

Lincoln County Health System

Employee Handbook

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Welcome to Lincoln County Health System

We are pleased to have you on the Lincoln County Health System's Staff.

We sincerely hope that your duties will bring you the feeling of satisfaction and sense of individual worth shared by others in the Health Care Field. The Lincoln County Health System takes great pride in the knowledge that it has been served by loyal, dedicated employees who have placed the care and welfare of its patients and clients above all else.

This handbook has been prepared for you to outline the policies, procedures & practices that affect your employment at Lincoln County Health System are important. Each of us has a unique contribution to make toward providing high quality of care for our patients and clients.

Welcome!

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LINCOLN COUNTY HEALTH SYSTEM

Affiliates: Lincoln Medical Center, Hospital Home Health, Lincoln Medical Center EMS, Lincoln & Donalson Care Centers, Donalson Assisted Living, Patrick Rehab/Wellness, and Lincoln Skill Care Center.

Introduction

Lincoln County Health System is a comprehensive health care organization, which is accredited by the Joint Commission Accreditation of Health Organizations.

The Health System includes a 49-bed acute care hospital, two nursing homes totaling 270 beds (which provides skilled and long term care), Patrick Rehab/Wellness Center, Hospital Home Health & Hospice, and Lincoln Medical Center EMS. The health system is owned and operated by Lincoln County, Tennessee.

The hospital began operation on North Elk Avenue, April 25, 1917, with 20 patient beds. In the early 1930's, the county purchased the Bryson College Property. This property included two main buildings; one used for patients (35 beds) and the other was used as a dormitory to house nurses. The building was completed in 1949 using Hill-Burton and local funds. In 1960, the east wing with a total of 110 beds was completed without Hill-Burton Funds. A new laundry was built in 1964; a new nurse's residence was built in 1965 and the old dormitory was demolished. A new warehouse was built in 1967, and the last Bryson building was torn away. The new south & west wings were completed in 1969, again using Hill-Burton and local funds.

In 1974, the Emergency Care Unit was enlarged, and the Intensive Coronary Care Unit was opened on the second floor, east wing. The physical therapy department moved to the east basement and was greatly enlarged. In 1975, the new pharmacy was completed. A construction program began in April 1979, which included a new laboratory, a new coffee shop, additional x-ray and storage area, a new admitting and discharge area, additional business office area, expanded lobby and new front entrance, and a new canopy adjoining the entrance to the new admitting office to protect patients entering and leaving the hospital.

In January 1987, a CT Scanner room was added to the southeast admitting & discharge area. All additions & improvements since 1974 have been made with hospital funds only.

The Lincoln County Home for the Aged and Lincoln Care Center was opened on December 6, 1961. In 1966, the first addition was completed. In 1976, a second addition was added bringing the total bed capacity to 127. The Care Center was further improved in 1981 with the addition of a new dietary department. Dr. L. M. Donalson organized Donalson Hospital, a Hospital for black Lincoln Countians, in 1936. It was privately owned and operated and was the only Hospital of its kind within an 80 mile radius of Fayetteville.

The old Donalson Hospital was destroyed by a tornado on February 29, 1952. Unable to rebuild, the property was deeded to Lincoln County and a new hospital was constructed on the site. Operations continued with the name Donalson Hospital with Dr. Donalson serving as Administrator. The County Court appointed a special board to oversee the operations of the Hospital. Both Lincoln and Donalson Hospitals were integrated in the early 1960's. Donalson Hospital was converted to a nursing home July 1, 1971.

The County Court merged the two hospital boards in October 1971 and made the newly renovated Donalson Care Center a unit of Lincoln Regional Hospital. In November 1972, the County Court transferred the Donalson unit to Lincoln Care Center and combined the 164 nursing home beds, management and supervision. In 1984, state regulations allowed 14 beds to be added to the Care Centers. In November 1986, four more beds were added to Lincoln & Donalson Care Centers for a total of 182 ICF beds. In March 1989, the new Donalson Care Center, a 78-bed replacement for the old Donalson Care Center was opened on the Winchester Highway. The new Care Center combines the best of modern technology and top rate care with quaint, country charm. A 10-bed unit was added in 1991, and an additional 6 beds were added in 1992.

On August 3, 1978, a new Board of County Commissioners (24 member body) was elected to replace the County Court (32 member body). In special session on September 15, 1978, the board of commissioners abolished some committees, combined others, and changed the size or number of members to serve on the committee. The Lincoln Regional Hospital committee & the Lincoln/Donalson Care Centers committee were combined into a five-member committee known as the Lincoln County Health Facilities Committee. This committee became the governing body of the hospital, ambulance service & the Care Centers.

In January 1980, the County Commissioners added an additional committee member who was to be a doctor from the hospital medical staff and to be appointed by the Commissioners. Members are appointed for terms of three years unless appointed to replace someone who has not completed their term. In that event, the member appointed serves out the term of the member replaced.

Hospital Home Health was established in November 1983 when the hospital recognized the need for continued care after hospitalization. Nursing, physical therapy, occupational therapy, speech therapy, and personal care services are available to the homebound in Lincoln County, as well as surrounding counties.

April 1985 marked the opening of the 37-bed Lincoln Skill Care Center, which was built adjacent to the Lincoln Care Center. A new lobby, pharmacy, nursing station, and physical therapy department were included in the construction of the Skill Care Center.

The Ambulance Service was established September 1, 1972, in order to provide a service for the citizens of Lincoln County to meet new state and federal guidelines. The service began operations with 11 employees under the direction of the administration of Lincoln Regional Hospital to be funded by the County Court. A radical change in funding by the County Court in 1979 caused the Ambulance Service to be subsidized by the hospital rather than local tax revenue. On July 1, 1983, Lincoln County Ambulance Service became known as Lincoln Regional Emergency Service.

In January 1990, the ambulance service graduated from a “C” classification to an “A” classification. This classification requires that at least one paramedic answer 90 percent of calls and that training and equipment are current.

Patrick Rehab/Wellness Center, which was added to the Health Facilities in 1989, is a comprehensive Rehabilitation and Wellness Center encompassing outpatient physical and occupational therapy, speech therapy, and a complete wellness program. Members of the wellness program enjoy the lap pool, basketball court, track, aerobics area, weight rooms, exercise bicycles, and much more. Therapy patients can be assured that with their physician referral to Patrick Rehab/Wellness, they are receiving the best treatment available.

September 10, 2001, marked the opening day for Lincoln Medical Center, a replacement facility for the former Lincoln Regional Hospital. (Concurrently, Lincoln County Health Facilities changed in name to “Lincoln County Health System.”) The Lincoln Medical Center campus boasts a 49-bed acute care hospital facility, a laundry building, an Emergency Medical Services building, and Lincoln Medical Plaza—an office facility utilized by resident physicians and part-time specialty physicians.

The opening of Lincoln Medical Center marked a new age for health care in Lincoln County. All aspects of the facility are state-of-the-art, including, but certainly not limited to, an FAA approved helipad and a pneumatic tube system within the hospital. The construction of the new hospital facility involved years of strategic planning resulting in expanded and efficient space utilized by all departments.

