court for destroying evidence. A court has broad authority to impose these sanctions,

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5 which may include anything from unfavorable procedural rulings during a trial to payment of monetary damages.

In the event that a litigation hold is announced, all records covered by such litigation hold MUST NOT be discarded, deleted or destroyed. Furthermore, the IT Department will suspend the automatic deletion of emails for all individuals covered by the litigation hold.

## **SOCIAL MEDIA**

### **Policy Statement**

15 UCP has established guidelines to define the permissible uses of social media by employees, and consequences for failure to follow these guidelines. This policy applies to all forms of social media and to all information communicated or posted through official, professional, or personal channels. This policy applies to all employees of UCP, all temporary employees and anyone else under the direction and control of UCP.

### **Purpose**

20 UCP recognizes that the Internet provides unique opportunities to participate in interactive discussions and share information on particular topics using a wide variety of social media such as Facebook, Twitter, LinkedIn, YouTube, blogs, chat rooms and other similar forms of online journals, and diaries or personal newsletters not affiliated with UCP. However, the use of social media can pose risks to UCP's confidential information, proprietary information, and reputation; and can jeopardize UCP's compliance with business rules and laws applicable within our industry. To minimize these business and legal risks, UCP has established guidelines to define the permissible uses of social media by employees, and the consequences for failure to follow these guidelines.

### **Definitions**

30 *Official Channels* – UCP-branded social media channels whose primary purpose is to participate in online conversations on behalf of UCP while advancing company goals. Examples include UCP-branded blogs or UCP-branded Facebook and Twitter pages that are owned and operated by UCP.

35 *Professional Channels* – Non-UCP branded social medial channels used by employees to engage as members of their professional communities. Content is conveyed as the employee's own thoughts and opinions, and not as UCP's official views. Examples include individual employees' LinkedIn accounts, industry-focused blogs that may be of interest to constituents, and comments posted under online news articles.

40 *Personal Channels* – Social medial channels owned and used by employees for non-business and non-professional reasons. Examples include a personal Facebook page, a personal blog, a non-business, personal Twitter account, Instagram, Vine, YouTube channel, Periscope, etc.

### **Procedures**

45 Use of UCP's communications systems, as defined above, for social media purposes must comply with UCP's *Electronic Communications* policy. UCP reserves the right to monitor and examine (without notice) any component (including computer servers) of UCP's communication systems and any information and data contained therein.

50 UCP's *Confidentiality and Intellectual Property, Equal Employment Opportunity and Non-Harassment/Non-Discrimination* policies apply to all social media posts, whether for UCP or personal purposes.

## AGENCY WITH CHOICE – A UNITED CEREBRAL PALSY OF CENTRAL PA, Inc. (UCP) EMPLOYEE HANDBOOK

5 This policy does not prohibit employees from discussing the terms and conditions of their employment with those who have a legitimate interest.

### Official Use Guidelines

When publishing content on official UCP channels, employees must comply with the following:

- 10 • UCP's *Confidentiality and Intellectual Property* policy which applies to all social media posts, whether for Company or personal purposes. Employees may only post accurate, official and public Company information.
- Employees may not post any information which is untrue, unethical, illegal or prohibited by Company policies.
- 15 • All internal policies established by UCP.
- When discussing Company-related matters, including products, services, participants, vendors, business partners or personnel, or marketing, the employee must clearly identify him/herself by his/her real name, reveal the employee's connection with UCP and ensure there is a way for readers to contact the employee. When posting on official channels, employees cannot be
- 20 anonymous or hide their connection with UCP.
- Employees may never comment on behalf of UCP on strategic issues or in a crisis situation without manager approval.
- Employees may not post obscenities, slurs or personal attacks that can damage the reputation of UCP, participants, customers/clients, employees or applicants.
- 25 • Employees may not respond to social media (or other) posts disparaging UCP or its participants, vendors, business partners or personnel. Employees should alert Human Resources to these posts to allow UCP to coordinate any response.

### Personal Use Guidelines

30 When publishing content as an individual on professional or personal channels, without express management approval, an employee may not:

- Refer to or identify any UCP participants, customers/clients, vendors or business partners.
- Use UCP logos, trademarks, service marks, products, etc., without the express written consent of UCP, to suggest that what the employee is displaying is an official statement on behalf of the
- 35 Company, or to generate income, or in any other way that may violate trademark law.
- Identify him/herself as affiliated with UCP, or refer to UCP brands, people, products, competitors, or anything related to UCP, without including a disclaimer that his/her views do not represent those of the Company. Employees must make it explicitly clear that their views do not represent those of the Company. Employees must use the following disclaimer when discussing job-related matters:
- 40 *"The opinions expressed on this site are my own and do not necessarily represent the views of UCP of Central Pennsylvania."*
- Disclose trademarked, copyrighted, trade secret, propriety, or other confidential business information of this nature of UCP or its participants, customers/clients, vendors, business partners or personnel.

45 Personal use of social media during work time, without a Supervisor's approval, is prohibited. UCP recommends that as a best practice, employees manage their accounts appropriately and mark your account as private or friends only.

### Violations of these Guidelines

50 UCP may monitor content out on the Internet. Employees may be required to remove social media content posted in violation this policy.

5 If an employee discovers a violation of this policy by someone else, the employee should contact Human Resources immediately to allow UCP to take corrective action, if necessary.

## **STATEMENTS TO THE MEDIA**

### **Policy Statement**

10 UCP is committed to providing accurate information to the media and welcomes publicity that is productive to its business operations and image in the community.

### **Purpose**

15 The purpose of this policy is to provide specific guidelines and operating procedures for UCP's contact with the media.

### **Procedures**

20 All media inquiries regarding UCP and its operations must be referred to the Office of the President/CEO and the Community Relations and Development (CRD) Department. Only the CEO or her/his designee is authorized to make or approve public statements (whether written or oral) on behalf of UCP or its operations, as appropriate, in order to ensure accuracy and compliance with applicable laws and regulations.

25 No employees, unless specifically designated by the CEO or her/his designee, are authorized to make statements on behalf of UCP.

Any employee wishing to write and/or publish an article, paper, or other publication on behalf of UCP, or grant an interview on behalf of UCP, must first obtain approval from the CEO or her/his designee.

30 Nothing in this policy is intended or will be interpreted to prevent employees from discussion, public or private, of wages, hours, and/or working conditions at UCP, provided that employees comply with applicable UCP policies such as the *Social Media* policy and the *Non-Solicitation* policy.

## **TOBACCO USE**

### **Policy Statement**

40 UCP is committed to promoting wellness and healthy lifestyle activities for all of its employees. Accordingly, UCP prohibits employee use of tobacco or e-cigarettes while conducting business activities and/or providing services to participants.

### **Purpose**

45 The purpose of this policy is to provide specific guidelines and operating procedures for tobacco or e-cigarette use at work locations.

### **Procedures**

50 Employees and their family members are strongly encouraged to avail themselves of smoking cessation resources. Employees interested in learning more about programs to help quit tobacco use should contact the Human Resources Department via [ucpwellness@ucpcentralpa.org](mailto:ucpwellness@ucpcentralpa.org).

UCP prohibits the use of tobacco or e-cigarettes at UCP events and functions. Smoking and tobacco use of any kind is also prohibited by employees in program participant's residences or other locations while performing UCP business activities.

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5 Employees are not permitted to use tobacco or e-cigarettes in the presence of participants, such as while transporting participants in vehicles. Participants who smoke will be asked to follow the facilities *Safe Smoking* policy and smoke only in designated areas. Participants will be monitored to ensure they practice safety while smoking.

10 As necessary, Managing Employers may designate outdoor designated smoking locations for a location. A designated smoking site may not be located near an entranceway or in the front of the location; but rather should be located in a less conspicuous location so as to not impede access/egress or disrupt operations.

15 Any employee who chooses to use tobacco or e-cigarettes may do so only during approved non-work time and at a designated smoking location.

### VISITORS

#### 20 **Policy Statement**

In order to augment the safety and security of UCP employees, participants, participants family members, the managing employer, cohabitants, and its property, and to minimize disruptions in the workplace; guidelines and standards have been established for the sensible management and oversight of visitors to the work location.

25

#### **Purpose**

This policy establishes guidelines and standards for the sensible management and oversight of visitors to the work location.