Departments that before were small and difficult to maneuver are now enlarged and exhibit an efficient footprint. For example, the Emergency Department is now located at the front of the building, allowing immediate access to the department. Further, Diagnostic Imaging has increased its size by five times which includes much new equipment and a new MRI machine. The surgical department has expanded with 2 large operating rooms, and an entire area dedicated to outpatient day surgery. The Intensive Care Unit has increased to six beds that are all easily viewed from the central nurses’ station. The Obstetrics Department now has five home-like LDRP (labor, delivery, recovery, postpartum) rooms that allow our new moms and their family to enjoy a more home-like environment during their stay.

LINCOLN COUNTY HEALTH SYSTEM

MISSION STATEMENT

The mission of Lincoln County Health System is to provide a continuum of primary health care services to the people of Lincoln County, and the surrounding counties.

Lincoln County Health System will provide, maintain and operate a general, acute care community hospital. The Hospital will provide medical, surgical, pediatric, and obstetrical hospital care, emergency services, and supporting diagnostic and therapeutic services for inpatients and outpatients. Lincoln County Health System will also provide, maintain, and operate Intermediate Care Health System & Skilled Nursing Facilities, Assisted Living, Home Health, Hospice, Ambulance Services, Wellness and Rehabilitation services.

Lincoln County Health System will work with consumers, other health care providers and agencies to promote the general health of the people of Lincoln County and surrounding counties. It will sponsor and/or participate in the delivery of health education, prevention, detection, and rehabilitation services.

Lincoln County Health System seeks to provide services which are economically viable, meet identifiable community needs, and can be offered in such a way, and in such numbers as to meet recognized quality standards.

Lincoln County Health System will provide, respect, and support the right of our customers to optimal pain assessment and management. We believe that optimal management of pain enhances healing and promotes both physical and psychological wellness.

Lincoln County Health System is committed to promote patient safety and dignify the use of restraints. As a last resort, restraints are to be used in emergencies based upon individually assessed needs. When they are used, the patient's health and safety are protected while preserving his/her dignity, rights, and well-being.

Lincoln County Health System operates a not-for-profit Health System governed by the Lincoln County Health System Committee appointed by and responsible to Lincoln County Commissioners. As an institution with a public trust, Lincoln County Health System seeks to use resources prudently and efficiently, and manage its affairs in such a way as to preserve the long-term viability of the institution.

Revised & Adopted by LINCOLN COUNTY HEALTH SYSTEM COMMITTEE

**January 21, 1992;
Rev. 1/9/95; Rev. 8/29/97
R/R 4/2000; Rev. 3/2001
Reviewed 1/07
Reviewed 7/08**

LINCOLN COUNTY HEALTH SYSTEM

In order to achieve our Vision; we promote these Values:

- ⇒ **People** - We value all people - Those we serve and those with whom we work. We encourage people to express ideas and consider suggestions from others. We work together as a team and treat each other with respect.
- ⇒ **Service** - We value listening, caring and being sensitive to the needs of others. We respond to patients, family members, each member of the health care team, and all others we may serve, in a manner that clearly indicates our desire not only to meet their needs, but also to exceed their expectations.
- ⇒ **Communications** - We value continuously improving effective communications within the organization and with all the public served by members of our team.
- ⇒ **Continuous Improvement** - We value continuously improving upon everything we do to achieve excellence in performance. This continuous improvement applies to people as well. We encourage personal growth and learning for all members of our team.
- ⇒ **Resource Use** - We value our resources and recognize that we will fulfill our mission only if we successfully manage our financial and other resources. Therefore, we actively create innovative, cost-effective systems throughout the organization to continuously improve the management of all resources used.

Revised: 9/97 SL/rw
R/R 2/01
R/R 2/04
Reviewed 1/07
Reviewed 7/08
Revised 3/09/kc

VISION STATEMENT

Lincoln County Health System will exceed our community's expectations by providing quality health care, which is progressive, accessible and customer driven, in an environment that is sensitive to people.

**Board Approved 11/17/92
Rev. 1/9/95; Rev. 8/29/97
Rev. 2/01
Reviewed 1/07
Reviewed 7/08**

ACKNOWLEDGMENTS

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BOARD OF TRUSTEES

Clayton Wilson, Chairman
Mike Brown, Vice-Chairman
Moody Bradley
Ann Bankston, Secretary
Dr. Larry Barnes

Disclaimer Statement

This handbook is not intended as a contractual obligation of the Lincoln County Health System. The Company reserves the right to amend the Handbook from time to time at its discretion, and in accordance with applicable laws.

I understand that I have the right to terminate employment at any time and, that the Health System retains the same right and either is free to do so at will.

HANDBOOK PURPOSE, ORGANIZATION AND USE

1. Purpose of the Handbook.

This handbook is intended to provide employees with a general understanding of the personnel policies at Lincoln County Health System. The personnel policies in this handbook supersede & replace all prior published or unpublished policies.

The information in this handbook should be helpful in familiarizing employees with the Health System. This handbook, however, cannot anticipate every situation or answer every question about employment. Neither this handbook nor any provision in this handbook constitutes a contract of employment or any other type of contract. The Health System must demonstrate flexibility in the administration of policies and procedures without notice when such action is deemed necessary by the Health System.

2. Organization.

This handbook is organized into the following major sections:

- I. Hiring & Employment Policies
- II. General Conduct
- III. Hours of Work & Absences
- IV. Wage & Salary Administration
- V. Employee Benefits
- VI. Procedural Policies
- VII. Employee Conduct & Discipline
- VIII. Ambulance Service - Specific
- IX. Table of Employee Benefits
- X. Drug-Free Workplace Policy
- XI. Non-Discrimination & Harassment Policy
- XII. Policy on Workplace Violence
- XIII. Acknowledgment Page

3. Distribution/Maintenance

A master file of the handbook will be maintained by the Human Resources Department who will be responsible for distribution/reviewing the handbook. Employees will be individually responsible for properly maintaining the handbooks issued to them and will be expected to return their handbooks should they leave the Lincoln County Health System.

4. Development & Implementation of Policies & Procedures for inclusion in the Handbook.

The Health System management will approve all policy statements and will signify approval by initial on the master file.

I.

**HIRING
&
EMPLOYMENT
PRACTICES**

I. HIRING & EMPLOYMENT POLICIES

It is the policy of the Health System to:

Staff its Health System with the best qualified personnel available in such numbers as are required to meet the demand for services consistent with the availability of such personnel & consistent with the availability of such personnel and consistent with the Health System budget.

Place employees in those positions, which will best utilize their abilities, education, and experience, consistent with the needs of the Health System.

Provide opportunities to qualified employees to apply for, and be considered for vacancies by lateral transfer and/or promotion.

Require minimum age at employment for regular full-time employees to be 18.

A. Policy on Non-Discrimination

Lincoln County Health System is an equal opportunity employer in all areas of employment. We do not discriminate on the basis of race, color, religion, sex, age, national origin, ancestry, persons with disabilities, or veteran status.

In compliance with the provisions of all applicable state, federal civil rights law, and American with Disabilities Act, every effort will be made to employ the most qualified individuals without regard to the above factors. Equal opportunity and equal consideration will be given to all applicants and employees in personnel actions, which include recruiting and hiring, selection for training, promotion, demotion, discipline, job accommodation, accommodation transfers, rates of pay, or other compensation, transfer, termination, recalls, social and recreational programs.

Additionally, it is, and shall continue to be, our policy to provide promotion and advancement opportunities in a non-discriminatory fashion.

B. Immigration & Naturalization

In compliance with the Immigration Reform and Control Act of 1986, Lincoln County Health System requires all newly hired employees to present documented proof of identify and eligibility to work in the U.S. Employees will be required to furnish this information within three working days of hire date. You may not continue employment without these identification documents.

C. **Employment of Relatives**

The hiring of relatives of current Health System employees is discouraged. However, employment of relatives, including spouses will be reviewed on a case-by-case basis, subject to the limitations as outlined below:

1. Such employment must not place the employee under the direct management or supervisory authority of a relative.
2. If one family member is presently employed in a position of financial responsibility, the employment of a relative within the financial area will not be permitted.
3. Relatives may not normally work in the same department of the Lincoln County Health System .
4. Relatives of the CEO, or each Health System Administrator or Controller shall not be employed by the respective Health System unless approved by the Trustees.
5. For purposes of this section, relative is defined as parent, child, aunt, uncle, niece, nephew, brother, sister, spouse, grandparent or grandchild of the employee or his/her spouse, or any other relationship that, in the Health System opinion could cause conflict.
6. The limitations described above shall not affect the retention of current employees whose relatives are also employees of the Health System or current employees who should marry. In these cases, transfers may be made to other positions within the Facilities. Existing cases at the time of this handbook revision shall be referred to the Human Resources Department & the CEO.

D. **Elements of the Employment Program**

The following definitions & descriptions are provided to facilitate a thorough understanding of the employment process at Lincoln County Health System.

1. **Employment Program.** The employment program consists of recruitment, selection, and placement actions related to the staffing of new or current positions within the Facilities.
2. **Recruitment.** The action taken to attract applicants to seek employment.
3. **Selection.** Selection involves devices & techniques of completing an application form, interviews, testing (if applicable), and reference checks. Selection is completed when the selecting official designates, from among the

applicants for the position, the applicant to fill the position. Reference checks will normally be obtained by the Personnel Department. The Administrator will obtain reference checks for Department Manager positions with assistance from the Human Resources Department. All reference checks will be documented and retained in the employee's personnel file. The appropriate Department Manager or the Human Resources Manager will contact applicants selected to fill positions at the Health System by mail. Acceptance of the position should be in writing. All positions and job categories will have a written criteria based job description with identified essential job functions.

4. **Placement.** Placement consists of efforts taken to:
 - a. Orient the new employee to the general philosophy of the health Facilities, its personnel policies & procedures, its rules and regulations, and the other pertinent conditions of employment.
 - b. Introduce the employee to the position, fellow employees, the work environment and the work assignment.
 - c. The employee's Supervisor is responsible for assuring that new employees complete the orientation program.

5. **Types of Employment.** All employees of the Health System are employed for an indefinite term.
 - a. **Regular Full-Time Employees.** A regular full-time employee is one who is so classified and scheduled a minimum of 36 hours per week based on the Health System work schedule for departments working twelve (12) hour shifts and 40 hours/week for all other shifts, and policies as posted on a regularly scheduled basis, and whose employment is of no definite term.
 - b. **Regular Part-Time Employees.** A regular part-time employee is one who is so classified and scheduled to work less than the 36 hours a week based on the Health System work schedule and policies on a regularly scheduled basis and whose employment is of no definite term.
 - c. **Temporary Full-Time or Temporary Part-Time.** A temporary full-time or temporary part-time employee is one whose work assignment is expected to be of limited duration. Temporary employees are not guaranteed employment for the duration of this work assignment & whose employment is for an indefinite term. Temporary employees are not entitled to any benefits of the Health System.

6. **Re-Employment.** All former employees may be considered for re-employment. Re-employment will be based upon previous work performance, supervisory recommendation documented at the time of prior termination from the Health System, subsequent work record, and other job-related factors.

Former employees who are re-hired shall be considered new employees for the purposes of calculating length of service, paid-time-off, and other employee benefits.

Veterans of military service will be re-employed in accordance with applicable law.

7. **Change in Status.**

It is important that the Health System keep an accurate record of each employee's personal status. Any change in address, telephone number, marital status, dependents, change of beneficiary, or level of education should be immediately reported to the Human Resources Department. This is important for many reasons, but it is especially important for each employee, as unreported changes in dependency status, which affects the employee's insurance program, might cause the insurance to be declared invalid in the event of a claim.

8. **Promotion.**

We encourage the promotion of qualified individuals who have completed at least six months of employment. Promotion is defined as the internal movement of an employee to a position of higher compensation and/or responsibility. Consistent with its commitment to fill positions with the most qualified applicant, the Health System attempts to promote from within its own ranks whenever possible.

9. **Transfer.**

Transfer is defined as the internal movement of employees subject to their option and their acceptance by the receiving unit/department. Employees will receive the compensation and benefits prescribed for the position to which they are transferred. Initial and subsequent transfers may only be requested after six months in any one position. These will be reviewed on a case-by-case basis. A transferred employee will enter a 90-day orientation period in the new position.

10. **Demotion or Re-Assignment.**

Re-assignment or demotion is defined as the internal movement of an employee at the discretion of Administration and/or appropriate Department Manager to another position within the Health System. This re-assignment or demotion may be to a regular or temporary assignment. Compensation and benefits will be commensurate with the job.

Lincoln County Health System reserves the right to assign or transfer any employee to any job or position on any shift in order to fill its needs in providing its patients the best possible care.

11. **Position Vacancy Listing.**

A position vacancy listing is the written notice of the existing vacancy of a new or previously published position. Position vacancy listings will be issued by the Human Resources Department and posted on employee bulletin boards. A copy will also be available in the Human Resources Department. Position vacancy listings will provide pertinent data regarding the vacant position, including who to contact and how to apply. Whenever possible, position vacancy listings will be posted in the Health System prior to external advertising for three (3) days.

12. **Employment Date.**

Employment dates are defined as follows:

- a. **Employment Date** – An employee’s employment date is the latest date that employee was hired or re-hired by the Health System .
- b. **Service Date** - An employee’s service date reflects his/her length of service with the Health System . An employee who has not had a break in service will have a service date identical to his/her employment date. Full-time employees who have taken 5 or more days off without pay in a calendar year will have their service date adjusted by the length of time they were off. The service date is used to determine length of service and eligibility for certain employee benefits.
- c. **Evaluation Date** - the Department Manager or Supervisor will evaluate the performance of all employees after the 90-day initial employment period and then periodically. Evaluations will be done on criteria-based job descriptions. Participative feedback is encouraged.

13. Maintenance of Professional Staff.

The Health System is obligated to assure adequate quality care to our patients by maintaining an adequate professional staff. When an employee states that he/she is seeking employment elsewhere, the Health System reserves the right to seek a replacement for that position immediately.

E. Initial Period of Employment.

The first 90 calendar days of an employee's employment is referred to as the initial employment period. This shall serve as a period during which new employees are assisted in their adjustment to the work environment, and their performance is closely observed and evaluated. This is also the time during which a thorough employee orientation is conducted by the employee's Department Manager or supervisor and the Human Resources Department. An employee will always be held accountable for his/her performance (not just in the first 90 days). New employees may request and be given time off without pay for death in the family that may occur during the initial employment period. During the initial orientation period, or at any time during employment, you may resign, or the Health System may release you as employment may be terminated at will of either the employer or the employee.