#### 30 **Procedures**

Caution and common sense should be used when an unknown visitor enters a work location. Employees who encounter an unknown visitor should politely inquire as to her/his purpose liaison and then proceed to confirm this information. If the individual's purpose cannot be confirmed, the individual must be directed to leave the premises. If possible, the name and other identifying information (i.e. address, phone number, 35 organization affiliation) of the individual should also be obtained.

If at any time a staff member senses a threat to personal safety or the safety the participant, she/he must take appropriate action to remove them from harm's way and immediately contact law enforcement authorities.

40

If a member of law enforcement visits a work location the individual should be directed to contact the Managing Employer for further assistance.

5 **SAFETY AND SECURITY**

**GENERAL SAFETY AND SECURITY PROGRAMS**

**Policy Statement**

10 Maintaining a safe and secure workplace is essential to UCP’s operations. Accordingly, it is UCP policy to promote safety on the job and to comply with applicable laws regarding safety and security in the workplace. UCP Central PA is committed to maintaining a PA State certified Safety Team, comprised of both employees and Supervisors who represent all divisions of the organization.

15 **Purpose**

The purpose of this policy is to provide specific guidelines and operating procedures for the general safety and security programs maintained at UCP.

**Procedures**

20 Employees are responsible to comply with UCP safety and security rules and regulations, and for continuously practicing safety while performing their duties.

**General Safety Rules**

25 UCP employees perform a wide range of functions in various locations. Although some safety rules apply only to specific positions, all employees are expected to comply with the following:

- Use common sense in performing duties.
- Report any work injury or illness to the Instructor or the Human Resources Department.
- Report unsafe conditions to the Supervisor, the Human Resources Department or Safety Team member.
- Do not use any equipment, vehicles or materials when overly tired, nauseated, feverish or under the influence of any substance that may affect judgment.
- Keep the work area neat and tidy.
- Use mechanical devices or request assistance in lifting heavy loads.
- Wear seat belts when operating a vehicle while on company business (see also *Driver Safety and Transportation* policy).
- Keep paper clips, tacks, pins and other objects off the floors.
- Properly store all sharp objects when not in use.
- Open and close doors cautiously.
- Report or clean up all spills immediately.
- Use stepstools, platforms or ladders for climbing. Never use chairs.
- Report frayed electrical cords.

**On-the-Job Injuries and Illnesses**

45 Employees are required to report to work during each scheduled workday able to safely and competently perform their job duties. If an employee is unable to safely or competently perform his or her job duties for any reason, he or she is required to inform his or her Managing Employer and Supervisor or the Human Resources Department.

50 Additionally, all workplace accidents, injuries and illnesses involving employees, even those that are not serious, must be immediately reported to the Instructor, the Supervisor or the Human Resources Department. (see also *Incident Reporting* and *Worker’s Compensation* policies).

5 Unsafe Working Conditions

Employees who observe or experience unsafe working conditions are required to immediately report the unsafe working conditions to their Supervisor, the Human Resources Department or a member of the Safety Team.

10 It is only through full knowledge of every accident or injury that UCP can become a safer, healthier place to work for everyone. Employees' notification of unsafe working conditions or of workplace accidents, injuries or illnesses is essential to enforcing this policy. Employees may be assured that they will not be penalized in any way for reporting unsafe working conditions or workplace accidents, injuries or illnesses (see *Loss Control Program* policy).

15 Fire Prevention and Safety

Although some fire prevention rules apply only to specific locations, all employees are expected to comply with the following:

- Smoking is not permitted at work or inside any UCP facility or participants home (see *Tobacco Use* policy).

20 Fire Extinguishers

Participants homes must have a fire extinguisher that is fully charged, operating properly and kept in designated places at all times, except when is use.

25 The following guidelines for the proper use of a fire extinguisher should be followed when responding to a fire incident:

- Call 911, if appropriate.
- Identify a safe evacuation route before approaching the fire, do not allow the fire, heat or smoke to come between you and your evacuation path.
- Select the appropriate type of fire extinguisher.
- Discharge extinguisher at fire with its effective range (use PASS technique).
  - Pull:** Pull the pin.
  - Aim:** Aim low, pointing at the base of the fire.
  - Squeeze:** Squeeze the handle to release.
  - Sweep:** Sweep from side to side at the base of the fire.
- Back away from extinguished fire in case it flames up again.
- Evacuate immediately if extinguisher is empty.
- Evacuate immediately if fire progresses beyond incipient state.

40 Emergency Response Guide

The procedures and safety/security information in this Guide serve as a resource for use before, during, and after an emergency. All Supervisors and employees are encouraged to become familiar with its contents and must also participate in all relevant drills or exercises.

45 Other Safety and Security Programs

Additional Safety and Security Programs are presented within the following policies: OSHA Compliance Programs, OSHA Employee Rights, Loss Control Program, Serious Infectious Diseases, Infestations, Weapons-Free Workplace, and Workplace Violence Prevention.

50 Improper Safety and Security Practices

All employees are expected to abide by safety and security practices, to ensure their safety as well as the safety of co-workers. Infractions of safety and security practices will be dealt with in accordance with standard disciplinary procedures, and will be based on the following factors:

- Severity of the infraction.
- Whether the infraction endangered only the employee or also co-workers.
- Whether the infraction was a first or repeat violation.

## **INFESTATIONS**

### **Policy Statement**

UCP is committed to providing a safe and healthy workplace for all employees. To that end, UCP is dedicated to preventing the introduction and spread of infestations at work, as well as identifying and eradicating any cases of infestations identified in our offices.

### **Purpose**

Unfortunately, some work locations may incur an infestation of parasites whereby the parasite may have been transported into the workplace. Possible parasite infestations could include, but are not limited to, the following: bed bugs, lice, fleas and ticks. This policy establishes guidelines for how Supervisors can best handle infestations that occur at any UCP worksite.

### **Procedures**

#### **Precautionary Measures**

UCP is committed to educating employees on identifying certain parasites (i.e. bed bugs) and preventing them from entering the workplace. To this end, the Operations and Human Resources Departments have developed several resources that are available to Supervisors for distribution to staff members who may be at a higher level of risk. All employees, but especially those who may be at a higher risk level, are encouraged to familiarize themselves with these resources.

In addition, as part of our policy to keep bed bugs or other parasites out of the workplace, UCP encourages all staff members to be vigilant when travelling and visiting residences of participants.

Precautionary measures for all staff who visit homes, include, but are not limited to, the following:

- Know or ask ahead of time, if appropriate, whether the room or space has or had bed bugs.
- Do not bring bags or personal belongings inside the room, carry as little as possible with you. If you must bring belongings with you (purse, jacket, etc.) it should be hung up in a safer area such as near or on the front door or kept with your person.
- All efforts should be made to leave as much as you can at home, or in your vehicle.
- For home visits, be sure to stand in an open area or sit on a hard chair, not on plush furniture or beds (i.e. kitchen table and chair would be a good place to conduct interviews/visits).

Precautionary measures for all staff who visit homes that may be infested include, but are not limited to, the following:

- Roll up pant legs and consider wearing protective knee-high shoe covers and discarding them immediately after the visit.
- Carefully shake out your clothes while standing outside before returning to your car.
- When returning to your home, discard the clothes by changing immediately in a location such as the bathtub/garage and seal them in a plastic bag.
- Clothing should be immediately placed in a dryer on high heat for 30 minutes. Discard the plastic bag that was used immediately outside the house.

5 **Reporting Protocols**

If an employee knows or has reason to believe that his/her home has been infested with a parasite (i.e. bed bugs), or that for any other reason he/she is likely to bring a parasite into another work location, we expect that the employee will:

- Notify their Managing Employer and Supervisor and take appropriate actions to prevent the spread of the parasite.
- Avoid contact with other employees and service participants.
- Provide their Supervisor with a list participant homes and office locations recently visited.

10  
15 An employee's voluntary disclosure of this information will be handled confidentially by the Supervisor, the Human Resources Department, and other management staff who have a need to know. The employee's voluntary disclosure will be taken seriously, and without any retaliatory action.

20 If an infestation is identified at an employee's home, a copy of the billing statement from a contractor indicating that the extermination service has been completed at the employee's home may be required before the employee is permitted to return to work. If the employee is unable to complete an extermination service, a risk assessment for permitting the employee to return to work will be completed by the Human Resources Department. Repeat incidences of infestation at an employee's work site may be cause for disciplinary action, up to and including termination.

25 Time away from work is not covered under FMLA or the ADA. An employee having an infestation is not a serious health condition, nor an ADA disability.