1. Orientation.

a. **Department Orientation** - The first several days the new employee is on the job are to be used by the Department Manager or Supervisor as a period of orientation. The Department Manager or Supervisor is responsible for reviewing the personnel and departmental policies and procedures with the new employee. The Orientation Checklist will be maintained in the personnel file.

b. **Health System Orientation** - Within the first month of employment, all new employees will be required to attend a System-wide orientation program. An Orientation Checklist (available from the Human Resources Department) will be utilized to promote thorough coverage of information. This orientation will cover such areas as benefits, personnel policies, fire and safety plan, hospital organization, body mechanics, hazardous waste management, etc. Human Resources Department will coordinate this orientation.

2. **Employee Health Program** - In order to protect the health of employees and patients, the Health System require minimum health tests to be performed on all applicants including contract employees who accept an offer of employment. The following tests will be required within the first 14 days of orientation period:

<u>Test</u>	<u>Schedule</u>
Skin Test	Initial
Chest X-Ray	Initial
Physical Assessment	Initial
Rubella Titer	All except Care Centers
Hepatitis B Vaccine	Optional "High Risk Areas"

These tests will be performed at the expense of the Health System. The results of the tests will be kept on file in the employee's medical file. Any results found not to be in normal range will be referred to the employee's personal physician. Other tests may be required by State or other regulatory agencies. Each Health System will advise employees on particulars in this regard.

Annually thereafter during the month of their anniversary date of employment, employees may be required to have a skin tuberculin test (PPD) done and documented in their file. This test will be performed at the expense of the Health System.

Failure to comply with this policy may result in disciplinary action as outlined elsewhere in the manual.

In the event that health problems are detected prior to employment or within the 90-day initial period of employment, it will be fully documented in the post-hire pre-placement examination. The Health System can deny employment if such health problems would create a significant threat to self or the safety and welfare of patients or other employees in performance of the job.

3. License and Registration.

Each employee whose position requires a license by the State of Tennessee or registration by a professional society is responsible for keeping such licenses of registration current. Employees eligible for a license or registration who have not yet taken their first examination must take the first available test for their specialty of employment. If failure to successfully pass an examination should cause the employee to lose permit or license, the employee will be immediately re-classified to a non-registered or non-licensed status if such position is available. Pay will be commensurate with position. In the event an employee does not pass the initial examination, he/she may receive a second opportunity to do so.

II.

GENERAL CONDUCT

II. GENERAL CONDUCT

A. Ethics.

All persons who work in the Health System share in the responsibility of observing a code of ethics. This code of ethics requires truthfulness, honesty, and integrity in all human activities. Furthermore, all Health System employees share to some degree in the responsibility of observing the code of ethics that regulates the activities of physicians and nurses. In general, the following applies to all Health System employees:

1. Physicians have the training, primary responsibility and legal right to diagnose and treat human illness & injury.
2. An employee's conduct in his/her private, as well as professional life should be consistent with the responsible image that the Health System wants to project to patients, visitors, and the general community.
3. Employees are not to burden patients or other employees with their personal problems.

B. Confidentiality.

1. Patients - It is the policy and obligation of the Health System to keep in strict confidence all information that pertains to any patient and any patient's affairs. Every person employed in any position in the Health System shares this obligation. Therefore, information regarding the diagnosis, condition, and treatment of patients is confidential and may be disclosed only by persons specifically authorized to do so. Nonmedical information of a personal nature is equally confidential. Careless discussions of patient health information by employees may jeopardize the patient and the Health System. Any employee found to have violated the confidentiality of patient information is subject to disciplinary action.
2. Other Employees/Individuals - The confidentiality of all Health System business, employee relations, and employee-medical staff relations, should be respected and treated with the same degree of confidentiality as information regarding patients.

- C. Public Information - All employees are directed not to give out information about any patient's condition to anyone without specific authorization as outlined below. To do so may involve both employees and the Health System in legal action. The CEO, Administrator or Designee, Director of Nursing and Marketing are the only individuals authorized to release public information.

1. Inquiries from friends and relatives are to be directed to the nursing station.
2. Inquiries from newspapers, radio and television stations, and other sources of public information are to be referred to the CEO, Administrator or designee.
3. Inquiries with regard to the Health System diagnostic services should be referred to the Supervisor of that activity.
4. Calls received by the Business Office concerning patients will be referred to the Nursing Office.
5. Employees should not become involved in discussions about insurance of any type with patients or visitors. Insurance programs are frequently very complex. Any matter concerning insurance should be referred to the Business Office.

D. Appropriate Attire & Grooming.

1. **Attire** - Personal cleanliness and appearance are important factors in the Health System because of impressions given to patients and visitors and because of the need to preserve sanitary conditions. Neatness and good taste in dress are expected of all employees. The Health System requires that personnel in certain classifications while on duty wear regulation uniforms. Department Managers and/or Supervisors are responsible for informing new employees when uniforms are required for their classification. All employees are expected to keep their clothes or uniforms clean, neatly pressed, and in good condition at all times. Employees must follow the specific dress code adopted by the Department in which they work.
2. **Grooming** - Employees are expected to be properly groomed. A copy of the dress code will be given to all employees, and a signed copy will be kept in the Personnel file.
3. **Name Badge** - Each employee is expected to wear a name badge designated by the Health System. The Health System will purchase one name badge for the employee. Should the employee request another name badge, he or she will be expected to pay for it. The Health System will replace broken or faded out name badges, provided the old badge is turned in to the Human Resources office.

E. Courtesy (Guest Relations).

Every employee of the Health System is in the business of public relations. To the public and the patients, the employee represents the Health System. Courtesy and consideration is necessary, therefore, not only in dealings with patients, but also in contact with visitors and the general public. This is also important in telephone communications.

All patients, visitors, employee and medical staff shall be addressed in a manner according to their desire.

Telephone Courtesy - Employee courtesy in using the telephone can make friends for the Health System and make work more pleasant. In using the telephone, employees should keep in mind the following rules:

- a. Employees are to answer properly and promptly using the script, which has been developed: “Department, Name, and May I help you?”
- b. Give accurate and careful answers.
- c. Transfer calls tactfully.
- d. Always say “please” and “thank you”.
- e. Use a helpful and pleasant tone of voice at all times.
- f. Hang up gently.

Personal Phone Calls:

- a. Personal phone calls, including cell phone and text messages are to be kept to a minimum. Thought should be given to the fact that this is a professional working environment. Personal calls are not to interfere with the work to be done.
- b. Phone use may be controlled by the Supervisor/Department Head for the area.
- c. Personal calls may be made when the employee is on break, except for cases of emergency.
- d. Cellular phones are not to be used in patient care areas at any time.
- e. Turn cellular phones OFF, or set to “SILENT” upon entering the building.
- f. Cellular phones are to be used only during scheduled breaks and/or lunch periods.

F. Resolution of Conflict.

Employees should not disagree among themselves in the presence of patients, visitors, or in any public area. Employee disagreements should be resolved in a private area.