**LOSS CONTROL PROGRAM**

30 **Policy Statement**

UCP's Loss Control Program provides a cost-effective process for the controlling of unnecessary insurance and administrative expenses resulting from personal injury or property damage. The program will assist in containing direct and indirect costs of accidents experienced by UCP; thereby increasing operating efficiencies, favorably impacting employee morale, and maintaining the public community's perception of UCP as a leader in health and safety.

**Purpose**

The purpose of this policy is to provide an overview of the functions of the Safety Team which is charged with implementing the best practices of a Loss Control Program.

40 **Procedures**

**Functions of the Safety Team**

- Reviews loss runs, accident reports and conducts accident investigations to clearly identify the cause of the loss.
- Suggests and monitors corrective action(s) to prevent reoccurrence.
- Discusses the implementation of loss prevention ideas and recommendations provided by employees, Supervisor, and other sources.
- Aids management in achieving effective corrective action to areas of concern.
- Conducts facility inspections to identify areas that create hazardous conditions that can cause loss of facilities and injury to employees, participants, volunteers, vendors, and the general public.



5 Employees are encouraged to communicate any safety concerns to a member of the Safety Team or to the Human Resources Department.

## **OSHA COMPLIANCE PROGRAMS**

### **10 Policy Statement**

UCP is committed to providing a safe and healthy workplace for all employees. To that end, UCP is dedicated to providing programs compliant with the Occupational Safety and Health Administration (OSHA) and the Pennsylvania Right to Know law.

### **15 Purpose**

It is the purpose of this policy to implement and maintain legally compliant programs and best practices to help ensure the safety and health of all employees at work. Below is a list of several of the key programs currently in effect.

### **20 Procedures**

#### Hazard Communication Program

25 Under UCP's Hazard Communication Program, information is made available about the chemicals that are used for various purposes. Cleaning agents, solvents and the like are but a few examples. Most existing chemicals are used for maintenance or custodial purposes and are out of reach of most employees.

Some products and supplies, however, may be used by everyone on a day to day basis, with little concern for their chemical base. For example, office supplies such as board marker cleaner, glue, ink, white-out, copier toner, and desk cleaner are common to our work. Under normal-use conditions, office supplies pose  
30 no problems, but employees should ensure that they are using the products as the manufacturer intended and know what to do if they have an accident with a product.

The source of information about chemical-related products is on the label on the product itself. The label gives quick, summarized instructions about the safe use of a product, any hazards associated with it, and  
35 what to do in case of an accident. Any container holding hazardous materials must be labeled with sufficient warning information and is a primary step in protecting employees from any dangers.

UCP provides training for all new employees which ensures that employees are made familiar with the Right to Know program.  
40

#### Communication and Record-keeping Standards

UCP posts required OSHA information onto designated bulletin boards within each facility location. In addition, the Human Resources Department has established procedures for the accurate and timely recording of work-related illness or injury (i.e. OSHA forms 300 and 300A).  
45

#### Exposure Control Program

An Exposure Control Plan (see "*Minimizing the Risk of Spreading Infectious Disease*") has been developed by UCP to eliminate or minimize the exposure of employees to bloodborne pathogens or other potentially infectious materials. It is updated regularly to reflect new procedures. "Bloodborne Pathogens" refers to  
50 those microorganisms present in human blood and other bodily fluids that cause disease or are capable of transmitting disease. Every employee has the potential risk of exposure to blood and should take specific precautions and work practices if an exposure incident occurs.

5 Employees and Supervisors are encouraged to contact the Human Resources Department for additional policies and information regarding safety, security, and health practices.

## **OSHA EMPLOYEE RIGHTS**

### **Policy Statement**

10 UCP provides a work environment which is free from recognized hazards that are causing or are likely to cause physical harm.

### **Purpose**

15 It is the purpose of this policy to provide employees with access to all information that affects their health and safety in the workplace.

### **Procedures**

20 Under the Occupational and Health Act, the Occupational Safety and Health Administration (OSHA) gives every employee the right, and responsibility, to review, request, and access information that affects their health and safety in the workplace.

The following list, while not all-inclusive, includes an employee's right to:

- Review copies of standards, rules and regulations that pertain to the workplace.
- 25 • Request information regarding safety and health hazards, precautions that may be taken, procedures to be followed in the event of an accident, or exposure to a toxic substance.
- Review records of monitoring or measurements of hazardous materials.
- Report safety and health concerns.

30 UCP has established several OSHA Compliance Programs that support these employee rights (see *OSHA Compliance Programs* policy for further details).

35 UCP and the Occupational Safety and Health Administration encourage everyone to work together to reduce hazards and promote safety. Accordingly, employees are encouraged to be familiar with each policy presented within the *Safety and Security* section of the Employee Handbook.

Employees who inquire about, report matters, or participate in investigations in accordance with this policy will be protected from retaliation (see *Protection from Retaliation* policy).

40 Questions concerning safety, health hazards, or to be apprised of your rights in their entirety are to be directed to your Supervisor or the Human Resources Department.

## **SERIOUS INFECTIOUS DISEASES**

### **Policy Statement**

45 UCP's decisions involving persons who have communicable diseases shall be based on current and well-informed medical judgments concerning the disease, the risks of transmitting the illness to others, the symptoms and special circumstances of each individual who has a communicable disease, and a careful weighing of the identified risks and the available alternative for responding to an employee with a  
50 communicable disease.

### **Purpose**

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5 It is the purpose of this policy to promote a safe and healthy work environment for all employees and participants and provide equal treatment to, and not to discriminate against, persons who have contracted or are suffering from serious infectious illnesses.

10 This policy is not intended to conflict with UCP's policy pertaining to the *Family and Medical Leave Act* nor the *Americans with Disabilities Act (ADA)*. Information about those policies are separately provided in this Employee Handbook.

### Procedures

15 Communicable diseases include, but are not limited to, measles, influenza, varicella zoster virus (shingles), pertussis (whooping cough), viral hepatitis-A (infectious hepatitis), viral hepatitis-B (serum hepatitis), human immunodeficiency virus (HIV infection), AIDS, AIDS-Related Complex (ARC), Severe Acute Respiratory Syndrome (SARS) and tuberculosis. UCP may choose to broaden this definition within its best interest and in accordance with information received through the Centers for Disease Control and Prevention (CDC).

20 UCP will not discriminate against any job applicant or employee based on the individual having a communicable disease. Applicants and employees shall not be denied access to the workplace solely on the grounds that they have a communicable disease. However, UCP reserves the right to exclude a person with a communicable disease from the workplace facilities, programs and functions if it finds that, based on a  
25 medical determination, such restriction is necessary for the welfare of the person who has the communicable disease and/or the welfare of others within the workplace.

30 UCP will comply with all applicable statutes and regulations that protect the privacy of persons who have a communicable disease. Every effort will be made to ensure procedurally sufficient safeguards to maintain the personal confidence about persons who have communicable diseases.

35 UCP recognizes that serious infectious illnesses; such as Acquired Immune Deficiency Syndrome (AIDS) and its related conditions, hepatitis, tuberculosis, etc.; have a tragic impact on those afflicted and involve significant and sensitive issues for staff. UCP also recognizes that employees who contract such serious infectious illnesses may wish to continue their employment with UCP.

40 UCP holds all medical information which it receives about the medical condition of an employee in confidence. This means that UCP restricts access to such information to those who are permitted access under applicable law. An exception to this rule will be allowed when the employee with a serious infectious disease authorizes wider disclosure of such information. Individuals who gain access to this information are themselves expected to keep the information confidential.

45 In deciding whether an employee with an infectious disease may continue to work, UCP considers several factors. The employee must be able to perform normal job duties and meet regular performance standards. In the judgment of UCP, the employee's continued presence must pose no risk to the health of the employee, other employees, participants, or other constituent groups. If an employee disputes UCP's determination that such a risk exists, the employee must submit a statement from his or her attending health care provider that the employee's continued presence on the worksite poses no significant risk to the employee, other employees, participants, or other constituent groups.

50 Employees are urged to contact the Human Resources Department regarding any questions about the possible contagious nature of another employee's temporary illness.

### Pandemic Influenza/Quarantine

## AGENCY WITH CHOICE – A UNITED CEREBRAL PALSY OF CENTRAL PA, Inc. (UCP) EMPLOYEE HANDBOOK

5 It is the goal of UCP, during any time period of quarantine or infectious disease outbreak (i.e. H1N1 Pandemic Outbreak of 2009), to strive to operate effectively and ensure that all essential services are continuously provided and that employees are safe within the workplace.

10 An Interim Committee will be designated to monitor and coordinate events around an infectious disease outbreak, as well as create work rules that could be implemented to promote safety through infection control. UCP is committed to providing authoritative information about the nature and spread of infectious diseases, including symptoms and signs to watch for, as well as required steps to be taken in the event of an illness or outbreak.

### 15 Reporting Procedures for Management of Pandemic Influenza Cases

- Employees must contact their Supervisor and Managing Employer as soon as possible if they have symptoms of the pandemic influenza. If you become ill while at work: (1) advise your Supervisor, (2) avoid contact with other employees and constituents, (3) provide your Supervisor with a list of names of individuals with whom you have had contact, (4) secure work in process and (5) and remove themselves from the immediate work area.
- Contact your healthcare provider and consider inquiring about antiviral medications which lessen the severity of the illness and can possibly shorten the course of illness.
- Contact your Supervisor each day that you expect to be absent (see also the *Attendance* policy for further details related to reporting procedures).
- If an employee is diagnosed with having contracted the pandemic influenza, the employee will be required to provide a “Return to Work” release statement from a medical care provider prior to returning to work. An employee who does not provide a release statement and returns to work nonetheless will be directed to leave the worksite and will be subject to disciplinary action.

### Related Guidance

30 UCP’s “Procedures for Minimizing the Risk of Spreading Infectious Disease”

[www.cdc.gov/flu](http://www.cdc.gov/flu) or the CDC Flu Information Line at 1.800.CDC.INFO

## WEAPONS-FREE WORKPLACE

### 35 **Policy Statement**

To ensure that UCP maintains a workplace safe and free of violence for all employees, participants, visitors, volunteers, and vendors, UCP prohibits the possession or use of dangerous weapons on company property, unless otherwise allowed by law. Employees are prohibited from possessing a weapon on their person while on UCP property, or during the course of their employment with UCP (anywhere), subject to applicable law.

### **Purpose**

45 It is the purpose of this policy to prohibit all persons from carrying, possessing or storing a handgun, firearm, ammunition or weapon of any kind while on UCP property, at UCP sponsored events, or while serving participants in the community; regardless of whether the person has registered the weapon or is licensed to carry a concealed weapon.

### **Procedures**

50 This policy applies to all UCP employees, contract and temporary employees, participants, volunteers, visitors, or vendors on company property.

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5 All employees are prohibited from carrying a weapon under this policy while in the course and scope of performing their job, whether they are on UCP property at the time or not, and whether they are licensed to carry a weapon or not.

10 Prohibited weapons include any form of weapon or explosive restricted under local, state, or federal regulation. This includes, but is not limited to, firearms, ammunition, high-powered archery equipment, illegal knives or other weapons covered by the law. Legal, chemical dispensing devices such as pepper sprays that are sold commercially for personal protection are not covered by this policy. Any question about whether an item is covered by this policy shall be resolved at the sole discretion of the Human Resources Department.

15 Each employee is responsible for making sure that any potentially covered item the employee or his/her partner or dependent possess while on UCP property is not prohibited by this policy.

20 Employees are required to immediately report to their Supervisor or Director any weapons that a program participant or a program participant's friend or family member brings onto UCP property.

25 UCP property covered by this policy includes, without limitation, all company buildings (leased or owned) and surrounding areas such as sidewalks, walkways, driveways and parking lots under UCP's operation or control. UCP-owned or leased vehicles are covered by this policy at all times, regardless of whether they are on company property at the time. All vehicles that come onto UCP property are also covered under this policy.

30 UCP reserves the right at any time and at its discretion to search all agency-owned or leased vehicles and all vehicles, packages, containers, briefcases, purses, desks, enclosures and persons entering its property, for the purpose of determining whether any weapon is being, or has been, brought onto its property or premises in violation of this policy. Employees who fail or refuse to promptly permit a search under this policy will be subject to discipline up to and including termination (see *Property Inspections* policy).

35 Failure to abide with all terms and conditions of the policy described above may result in discipline, up to and including termination. Further, carrying any weapon onto UCP property in violation of this policy will be considered an act of criminal trespass and will be grounds for immediate removal from UCP property, and may result in prosecution.

### 40 **WORKPLACE VIOLENCE PREVENTION**

#### **Policy Statement**

45 By helping to identify and prevent threatening or violent behavior affecting the workplace, UCP demonstrates its commitment to maintaining a workplace safe and free of threats or acts of violence for all employees, participants, visitors, vendors and volunteers.

#### **Purpose**

The purpose of this policy is to provide specific guidelines and operating procedures for the Workplace Violence Prevention Program.

#### **Procedures**

50 Conduct that threatens, intimidates, stalks, harasses or coerces employees, participants, visitors, vendors or volunteers, will not be tolerated. Any employee who commits an act of workplace violence against a person or property will face immediate suspension and probable termination. Where appropriate, these matters will be referred to legal authorities for prosecution.

5

Any threats or acts of violence resulting in the conviction of a person, under any criminal code provision relating to threats or acts of violence that adversely affect the legitimate interests of UCP will not be tolerated and may be grounds for termination.

10

**Employees should promptly inform Human Resources of any protective or restraining order that they have obtained that lists the workplace as a protected area.**

UCP encourages employees to bring their disputes to the attention of their Supervisor or Human Resources before the situation escalates. UCP will not discipline employees for raising such good-faith concerns.

15

All incidents on the job that cause injury, either physical or psychological, must be reported as a Worker's Compensation incident in addition to other incident reporting procedures (see *Worker's Compensation* policy).

20

#### Warning Signs, Symptoms and Risk Factors

The following is a non-exhaustive list of examples of warning signs, symptoms and risk factors which may indicate an employee's potential for workplace violence:

25

- Threatening social media posts.
- Possessing reading material with themes of violence, revenge and harassment.
- Making intimidating statements such as: "I'll get even" or "You haven't heard the last from me."
- Dropping hints about knowledge of firearms.
- Keeping individual records of other employees, the individual believes have violated UCP policy.
- Physical signs of hard breathing, reddening of complexion, menacing stares, loudness, fast profane speech.
- Disgruntled employee or ex-employee who is excessively bitter.
- Being a loner.
- Having a romantic obsession with a co-worker who does not share that interest.
- History of interpersonal conflict.
- Intense anger, lack of empathy.
- Domestic problems, unstable/dysfunctional family.
- Volatile or violent personal situations such as found in some custody battles.
- Brooding, depressed, strange behavior, "time bomb ready to go off."

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All employees must verbally report observed warning signs, symptoms, and risk factors immediately. It is everyone's responsibility to be aware of and appropriately respond to these early warning signs.

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- Employees must immediately verbally report concerns to his or her Supervisor; or a management level supervisory employee if the immediate Supervisor is not available.
- When reporting concerns, employees should be as specific and detailed as possible.
- The Supervisor must then immediately verbally notify the Human Resources Department.

45

Managing Employers and Supervisors especially must be alert to and respond to these behavioral indicators. If an employee exhibits such behavior, the employee may be monitored, and such behavior will be documented according to approved procedures.

50

#### Examples of Threatening Behavior:

- Verbal or physical harassment.
- Verbal or physical threats.
- Assaults or other violence (i.e. hitting or shoving another person).
- Behavior that causes others to feel unsafe (i.e. bullying, sexual harassment).

- 5 • Throwing objects.
- Making a verbal threat to harm another individual or destroy property.
- The intentional destruction of property owned, operated, or controlled by UCP.
- Making harassing or threatening telephone calls or sending harassing or threatening letters or other forms of written or electronic communications.
- 10 • Possession or inappropriate use of firearms, weapons, or any other dangerous devices in violation of the *Weapons-Free Workplace* policy.
- Making menacing gestures.
- Displaying an intense or obsessive romantic interest that exceeds the normal bounds of interpersonal interest.
- 15 • Attempting to intimidate or harass other individuals.
- Behavior that, from the perspective of a reasonable person, has generated a concern that someone might act out violently (whether or not the person intends to or does).

20 All employees must verbally report threatening behavior immediately. Specific reporting procedures for appropriate responses to various levels of threatening behavior are outlined below. Failure to report is a serious violation of UCP policy and is subject to disciplinary action, up to and including termination.