G. Smoking and Use of Tobacco by Employees.

Employees may not smoke or use tobacco products in the presence of patients, visitors, nor the general public in any area not specifically designated as a “Smoking Permitted Area”. Smoking and use of tobacco products in designated areas may be permitted as outlined in the Health System smoking and tobacco products policy.

H. Gratuities and Solicitation.

1. **Gratuities** - Employees are not permitted to accept tips for services. Gifts such as candy and flowers may be accepted, as a courtesy to patients or visitors, on behalf of the entire unit or department. Gifts of major costs are not to be accepted by employees or managers.

All employees are discouraged from accepting favors or gifts or entertainment for himself/herself or for any member of his/her family or household which are substantial enough to influence his/her selection of goods or services for the Health System, or to influence his/her judgment in otherwise representing the Health System.

Acceptance of perishable or other gifts of a nominal value or reasonable personal entertainment is not improper, but care must be exercised to be sure that continuation of such matters does not gradually build up into an embarrassing obligation.

In the case of gifts that are of a substantial nature, these should be returned to the donor with the explanation that the Health System's policy does not permit acceptance.

2. Solicitation.

To avoid disruption of health care operations or disturbance of patients, the following rules apply to solicitation and distribution of literature on the Health System's property.

Outsiders. Persons not employed by the Health System may not solicit or distribute literature on Health System property at any time, for any purpose.

Employees of the Facilities. Employees of the Health System may not solicit at any time for any purpose in immediate patient care areas, such as patient's rooms, operating rooms, and places where patients receive treatment, such as X-Ray and therapy areas, or in any other area that would cause disruption of health care operations or disturbance of patients, such as corridors in patient treatment areas and rooms used by patients for consultations with physicians or meetings with family or friends.

Working time does not include break periods and meal times, or other periods during the workday when employees are not properly engaged in performing their work tasks. Working time includes the working time of both the employee doing the soliciting or distributing and the employee to who the soliciting & distributing is directed.

Employees may not distribute literature during working time or in working areas for any purpose. Working areas are all areas in the Health System, except cafeterias, employee lounges, lobbies & parking areas.

I. Personal Use of Health System Property.

Health System property is for the exclusive purpose of the proper functioning of the Facilities. No employee is to use Health System property, machinery, or equipment for personal or personal business purposes. Employees are not permitted to remove Health System property from the premises, nor may they borrow Health System property for even short periods of time for personal use. Computer and email systems, all communications and information transmitted, received or stored, are the property of Lincoln County Health System. See policy on Workstation Use, Computer & email systems.

Reasonable amounts of personal copies would be allowable providing employees make arrangements to pay, as outlined in the Health System's copying policy.

J. Bulletin Boards.

Health System bulletin boards are located in strategic areas throughout the building. In addition, bulletin boards are maintained in each department for departmental information. Employees should review bulletin boards daily for pertinent Health System or departmental information. Bulletin boards are for official Health System communication. Separate bulletin boards will be maintained in employee designated areas for display of personnel items or notices. Material posted on bulletin boards shall be subject to administrative approval.

III.

TENNESSEE FALSE CLAIMS ACT POLICY

III. TENNESSEE FALSE CLAIMS ACT POLICY

PURPOSE: The purpose of this policy is to comply with certain requirements set forth in the Deficit Reduction Act of 2005 with regard to federal and state false claims laws.

POLICY: Lincoln County Health System must ensure that all employees, including management, and any contractors or agents are educated regarding the federal and state false claims statutes and the role of such laws in preventing and detecting fraud, waste and abuse in federal health care programs.

FALSE CLAIMS LAWS

One of the primary purposes of false claims laws is to combat fraud and abuse in government health care programs. False claims laws do this by making it possible for the government to bring civil actions to recover damages and penalties when healthcare providers submit false claims. These laws often permit qui tam suits as well, which are lawsuits brought by lay people, typically employees or former employees of healthcare facilities that submit false claims.

There is a federal False Claims Act and a Tennessee version of the False Claims Act. Under the federal False Claims Act, any person or entity that knowingly submits a false or fraudulent claim for payment of United States Government funds is liable for significant penalties and fines. The fines include a penalty of up to three times the Government's damages, civil penalties ranging from \$5,500 to \$11,000 per false claim, and the costs of the civil action against the entity that submitted the false claims. Generally, the federal False Claims Act applies to any federally funded program. The False Claims Act applies, for example, to claims submitted by healthcare providers to Medicare or Medicaid.

One of the unique aspects of the federal False Claims Act is the "qui tam" provision, commonly referred to as the "whistleblower" provision. This allows a private person with knowledge of a false claim to bring a civil action on behalf of the United States Government. The purpose of bringing the qui tam suit is to recover the funds paid by the Government as a result of the false claims. Sometimes the United States Government decides to join the qui tam suit. If the suit is ultimately successful, the whistleblower who initially brought the suit may be awarded a percentage of the funds recovered. Because the Government assumes responsibility for all of the expenses associated with a suit when it joins a false claims action, the percentage is lower when the Government joins a qui tam claim. However, regardless of whether the Government participates in the lawsuit, the court may reduce the whistleblower's share of the proceeds if the court finds that the whistleblower planned and initiated the false claims violation. Further, if the whistleblower is convicted of criminal conduct related to his role in the preparation or submission of the false claims, the whistleblower will be dismissed from the civil action without receiving any portion of the proceeds.

FALSE CLAIMS LAWS (Continued)

The federal False Claims Act also contains a provision that protects a whistleblower from retaliation by his employer. This applies to any employee who is discharged, demoted, suspended, threatened, harassed, or discriminated against in his employment as a result of the employee's lawful acts in furtherance of a false claims action. The whistleblower may bring an action in the appropriate federal district court and is entitled to reinstatement with the same seniority status, two times the amount of back pay, interest on the back pay, and compensation for any special damages as a result of the discrimination, such as litigation costs and reasonable attorneys' fees.

A similar federal law is the Program Fraud Civil Remedies Act of 1986 (the "PFCRA"). It provides administrative remedies for knowingly submitting false claims and statements. A false claim or statement includes submitting a claim or making a written statement that is for services that were not provided, or that asserts a material fact that is false, or that omits a material fact. A violation of the PFCRA results in a maximum civil penalty of \$5,000 per claim, plus an assessment of up to twice the amount of each false or fraudulent claim.

Tennessee has a state version of the False Claims Act that mirrors many of the provisions of the federal False Claims Act. The actions that trigger civil penalties under the Tennessee law are identical to those of the federal False Claims Act. However, under the Tennessee False Claims Act, a person may also be liable if he is a beneficiary of an inadvertent submission of a false claim, subsequently discovers that the claim is false, and fails to disclose the false claim to the state within a reasonable time after discovery of the false claim. The Tennessee False Claims Act also differs from the federal False Claims Act in that it does not apply to any claim of less than \$500 in value, or claims involving workers' compensation, or relating to tax laws administered by the Tennessee Department of Revenue.

The Tennessee False Claims Act also has a whistleblower provision. Like the federal False Claims Act, the Tennessee law includes provisions to prevent employers from retaliating against employees who report their employer's false claims.

The State of Tennessee has also adopted several other false claims statutes that are intended to prevent fraud and abuse in a state Medicaid program, including TennCare. These laws generally prohibit the filing of any false or fraudulent claim or documentation in order to receive compensation from the Tennessee Medicaid program.