#### Threats of Violence (Immediate Action Steps)

An employee becomes aware of a threat of violence.

- 25 • Ensure the safety of participants and staff.
- The employee must immediately verbally report the incident to his or her Supervisor or a management level supervisory employee if the immediate Supervisor is not available.
- When reporting a threat 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.
- 30 • The Supervisor must then immediately verbally notify the Director of Human Resources or a member of the Human Resources Department.
- Review the *Incident Reporting* policy for additional required reporting and investigation procedures.

#### Imminent Risk of Violence (Immediate Action Steps)

An employee becomes aware of any act of violence about to happen, or actual violence.

- The employee must immediately contact local law enforcement by dialing 911.
- Ensure the safety of participants and staff.
- 40 • Immediately after contacting the law enforcement authorities for emergency assistance, the employee must report the incident verbally to his or her Supervisor or a management level supervisory employee if the immediate Supervisor is not available.
- When reporting a threat or incident of violence, the employee should be as specific and detailed as possible.
- 45 • Employees should not place themselves in peril, nor should they attempt to intercede during an incident.
- The Supervisor must then immediately verbally notify the Director of Human Resources or a member of the Human Resources Department.
- Review the *Incident Reporting* policy for additional required reporting and investigation procedures.
- 50

#### Potential Life-threatening Situation (Immediate Action Steps)

An employee becomes aware of a potential life-threatening situation.

- Avoid the danger zone by moving yourself and any participants in your care to a safer location in the facility or away from the facility itself as indicated by the situation.
- If a program participant is creating a threatening situation, use proper restraint techniques. If this is not possible, safely isolate the program participant and call public emergency responders (911).
- Report the incident to public emergency responders (911).
- As soon as you have exited the area of immediate danger; verbally notify your Supervisor or a management level supervisory employee if the immediate Supervisor is not available;
- 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.
- The Supervisor must then immediately verbally notify the Director of Human Resources or a member of the Human Resources Department.
- Review the *Incident Reporting* policy for additional required reporting and investigation procedures.

#### Report Response and Investigation

UCP will promptly and thoroughly investigate all reports of threats of violence or incidents of actual violence and of suspicious individuals or activities.

- An investigator shall be assigned by the Human Resources Department to investigate the allegation and determine whether a violation of policy occurred.
- In order to maintain workplace safety and the integrity of its investigation, UCP may place on Administrative Leave employees suspected of workplace violence or threats of violence, either with or without pay, pending investigation.
- The identity of the individual making a report will be protected as much as possible.
- UCP will not retaliate against employees making good-faith reports of violence, threats or suspicious individuals or activities (see *Protection from Retaliation* policy). However, staff members who provide false information will be subject to disciplinary action, up to and including termination.
- The investigator shall submit the determination resulting from the internal investigation to the appropriate department director, and the Director of Human Resources. The department director and Director of Human Resources will then determine what disciplinary action to take.
- In situations where it is found appropriate to do so, an individual who violates the *Workplace Violence Prevention* policy may be required to obtain counseling or other available assistance.
- If the suspected violation is founded, the accused staff member will be terminated.
- If during the allegation, the police were notified of the alleged violation of policy, the department director or designee will follow up with law enforcement authorities within thirty (30) days to verify that the reported incident has been/is being investigated.

#### Fitness-for-Duty Evaluation

At the discretion of the Human Resources Department, an employee exhibiting warning signs, symptoms and risk factors, including but not limited to those set forth in this policy, may be ordered to submit to a psychological evaluation through the Employee Assistance Program to determine the employee's fitness-for-duty. Refusing to submit to a required psychological evaluation or engaging in other conduct that obstructs the testing process, may result in discipline up to and including termination. The employee may be suspended until evaluation results are received. All evaluation records shall be maintained in a confidential manner.

#### Monitoring and Tracking Incidences

The Human Resources Department shall conduct a post-incident review and, where appropriate, make recommendations for preventing or responding to future incidents.



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- If the incident involves harm caused to a program participant, the incident is entered into HCSIS and a Certified Investigator will investigate the incident.
  - The Safety Team will review all employee injury incidences monthly and bring any trends to the attention of management for further review and preventative action steps, as applicable.
  - The Management Team will review all incidences involving participants monthly and bring any safety concerns to the attention of the Safety Team.
- 10
- Incidences requiring more than basic first aid will be recorded onto the OSHA 300 log.
  - Any incident resulting in a corrective action recommendation to change a practice, procedure, policy, or training will result in a systemic change in an effort to prevent recurrence.

15 Post-Incident Support

In addition to Worker’s Compensation medical support, the following support is also provided.

- If an employee is injured by a program participant in their care, assistance from UCP’s Employee Assistance Program is offered.

20 De-Escalation Training

- All employees who support an individual with identified needs for De-Escalation will receive training on De-Escalation.

5 **FINANCE ADMINISTRATION**

**EXPENSE REIMBURSEMENT (TRAVEL)**

**Policy Statement**

10 This policy establishes guidelines and standards for the reimbursement of work-related motor vehicle travel expenses incurred by employees.

**Purpose**

15 The purpose of this policy is to provide specific standards that must be met in order for an employee to request and be reimbursed for work-related motor vehicle travel expenses such as mileage. .

**Procedures**

If employees have a question or problem about the process steps required for the reimbursement of work-related travel expenses, they are encouraged to contact the Instructor.

20 **Mileage Reimbursement Standards**

UCP will provide reimbursement for work-related motor vehicle travel based upon a dollar amount per mile which is determined by the Office of Developmental Programs on an annual basis; usually equal to the approved Internal Revenue Service (IRS) mileage reimbursement amount. As an example, the approved mileage reimbursement amount for 2020 is .57.5 cents per mile.

Travel of a staff member from his/her home to the assigned workplace is not eligible for reimbursement.

30 Mileage is only reimbursed if it is included in the participants plan. Your Instructor will supply you with the transportation log if mileage is included in the participants plan. The transportation log will include the activities that mileage can be used for and the frequency and duration permitted.

35 Transportation logs are to be completed and turned in at the end of each month in order to receive your mileage reimbursement. Please include only one month per transportation log. When completing the transportation log, there must be a full address located in the “from” and “to” columns, a reason for the mileage, total miles and your signature on each line. The Managing Employer must sign and date the mileage log before handed into the office for processing. Mileage logs are processed through payroll and will be included in your paycheck.

40 Employees must be careful to record actual distance while traveling. Travel distances that are recorded that exceed the actual distance will not be eligible for reimbursement. Exceptions may be made for extenuating circumstances that are beyond the control of the employee (i.e. road construction that requires a detour route).

5 **APPENDIX**

**COBRA CONTINUATION COVERAGE RIGHTS**

**\*\* Continuation Coverage Rights Under COBRA\*\* Introduction**

10 You're getting this notice because you recently gained coverage under a group health plan (the Plan). This notice has important information about your right to COBRA continuation coverage, which is a temporary extension of coverage under the Plan. **This notice explains COBRA continuation coverage, when it may become available to you and your family, and what you need to do to protect your right to get it.** When you become eligible for COBRA, you may also become eligible for other coverage options that may cost less than COBRA continuation coverage.

20 The right to COBRA continuation coverage was created by a federal law, the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA). COBRA continuation coverage can become available to you and other members of your family when group health coverage would otherwise end. For more information about your rights and obligations under the Plan and under federal law, you should review the Plan's Summary Plan Description or contact the Plan Administrator.

25 **You may have other options available to you when you lose group health coverage.** For example, you may be eligible to buy an individual plan through the Health Insurance Marketplace. By enrolling in coverage through the Marketplace, you may qualify for lower costs on your monthly premiums and lower out-of-pocket costs. Additionally, you may qualify for a 30-day special enrollment period for another group health plan for which you are eligible (such as a spouse's plan), even if that plan generally doesn't accept late enrollees.

30 **What is COBRA continuation coverage?**

35 COBRA continuation coverage is a continuation of Plan coverage when it would otherwise end because of a life event. This is also called a "qualifying event." Specific qualifying events are listed later in this notice. After a qualifying event, COBRA continuation coverage must be offered to each person who is a "qualified beneficiary." You, your spouse, and your dependent children could become qualified beneficiaries if coverage under the Plan is lost because of the qualifying event. Under the Plan, qualified beneficiaries who elect COBRA continuation coverage must pay for COBRA continuation coverage.