REPORTING CONCERNS REGARDING FRAUD, ABUSE AND FALSE CLAIMS

The Lincoln County Health System takes issues regarding false claims and fraud and abuse seriously. The Health System encourages all employees, management, and contractors or agents of the affiliated Lincoln County Health System to be aware of the laws regarding fraud and abuse and false claims and to identify and resolve any issues immediately. Issues are resolved fastest and most effectively when given prompt attention at the local level.

REPORTING CONCERNS REGARDING FRAUD, ABUSE AND FALSE CLAIMS

(Continued)

Therefore, the Health System encourages its employees, managers, and contractors to report concerns to their immediate supervision when appropriate. If the supervisor is not deemed to be the appropriate contact, or if the supervisor fails to respond quickly and appropriately to the concern, then the individual with the concern should be encouraged to discuss the situation with the facility's human resources manager, the facility's Ethics & Compliance Officer, another member of management, or with the Lincoln County Health System's Values Line (1-800-273-8452).

Employees, including management, and any contractors or agents of Lincoln County Health System should be aware of related facility policies regarding detection and prevention of health care fraud and abuse. These policies and procedures can be accessed in the Lincoln County Health System Legal Compliance Plan. The following are some of the policies that are relevant to this policy and to the prevention and detection of fraud and abuse:

- 1) **Correction of Error Related to Federal Healthcare Program Reimbursement**
- 2) **Reportable Events Policy**
- 3) **Self-Reporting**
- 4) **Confirming and Processing Overpayments**
- 5) **Billing Monitoring**
- 6) **Errors in Reporting**

PROCEDURE: Health System responsibilities include, but are not limited to:

- 1) **Ensuring that all employees, including management, and any contractors or agents of the facility, are provided with this policy, effective January 1, 2007.**
- 2) **Conducting training for all employees, management, contractors, or agents regarding this policy to ensure that all such persons are familiar with, and understand the policy.**
- 3) **Making revisions to this policy as necessary to comply with changes in the law. Changes must be documented and implemented.**

REFERENCES:

Tenn. Code Ann. §§ 4-18-101, et. seq.

Tenn. Code Ann. §§ 71-5-181, et. seq.

Tenn. Code Ann. § 71-5-2601

31 U.S.C. §§ 3801-3812

31 U.S.C. §§ 3729-3733

Deficit Reduction Act of 2005, Sections 6031, 6032

Attention LCHS Employees

The Lincoln County Health System wants all employees to be aware that if they have concerns regarding the Patient Safety, Compliance or Quality of Care provided in the health facilities, they may report their concerns by calling:

The Compliance Hot Line

Healthcare Values Line number is: 1-800-273-8452

OR

**Joint Commission on Accreditation of Healthcare
1-800-994-6610**

Any employee may contact these without fear of disciplinary action.

IV.

**HOURS
OF
WORK & ABSENCES**

IV. HOURS OF WORK & ABSENCES

A. General Policy

1. **Operational Requirements** – The operational requirements of the Health System necessitate the employment and utilization of personnel on the basis of a 24-hour a day, seven-day week coverage. To meet the varied demands for continuous staffing, employment is conditioned by the need to schedule the work of employees on regular, irregular, “as needed” and rotating shift schedules. In order to facilitate this requirement, the following guidelines apply:
 - a. The Manager or Supervisor, if any, shall provide the prospective employee a full understanding of the hours of work and the variation in schedules, at the time of an offer of employment.
 - b. Although every effort will be made by the Health System to provide stability and consistency in work schedules, the Health System will staff on the basis of patient load and needs. Every effort will be made to provide advance notice of changes in work schedules.
 - c. In the scheduling of work, all employees will receive equitable and fair consideration in accordance with the needs of the Health System and the skills of the employee.
 - d. The occasion for absences from work on behalf of employees is recognized, and provisions for authorized absences have been made to satisfy the need for employees to be away from their workstations.
 - e. In order to provide an orderly method of scheduling work and to insure adequate staffing on a continuing basis, employees are expected to fulfill the responsibility of employment by reporting to the workstation as scheduled.
 - f. Each department head/supervisor is responsible for scheduling sufficient staff to meet requirements of their department. The Health System reserves the authority to reduce the number of scheduled work hours of employees in order to reduce expenses while this event is not expected, economic conditions could dictate this type of reduction.
2. **Absences** - Absences of the employee from work are a reality and are, in many instances, provided to meet the health, recreational, social, and other needs of the employee or the Health System. Such absences are, to a large extent, planned absences. On the other hand, circumstances, which require or otherwise lead to the employee’s absence, do arise by reason of unforeseen, unscheduled events. All absences, whether planned or unplanned, must be documented on the applicable form (available) from the Human Resources

Department through Department Manager or Supervisor and kept in the employee's personnel file. In any event, absences must be administered in some deliberate manner if work is to be effectively performed. The following policies are provided for guidance:

- a. In meeting their responsibilities for the efficient and effective performance of operational activities, department managers have the task of assigning and scheduling work. It is within their authority to approve or disapprove requests for absences of employees.
- b. Employees shall provide at least three working days advance written notice to their Department Manager or Supervisor of their desire to be absent from work during a scheduled work period. For vacations of five days or more, employees are required to give a minimum of ten working days advance notice, unless requested otherwise by their Department Manager or Supervisor. Department Managers have the option to require alternative minimum advance notice in order to facilitate their staffing schedules in their departments.
- c. Employees shall notify their Department Manager or shift Supervisor of their absence due to illness or injury at the earliest possible opportunity with a minimum of two hours after it becomes apparent that they cannot report for scheduled work.
- d. Changes in work schedules requested by the employee for personal convenience may be arranged provided that:
 - The employee has obtained a qualified and acceptable employee substitute with the same occupational category, with whom to exchange work shifts, arranged for appropriate coverage, and
 - The exchange of coverage has the advance approval of the appropriate Department Manager or Supervisor.

In considering the request to exchange work shifts, the Department Manager or Supervisor will ensure that such exchange does not entail unnecessary overtime work on behalf of either of the two employees.

- e. Consistent with the demands for staffing and other appropriate factors, Department Managers or Supervisors will provide every consideration for requested absences of employees. It is the Department Manager or Supervisor's obligation & responsibility to anticipate, plan, & provide opportunity for the approved absence of employees, as well as to promptly & directly act upon suspected or obvious abuses of absenteeism.
- f. Absences. Absences in excess of three (3) days or more per quarter is considered excessive and disciplinary action may be taken.

B. Hours of Work**1. Definitions.**

Workweek/Work Period - The Health System provides employment on two basis' for timekeeping purposes. The first basis in the workweek, defined as a regular, recurring, period of 168 hours in the form of seven consecutive 24-hour periods. For employees scheduled on the basis of a workweek, under normal circumstances unless defined for selected positions, the workweek begins each Sunday at 12:01 a.m. and extends to the following Saturday at midnight. The normal workweek will usually be 40 hours. From time to time, it may be necessary for the Health System to change the starting and completion time of any work shift to accommodate the needs of the Health System or its patients. Shifts starting before 12:01 a.m. on Sunday are considered in the preceding week.

The second basis for employment is a work period of 14 consecutive days under a written agreement of understanding between the employee and the Health System which provides for eight hours of actual time worked within any one workday (24-hour period) and 80 hours of actual time worked within any 14-day period. The 14-day work period begins at 12:01 a.m. on the first Sunday of the Health System's regular bi-weekly pay period, and extends through the pay period.

Overtime. The Health System discourages work in excess of an employee's regular schedule in order for its employees to have sufficient relief and rest. Because of the "round-the-clock" nature of the Health System's work, however, it may be necessary for employees to work some hours in excess of their regular schedule. Non-exempt, hourly employees will be paid overtime premium in accordance with applicable state or federal laws.

For employees scheduled on a workweek basis, hours in excess of 40 hours during a workweek shall be considered overtime hours. For employees scheduled on a work period basis, hours worked in excess of eight hours in a workday and/or 80 hours in a work period shall be considered overtime hours.

- c. **Shift Differential:** Selected positions within the Health System may be authorized a shift differential. Shift differential is paid only for hours an employee actually works.

2. Circumstances Associated with Work Schedules.

Meal Period - Normally, employees will be given a 30-minute period of time for the purpose of a regular meal. During this period, the employee will be completely relieved from duty, and such period shall not constitute hours worked. Where the

work situation precludes the opportunity for a meal period, particularly with rotating shifts and irregular schedules, all necessary time at the workstation shall be considered hours worked. All meals not taken must be approved, and the Department Manager or Supervisor must initial the employee's time and attendance record indicating that the worked mealtime has been approved. Part-time employees whose schedule is five hours or less daily will not normally be provided a meal period. When part-time schedules are in excess of five hours, meal periods will be scheduled, other factors permitting.

Break Privilege. The privilege of enjoying a fifteen-minute break for each four hour period worked is observed by the Health System as long as the break will not interfere with the quality of patient care. The scheduling of breaks will be the responsibility of the Department Manager or Supervisor and it must be realized that breaks are not "automatic", and workloads on a given day may eliminate the break period. It should be understood that employees on break do not go into other work areas for non-business purposes and interfere with or distract other employees who are working at that time. No break should be taken within an hour of arriving at or leaving work. This includes smoke breaks.

Tardiness/Late. An employee will be considered tardy, but not late when clocking in 1 minute to 7 minutes past scheduled time. An employee will be considered late when reporting to work 8 minutes or more after their scheduled starting time. Chronic lateness (defined as three occasions of lateness during any 30-day period or five occasions of lateness during a six month period) creates serious problems and shall be documented by the Department Manager or Supervisor and handled in accordance with proper disciplinary action.

Loitering. Loitering on the Health System's premises is prohibited at all times.

B. Paid Time Off - All Departments (exception: EMS)

Paid Time Off (PTO) is an all purpose time-off policy for vacation, illnesses, or off duty injury, and personal business. It combines traditional vacation, sick and holiday leave into one flexible, paid time off policy. Employees in the following employment classifications are eligible to earn and use PTO as described in this policy.

The purpose of PTO is to provide competitive benefits and privileges for all eligible employees.

Regular Full-Time Employees (40 hours per week)

Regular Full-Time Employees (36 hours per week (12 hour shifts))

Regular Part-Time Employees (48 hours per pay period)

All employees will qualify for PTO benefits with the exception of temporary employees, PRN staff, EMS staff, and individuals who work less than 48 regularly scheduled hours per pay period. Eligible part-time employees are individuals who are designated in payroll as part-time with a normal expected work schedule of 24 hours or more, but less than 36 hours per work week. An individual regularly scheduled for 36 or more hours are designated as full-time employees in payroll will accrue PTO as a full-time employee.

a PTO is paid at the employees' current base rate of pay. PTO is not accrued during leave of absence.

Once employees enter an eligible employment classification, they begin to earn PTO according to the PTO schedule. However, before any PTO can be accrued, the 90-day orientation period must be completed. After that time, employees in the above classifications will accrue PTO, according to the following schedules (including the 90-day orientation period).

ELIGIBLE FULL-TIME EMPLOYEES

(Must have 72/80 hours per pay period to accrue PTO)

<u>Years of Service</u>	<u>Hours Earned/Yr.</u>	<u>Accrual/PP</u>	<u>Max Accrual</u>
< 1 year	168 hours (21 days)	6.46 hours	168 hours
1-4 years	176 hours (22 days)	6.77 hours	352 hours
5-9 years	184 hours (23 days)	7.08 hours	368 hours
10 years	192 hours (24 days)	7.38 hours	384 hours
11 years	200 hours (25 days)	7.69 hours	400 hours
12 years	208 hours (26 days)	8.00 hours	416 hours
13 years	216 hours (27 days)	8.31 hours	432 hours
14 or more yrs.	224 hours (28 days)	8.62 hours	448 hours

ELIGIBLE PART-TIME EMPLOYEES - Accrue at ¼ rate (Must have 48 hrs per pay period to accrue PTO.)

< 1 year	42 hours	1.62 hrs/pp	42 hours
1-4 years	44 hours	1.69 hrs/pp	88 hours
5-9 years	46 hours	1.77 hrs/pp	92 hours
10 years	48 hours	1.85 hrs/pp	96 hours
11 years	50 hours	1.92 hrs/pp	100 hours
12 years	52 hours	2.00 hrs/pp	104 hours
13 years	54 hours	2.08 hrs/pp	108 hours
14 or more yrs.	56 hours	2.15 hrs/pp	112 hours

USING PTO

Accrued PTO may not be used until the employee has worked 90 days (orientation period).

The Lincoln County Health System reserves the right to cancel, modify, or otherwise alter PTO schedules as necessary to assure the welfare of those we serve and to meet work requirements.

CASH-IN OPTIONS

An annual cash-in option is offered to all eligible employees. To support LCHS's philosophy that employees should take time away from work, the following criteria must be met.

- The employee must have taken vacation time of at least one week during the prior twelve months.
- The employee must have over one year of service.
- The employee must have a PTO bank balance of at least 80 PTO hours after cash-in.
- The employee can cash in a maximum of 80 hours once per benefit year, if above criteria is met.

PTO TRANSFERS

a An employee may transfer PTO hours to another employee who has experienced life-threatening circumstance involving themselves or a member of their immediate family. Immediate family is described as a spouse/child/parent/parent-in-laws/stepchildren/grandparents. A life threatening illness is defined as any condition that may cause a major system failure and/or loss of limb. To transfer PTO to another employee the following guide-lines apply:

- You can transfer a maximum of 40 hours per benefit year.
- The employee who transfers must retain a minimum balance of at least 40 hours after the transfer.
- All transfers must be voluntary, recognized by both parties as a gift, and will not be repaid to the employee that transferred the PTO.

ILLNESS/EMERGENCY ABSENCE

Employees requiring time off without prior approval must notify their Department Manager, no less than two hours before the start of their shift. If the Department is not open before the start of the shift, call House Charge. After the Department opens, the employee has 30 minutes to call. When time off is requested without prior approval due to an emergency or illness, a specific reason and the expected length of absence must be stated and PTO must be used. Failure to

call, or failure to receive approval may result in an unpaid absence. Such absences may be cause for disciplinary action. An employee absent for three or more days due to illness must be medically cleared before being allowed to return to work.