If you're an employee, you'll become a qualified beneficiary if you lose your coverage under the Plan because of the following qualifying events:

- Your hours of employment are reduced, or
- Your employment ends for any reason other than your gross misconduct.

If you're the spouse of an employee, you'll become a qualified beneficiary if you lose your coverage under the Plan because of the following qualifying events:

- Your spouse dies;
- Your spouse's hours of employment are reduced;
- Your spouse's employment ends for any reason other than his or her gross misconduct;
- Your spouse becomes entitled to Medicare benefits (under Part A, Part B, or both); or
- You become divorced or legally separated from your spouse.

5 Your dependent children will become qualified beneficiaries if they lose coverage under the Plan because of the following qualifying events:

- The parent-employee dies;
- The parent-employee’s hours of employment are reduced;
- The parent-employee’s employment ends for any reason other than his or her gross misconduct;
- 10 • The parent-employee becomes entitled to Medicare benefits (Part A, Part B, or both);
- The parents become divorced or legally separated; or
- The child stops being eligible for coverage under the Plan as a “dependent child.”

**When is COBRA continuation coverage available?**

15 The Plan will offer COBRA continuation coverage to qualified beneficiaries only after the Plan Administrator has been notified that a qualifying event has occurred. The employer must notify the Plan Administrator of the following qualifying events:

- The end of employment or reduction of hours of employment;
- Death of the employee;
- 20 • The employee’s becoming entitled to Medicare benefits (under Part A, Part B, or both).

**For all other qualifying events (divorce or legal separation of the employee and spouse or a dependent child’s losing eligibility for coverage as a dependent child), you must notify the Plan Administrator within 60 days after the qualifying event occurs. You must provide this notice and proof of the qualifying event to: Human Resources, Attn. Benefits Coordinator, 55 Utley Drive, Camp Hill, PA 17011, or [HRHelpdesk@ucpcentralpa.org](mailto:HRHelpdesk@ucpcentralpa.org).**

**How is COBRA continuation coverage provided?**

30 Once the Plan Administrator receives notice that a qualifying event has occurred, COBRA continuation coverage will be offered to each of the qualified beneficiaries. Each qualified beneficiary will have an independent right to elect COBRA continuation coverage. Covered employees may elect COBRA continuation coverage on behalf of their spouses, and parents may elect COBRA continuation coverage on behalf of their children.

35 COBRA continuation coverage is a temporary continuation of coverage that generally lasts for 18 months due to employment termination or reduction of hours of work. Certain qualifying events, or a second qualifying event during the initial period of coverage, may permit a beneficiary to receive a maximum of 36 months of coverage.

40 There are also ways in which this 18-month period of COBRA continuation coverage can be extended:

***Disability extension of 18-month period of COBRA continuation coverage***

45 If you or anyone in your family covered under the Plan is determined by Social Security to be disabled and you notify the Plan Administrator in a timely fashion, you and your entire family may be entitled to get up to an additional 11 months of COBRA continuation coverage, for a maximum of 29 months. The disability would have to have started at some time before the 60th day of COBRA continuation coverage and must last at least until the end of the 18-month period of COBRA continuation coverage. **You must notify the Plan Administrator and provide certification of the disability from your treating medical provider and forward to: Human Resources, Attn. Benefits Coordinator, 55 Utley Drive, Camp Hill, PA 17011, 717-731-1058 (fax) or email this to [HRHelpdesk@ucpcentralpa.org](mailto:HRHelpdesk@ucpcentralpa.org).**

5 ***Second qualifying event extension of 18-month period of continuation coverage***

If your family experiences another qualifying event during the 18 months of COBRA continuation coverage, the spouse and dependent children in your family can get up to 18 additional months of COBRA continuation coverage, for a maximum of 36 months, if the Plan is properly notified about the second qualifying event. This extension may be available to the spouse and any dependent children getting COBRA continuation coverage if the employee or former employee dies; becomes entitled to Medicare benefits (under Part A, Part B, or both); gets divorced or legally separated; or if the dependent child stops being eligible under the Plan as a dependent child. This extension is only available if the second qualifying event would have caused the spouse or dependent child to lose coverage under the Plan had the first qualifying event not occurred.

15 **Are there other coverage options besides COBRA Continuation Coverage?**

Yes. Instead of enrolling in COBRA continuation coverage, there may be other coverage options for you and your family through the Health Insurance Marketplace, Medicaid, or other group health plan coverage options (such as a spouse’s plan) through what is called a “special enrollment period.” Some of these options may cost less than COBRA continuation coverage. You can learn more about many of these options at [www.HealthCare.gov](http://www.HealthCare.gov).

25 **If you have questions**

Questions concerning your Plan, or your COBRA continuation coverage rights should be addressed to the contact or contacts identified below. For more information about your rights under the Employee Retirement Income Security Act (ERISA), including COBRA, the Patient Protection and Affordable Care Act, and other laws affecting group health plans, contact the nearest Regional or District Office of the U.S. Department of Labor’s Employee Benefits Security Administration (EBSA) in your area or visit [www.dol.gov/ebsa](http://www.dol.gov/ebsa). (Addresses and phone numbers of Regional and District EBSA Offices are available through EBSA’s website.) For more information about the Marketplace, visit [www.HealthCare.gov](http://www.HealthCare.gov).

35 **Keep your Plan informed of address changes**

To protect your family’s rights, let the Plan Administrator know about any changes in the addresses of family members. You should also keep a copy, for your records, of any notices you send to the Plan Administrator.

40 **Plan contact information**

Human Resources, Attn: Benefits Coordinator  
55 Utley Drive, Camp Hill, PA 17011  
717-731-1058 (fax)  
Email: [HRHelpdesk@ucpcentralpa.org](mailto:HRHelpdesk@ucpcentralpa.org)

**FAMILY AND MEDICAL LEAVE ACT EMPLOYEE RIGHTS**

<b>EMPLOYEE RIGHTS UNDER THE FAMILY AND MEDICAL LEAVE ACT</b>
THE UNITED STATE DEPARTMENT OF LABOR WAGE AND HOUR DIVISION

**LEAVE ENTITLEMENTS**

Eligible employees who work for a covered employer can take up to 12 weeks of unpaid, job-protected leave in a 12-month period for the following reasons:

- The birth of a child or placement of a child for adoption or foster care;
- To bond with a child (leave must be taken within one year of the child’s birth or placement);
- To care for the employee’s spouse, child, or parent who has a qualifying serious health condition;
- For the employee’s own qualifying serious health condition that makes the employee unable to perform the employee’s job;
- For qualifying exigencies related to the foreign deployment of a military member who is the employee’s spouse, child, or parent.

An eligible employee who is a covered service member’s spouse, child, parent, or next of kin may also take up to 26 weeks of FMLA leave in a single 12-month period to care for the service member with a serious injury or illness.

An employee does not need to use leave in one block. When it is medically necessary or otherwise permitted, employees may take leave intermittently or on a reduced schedule.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer’s normal paid leave policies.

**BENEFITS & PROTECTIONS**

While employees are on FMLA leave, employers must continue health insurance coverage as if the employees were not on leave.

Upon return from FMLA leave, most employees must be restored to the same job or one nearly identical to it with equivalent pay, benefits, and other employment terms and conditions.

An employer may not interfere with an individual’s FMLA rights or retaliate against someone for using or trying to use FMLA leave, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

**ELIGIBILITY REQUIREMENTS**

An employee who works for a covered employer must meet three criteria in order to be eligible for FMLA leave. The employee must:

- Have worked for the employer for at least 12 months;
- Have at least 1,250 hours of service in the 12 months before taking leave;\* and
- Work at a location where the employer has at least 50 employees within 75 miles of the employee’s worksite.

\*Special “hours of service” requirements apply to airline flight crew employees.

5 **REQUESTING LEAVE:**

Generally, employees must give 30-days' advance notice of the need for FMLA leave. If it is not possible to give 30-days' notice, an employee must notify the employer as soon as possible and, generally, follow the employer's usual procedures.

10 Employees do not have to share a medical diagnosis but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which  
15 FMLA leave was previously taken or certified.

Employers can require a certification or periodic recertification supporting the need for leave. If the employer determines that the certification is incomplete, it must provide a written notice indicating what additional information is required.

20 **EMPLOYER RESPONSIBILITIES**

Once an employer becomes aware that an employee's need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the  
25 employer must provide a reason for ineligibility.