- If under a physician's care, the physician's written permission to resume full and regular duties must be given to the immediate supervisor.
- The LCHS retains the right to request a physician's note at any time as determined by the type and length of the illness.

Employees may schedule up to 80 hours, not to exceed two calendar weeks, of PTO at one time unless approval is granted by Administration for time off which exceeds this period.

PTO may be accrued to a maximum of two (2) years accrual and may be earned until a maximum accrual has been reached.

SCHEDULING PTO

Department Managers are responsible for scheduling PTO in a manner which is least disruptive to operational requirements and which will control overtime premium pay to an absolute minimum. Within these limits, every reasonable effort shall be made to arrange PTO schedules convenient for employees.

PTO must, except in unusual circumstances, such as emergency or illness, be requested in writing in advance of the time off desired and approved in writing by the Department Manager (forms should be turned in to Human Resources). Advance written notice for PTO shall be determined by Department policy, but should be no less than two (2) weeks.

The Department Manager maintains the prerogative to approve all requests for PTO in accordance with the needs of the Department and staffing requirements. Whenever possible, PTO will be scheduled in conjunction with known requests, seniority and circumstances. When requests conflict, the Department Manager shall make the final determination. The Department Manager may disapprove a request for PTO if staffing or work requirements cannot be rearranged, or if sufficient advance notice is not given.

PTO may be denied if an employee clearly is abusing the system. PTO should be granted for most unscheduled absences. PTO for absences due to personal illness, family, emergency or compelling personal business should generally be granted. If the reasons for absence fit these categories, but the number of absences is excessive, the Department Manager shall review the time and attendance policy and take

the reasons for absence fit these categories, but the number of absences is excessive, the Department Manager shall review the time and attendance policy and take appropriate action. The determination of “system abuse” to a degree which compromises a department’s ability to function effectively is the responsibility of the supervisor. Under such conditions, the supervisor is granted the authority to deny PTO for any employee whose unscheduled absences are deemed excessive.

Preference for PTO schedules shall be given (if more than one request for same time), on a job seniority basis. The seniority preference may be used only once until all other personnel have had an opportunity to exercise their preferences. PTO dates, once selected and approved, should be posted in the department, and may be traded or changed only by mutual consent, and with approval of the Department Manager.

LATENESS

PTO may NOT be used to claim pay for lateness.

REDUCED STAFFING

PTO is expected to be used for all time off except that which is required to reduce staffing levels due to decreased workload.

HOLIDAYS

LCHS recognizes the following holidays as days in which some departments will operate at less than normal capacity, or may be closed.

- * Independence Day (Will be paid premium pay (time & a half – 12 a.m. to 12 a.m.)
- * Labor Day (Will be paid premium pay (time & a half – 12 a.m. to 12 a.m.)
- * Thanksgiving Day (Will be paid premium pay (time & a half – 12 a.m. to 12 a.m.)
- * Christmas Day
- * New Year’s Day

Premium pay (time & a half) will be paid for the above five (5) holidays. Hours of work for premium pay for Christmas and New Year’s may be subject to the department managers’ discretion and the facility need.

Department Managers are expected to coordinate holiday period staffing patterns with the Physician’s offices in order to assure adequate staffing, and so as many employees as possible may be off on the holiday. Holidays which occur on Saturday are usually observed on Friday. Holidays which occur on Sunday are usually observed on Monday following. Because of work requirements, all employees will not be able to be off on every holiday.

In addition to the above holidays, a floating holiday, and your birthday have been incorporated into the PTO calculations.

TERMINATION/RETIREMENT

Employees who terminate benefit eligible employment with less than three (3) months of service will be ineligible for accrued PTO pay.

Employees who terminate benefit eligible employment and have at least three (3) months of continuous service will be paid 100% of the balance of all unused accrued PTO hours at their regular rate of pay. PTO benefits may be paid out to employees who terminate employment if all the following apply—The employee has at least three (3) months of service, the employee gives the proper notice (two weeks, etc.), the employee has not committed a violation of a major LCHS policy or procedure.

4. Bereavement Leave

a. Definition.

Bereavement leave is an approved absence with pay to full-time regular employees when death occurs in the immediate family, which is defined as spouse, child, brother, sister, parent, grandparent, grandchild, relatives permanently living with you, parent-in-law, sibling-in-law, son or daughter-in-law. Such bereavement leave may be granted not to exceed 24 consecutive work hours. One day must be day of funeral. When additional time is required/desired, vacation time or leave of absence may be approved for this purpose. (Exception: Ambulance Service).

b. Approval,

Employees shall request such absences from their Department Manager or Supervisor. Department Managers or Supervisors will normally approve the request and record the approval on the employee's time and attendance record.

5. Voting Time.

Under special circumstances, if an employee is unable to vote before or after regular working hours, that employee will be allowed reasonable time off without pay to discharge this civic duty.

6. Jury Duty.

The Health System recognizes that jury duty represents a service by the employee of a civic responsibility that becomes effective upon the receipt of a properly issued summons from a duly constituted court of law. Upon receipt of a summons, the employee should promptly notify the Department Manager or Supervisor, forwarding a copy of the official notice.

The Department Manager or Supervisor will take the necessary action to accommodate for the employee's absence. In addition, the Department Manager or Supervisor will document the absence on the employee's time and attendance record. In the event that the employee is not required to sit on the jury after reporting as required by the summons, the employee shall immediately return to the assigned work location unless jury duty exceeds three (3) hours. On days, or portions of days, less than eight (8) hours in which the court/jury is not in session or sequestered, the employee shall report to the Health System for work assignment, unless otherwise instructed by their immediate Supervisor.

The Health System policy is to pay the regular salary for scheduled time and the employee may keep the money paid for jury duty from the court.

7. Military Leave.

An employee who enlists or is inducted into the Armed Forces, the Armed Forces Reserves, or the National Guard of the United States will receive benefits of leave of absence and reinstatement that are in accordance with current laws in compliance with the Uniform Services Employment and Re-employment Rights Act (USERRA).

On January 28, President Bush signed into law the National Defense Authorization Act for FY 2008 (NDAA), Public Law 110-181. Section 585(a) of the NDAA amended the FMLA to provide eligible employees working for covered employers two important new leave rights related to military service:

- (1) **New Qualifying Reason for Leave.** Eligible employees are entitled to up to 12 weeks of leave because of "any qualifying exigency" arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation. By the terms of the statute, this provision requires the Secretary of Labor to issue regulations defining "any qualifying exigency." In the interim, employers are encouraged to provide this type of leave to qualifying employees.
- (2) **New Leave Entitlement.** An eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member. This provision became effective immediately upon enactment. This military caregiver leave is available during "a single 12-month period" during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.

Additional information on the amendments and a version of the Title 1 of the FMLA with the new statutory language incorporated are available on the FMLA amendments Web Site at http://www.dol.gov/esa/whd/fmla/NDAA_fmla.htm.

D. Leaves of Absence.

Leaves of absences may be granted to regular full-time employees upon request.

An employee may be absent without pay for up to four (4) scheduled working days without being placed on LOA, with prior approval of the Department Manager or Supervisor. An LOA (absence without pay in excess of two (2) weeks), shall require the approval of the Department Manager and Administrator. A request for leave of absence form will be utilized