Employers must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

30 **ENFORCEMENT**

Employees may file a complaint with the U.S. Department of Labor, Wage and Hour Division, or may bring a private lawsuit against an employer.

35 The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement that provides greater family or medical leave rights.

For additional information or to file a complaint:

**1-866-4-USWAGE**

(1-866-487-9243) TTY: 1-877-889-5627

40 [www.dol.gov/whd](http://www.dol.gov/whd)

U.S. Department of Labor / Wage and Hour Division

## WORKERS COMPENSATION RIGHTS AND DUTIES

### Pennsylvania Department of Labor & Industry / Bureau of Workers' Compensation

#### WORKERS' COMPENSATION AND THE INJURED WORKER

www.dli.pa.gov

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*This brochure is a general guide for injured workers on the Pennsylvania Workers' Compensation Act for work injuries and illnesses occurring on or after June 24, 1996. This is general information only and does not represent official interpretations of the law. Injured workers are encouraged to discuss questions and concerns regarding the workers' compensation law and the additional options with legal counsel.*

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#### **What is workers' compensation?**

If you sustain a job injury or a work-related illness, the Pennsylvania Workers' Compensation Act, or Act provides payment for your medical expenses and, in the event you are unable to work, wage-loss compensation benefits until you're able to go back to work. Additionally, death benefits for work-related deaths are paid to your dependent survivors.

Benefits are paid by private insurance companies (also includes third-party administrators) or the State Workers' Insurance Fund (a state-run workers' compensation insurance carrier) or by self-insured employers.

#### **Are you covered?**

Nearly every Pennsylvania worker is covered by the Act. Employers must provide workers' compensation coverage for all of their employees, including seasonal and part-time workers. Nonprofit corporations, unincorporated businesses and even employers with only one employee must comply with the Act's requirements.

Some employees are covered by other compensation laws, including federal civilian employees, railroad workers, longshoremen, shipyard and harbor workers. Others who may not be covered include volunteer workers, agricultural laborers, casual employees, domestics and employees who have been granted a personal religious exemption from the Act. Certain types of executive officers of corporations may elect exemption from the Act. A worker should seek further information if there is any doubt as to coverage.

If you learn that your employer does not have insurance or is not self-insured for workers' compensation, you may be eligible for benefits from the Uninsured Employer Guaranty Fund. For details, see our website ([www.dli.pa.gov](http://www.dli.pa.gov)) or call the Bureau of Workers' Compensation, toll free, at 800-482-2383 or locally and outside Pennsylvania at 717-772-4447.

#### **What is covered?**

If your work causes an injury, illness or disease, you may be entitled to WC. No compensation shall be paid when an injury or death is intentionally self-inflicted, or is caused by an employee's violation of the law including, but not limited to, the illegal use of drugs. An injury or death caused by intoxication also may not be covered.

Coverage begins on the date of hire. Medical benefits are payable from the first day of injury; payment of lost wages is addressed on Page 3.

#### **How do I get the benefits?**

*Prompt reporting is the key.* Report any injury or work-related illness to your employer or supervisor immediately. You must tell your employer that you were injured in the course of employment and inform your employer of the date and place of injury. Failure to notify the employer can result in the delay or denial of benefits. Once you have lost a day, shift or turn of work, your employer is required to report your injury to the Bureau of Workers' Compensation by filing a first report of injury.

The employer may choose to either accept or deny the claim. If your claim is denied, you have the right to file a claim petition with the bureau for a hearing before a WC judge.

#### **What are the benefits?**

The law provides several types of workers' compensation benefits:

##### Payments For Lost Wages

Wage-loss benefits are available if it is determined that you are totally disabled and unable to work or partially disabled and receiving wages less than your pre-injury earnings. Please see the Total and Partial Disability Benefits Status section for further information as to disability status.

##### Death Benefits

If the injury results in death, surviving dependents may be entitled to benefits.

##### Specific Loss Benefits

If you have lost the permanent use of all or part of your thumb, finger, hand, arm, leg, foot, toe, sight, hearing or have a serious and permanent disfigurement on your head, face or neck, you may be entitled to a specific loss award.

##### Medical Care

Employers are responsible for advising workers of their rights and duties under Section 306(f.1)(1)(i) of the Act. The written notice of these rights and duties is to be provided to the employee at the time of injury or as soon after the injury as is practicable.

In the event of a work-related illness or injury, you are entitled, if covered under the Act, to the payment of related reasonable surgical and medical services rendered by a physician or other health care provider.

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#### **When am I covered?**



**Page 2**

Medicine, supplies, hospital treatment and services, orthopedic appliances and prostheses are also covered for as long as they are needed. (To assure payment of medical services, see the Choice of Doctor section.) Even if you have lost no time from work, health care costs for a work-related injury or illness are payable at the fee schedule rate. However, an employee may not be charged the difference between the health care provider's charge and the amount paid by the employer or its insurance carrier. In other words, there can be no balance billing to you.

*If you seek medical treatment outside Pennsylvania, you may be subject to the risk of balance billing by the medical provider. You should discuss this with your medical provider prior to initiating treatment.*

**Choice of Health Care Provider**

You are free to choose your own health care provider to treat your work injury unless the employer accepts your claim and has posted in your workplace a list of six or more physicians or health care providers. You are required to visit a provider on the list for initial treatment. You are to continue treatment with that provider or another on the list for a period of 90 days following the first visit. You may see any provider on the list; your employer may not require or direct you to any specific provider on the list.

If a listed provider prescribes invasive surgery, you are entitled to a second opinion that will be paid for by your employer/insurer. Treatment recommended as a result of the second opinion must be provided by a listed provider for 90 days.

If during the 90-day period you visit a provider(s) not on the list, your employer or your employer's insurance carrier may refuse to pay for such treatment. After the 90 days, and in situations where your employer has no posted list or an improper list, you may seek treatment with any physician or other health care provider you select. You must notify your employer of the provider you have selected. During treatment, the employer or the employer's insurance carrier is entitled to receive monthly reports from your physician or provider.

Injured workers should be advised that your health care providers may need information concerning your claim. Some of this information may be contained in correspondence you receive from your insurance carrier, and you may want to provide copies of letters or forms to your health care provider.

Once you begin receiving WC benefits, the employer/insurer has the right to ask you to see a doctor of their choice for examination. If you refuse, the employer is entitled to request an order from the WC judge requiring you to attend an examination. Failure to then attend may result in a suspension of your benefits.

**Occupational Disease**

Occupational diseases under the Act are covered if caused by or aggravated by employment. Your disability must occur within 300 weeks of your last employment in an occupation where you were exposed to the hazard.

For certain lung diseases, you must have worked in an occupation with a silica, coal or asbestos hazard for at least two years in Pennsylvania during the 10 years prior to your disability.

**Total and Partial Disability Benefits Status**

Total Disability Benefits Status

Applies to injured workers for a period during which they are considered totally disabled and unable to work. After 104 weeks of such status, the employer/insurer can require a medical examination to determine if the employee is at least 35 percent impaired based upon his/her work injury according to American Medical Association standards. If the 35 percent threshold is not met, the employee's status can change to partial disability.

Partial Disability Benefits Status

This benefit status is for a maximum of 500 weeks. If, while on partial disability status, you obtain a qualified impairment-rating physician's determination of impairment that is equal to or greater than 35 percent, you may file a petition for reinstatement of total disability status. Partial disability of up to 500 weeks of benefits are paid if you can, or do, return to work at a lower paying job within work-related restrictions or you are found not totally disabled.

**How much are the payments for lost wages?**

Wage-loss benefits are equal to approximately two-thirds of your average weekly wage, up to a weekly maximum. WC wage-loss benefits can be offset for 35 percent of Social Security benefits, the employer-paid portion of a retirement pension, severance pay, unemployment compensation or other earnings the employee receives. The law does not allow for a cost-of-living increase.

There are several different ways to calculate the average weekly wage under the Act. The minimum compensation rate is the lower of 90 percent of the workers' average weekly wage or 35 percent of the statewide average weekly wage.

**Reporting Wages and Other Benefits Received**

Under the Act, any worker who has filed a petition for total or partial disability benefits or who is receiving such benefits is required to report, in writing to the insurer, any information that is relevant in determining entitlement to, or amount of, compensation including, but not limited to, information regarding the receipt of wages from another employer or from self-employment. The worker is obligated to cooperate with the carrier in an investigation of employment, self-employment, wages and physical condition

Workers' Compensation & the Injured Worker is published by the Dept. of Labor & Industry, Bureau of Workers' Compensation, 1171 S. Cameron St., Room 324, Harrisburg, PA 17104-2501

**Employer Information Services:** 717.772.3702

**Claims Information Services:** toll-free inside PA:

800.482.2383; local & outside PA: 717.772.4447

**Hearing Impaired:** PA Relay 7-1-1

**Email:** ra-li-bwc-helpline@pa.gov

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**Page 3**

**Insurance Fraud is a Crime**

The above-mentioned reports and other WC forms must be honestly completed to avoid violating PA fraud provisions.

**When are wage-loss payments made?**

You must be disabled more than seven calendar days (including weekends) before WC payments for disability are payable. Benefits for time lost from work are payable on the eighth day after injury. Once you have been off work 14 days, you receive retroactive payment for the first seven days.

If you report the injury promptly, miss more than seven days of work and your claim is accepted by the insurance carrier, you should receive your first compensation check within 21 days of your absence from work. After that, you will receive a check on a regular basis.

Payments of temporary compensation may be made by your employer or the insurance carrier for up to 90 days, even if your claim is not accepted by your employer or its insurance carrier. If your employer or the company's insurance carrier advises you that it will not continue your temporary compensation checks past 90 days, or if they deny your claim, you have the right to file a claim petition with the Office of Adjudication for a hearing if you believe you are entitled to benefits.

**Offer of Employment**

If, after you begin to receive benefits, your employer has evidence to prove that employment is available to you, within your medical restrictions and in your local area, you may receive an offer of employment.

If you decline the job offer, the employer may then petition a WC judge to either reduce or stop your wage-loss benefits based upon that job. The insurer/employer must continue to pay benefits during the hearing process unless the judge orders otherwise.

In open hearings, the judge will hear and receive medical evidence, both from you and your insurer/employer, on the availability of the work and your ability to do it, before rendering a decision.

**When Wage-Loss Payments Stop**

Wage-loss benefits can be stopped by an employer/ insurer that has evidence that you have returned to work at wages equal to or more than your earnings level prior to the injury and after providing a timely notice of that fact. If you are receiving temporary compensation benefits during the 90 days following the report of injury, the insurance carrier/ employer may notify you they are stopping benefits because they are not accepting the claim of a work-related injury.

Other reasons that benefits may be stopped include, but are not limited to: a WC judge stopped benefits after a hearing; the employee signs either a supplemental agreement or an agreement to stop workers' compensation (commonly referred to as a final receipt); the 500-week period of partial disability status expires.

**What if there is a problem?**

If you think you haven't received benefits that you are due, contact your employer or your employer's insurance carrier. The insurance carrier is allowed 21 days from your notice to the employer of your disability to decide to accept or deny your claim or to make payments of temporary compensation for up to 90 days.

Cooperative communication with your insurance carrier and employer is recommended. If the problem is not resolved, it may be necessary for you to file a petition with the Office of Adjudication. Forms can either be obtained online at [www.dli.pa.gov](http://www.dli.pa.gov) or through the Claims Information Helpline at 800-482-2383. The Office of Adjudication is responsible for resolving disputes by assigning petitions to WC judges who decide each case after holding hearings on the issues.

**Time Limits**

Unless an employer has knowledge of the injury or the employee gives notice to the employer within 21 days of the injury, no compensation is due until notice is given. Notice must be given no later than 120 days after the injury for compensation to be allowed. If your request for WC benefits is denied by your employer or your employer's insurance carrier, you have three years from the date of injury to file a claim petition.

In occupational disease cases, injury/disability must occur within 300 weeks from the date of last employment in an occupation in which you had exposure to a hazard, and a petition must be filed no later than three years from the date of injury/disability.

Failure to file a petition on a timely basis may result in forfeiture of your right to benefits.

If your benefits were terminated, you may file a petition to reinstate WC benefits within three years after the date of your most recent WC check.

If your benefits were suspended, you may file a petition to have benefits reinstated. This petition must be filed within 500 weeks from the date of suspension.

Payment of medical benefits by your employer does not mean that your claim has been accepted or reopened.

**Alternative Dispute Resolution**

In alternative dispute resolution, a WC judge helps the parties settle the case by talking through their differences. Alternative dispute resolution may take the form of mediation, settlement conference or informal conference.

If either you or your employer files a petition with the Office of Adjudication, the WC judge will schedule mediation unless a judge determines it would be futile. If the case does not settle at this mediation, the parties may resume mediation or a settlement conference later in the proceedings. The parties may also request mediation or a settlement conference later in the proceedings if the judge had previously found mediation to be futile.

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You may also request an informal conference to try to resolve your issues. If you are not represented by an attorney at an informal conference, your employer is not entitled to be represented either. Informal conference forms are available online at [www.dli.pa.gov](http://www.dli.pa.gov) or through the Bureau of Workers' Compensation Claims Information Helpline at 800-482-2383.

**Do I need an attorney?**

You may represent yourself in WC proceedings, but a non-attorney cannot represent you. However, you should be aware that WC litigation is complex, and your employer or your employer's insurance carrier will be represented by an experienced attorney. If you hire an attorney, you should discuss fee and cost arrangements. The fee agreement must be approved by a WC judge or the Workers' Compensation Appeal Board. Your local bar association, or the Pennsylvania Bar Association's Lawyer Referral Service at 800-692-7375, can help you find an attorney.

**Appeals**

WC judge decisions can be appealed to the Workers' Compensation Appeal Board and then to Commonwealth Court. You will be informed of appeal rights upon receiving the WC judge's decision.

**Other Benefits**

If the injury is a very serious one where you won't be able to work for a year or more you may be eligible for additional disability benefits from Social Security. For information, visit the Social Security Administration's website at [www.socialsecurity.gov](http://www.socialsecurity.gov) or contact your nearest Social Security Administration office.

**General Information**

If you require a special accommodation to participate in a hearing due to a physical impairment, or need a sign language interpreter or an interpreter for your own language other than English, without cost, request one online at [www.dli.pa.gov](http://www.dli.pa.gov) or contact the Bureau of Workers' Compensation Helpline and describe the accommodation:

Email: [ra-li-bwc-helpline@pa.gov](mailto:ra-li-bwc-helpline@pa.gov)

Helpline voice telephone numbers:

toll free in Pennsylvania: 800-482-2383

local and outside Pennsylvania: 717-772-4447

Only people with hearing loss: PA Relay 7-1-1

You may also ask your employer or supervisor for information on WC or contact your employer's WC insurance carrier, your union or an attorney.

The WC Act is available on the department website at [www.dli.pa.gov](http://www.dli.pa.gov).

*Auxiliary aids and services are available upon request to individuals with disabilities.  
Equal Opportunity Employer/Program*

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**ACKNOWLEDGEMENT PAGE**

**EMPLOYEE HANDBOOK ACKNOWLEDGEMENT AND RECEIPT**

**I have received my copy of the Employee Handbook.**

The Employee Handbook describes important information about UCP, and I understand that I should consult with my Supervisor or the Human Resources Department regarding any questions not answered in the Employee Handbook. I have entered into my employment relationship with UCP voluntarily and acknowledge that there is no specified length of employment. Accordingly, either I or UCP can terminate the relationship at will, with or without cause, at any time, so long as there is no violation of applicable federal, state, or local law.

This Employee Handbook and the policies and procedures contained herein supersede any and all prior practices, oral or written representations, or statements regarding the terms and conditions of my employment with UCP. By distributing this handbook, UCP expressly revokes any and all previous policies and procedures that are inconsistent with those contained herein.

I understand that from time to time UCP may need to add, delete, change, or otherwise amend the information contained in this handbook and may do so without advance notice. UCP will inform me within a reasonable period of time when these material changes are made. The most current version of the handbook will be maintained electronically, and will be available on the ADP Employee Portal.

**I understand and agree that (i) nothing in the Employee Handbook creates, or is intended to create, a promise or representation of continued employment and (ii) that employment at UCP is employment at will, which may be terminated at the will of either UCP or myself. Furthermore, I acknowledge that this handbook is not a contract of employment.**

I have received the Employee Handbook, and I understand that it is my responsibility to read and comply with the policies contained in this handbook and any revisions made to it.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Employee's Name (Print)

\_\_\_\_\_  
Date

**EMPLOYEE HANDBOOK COPY  
DUPLICATE SIGNED/DATED FORM TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE**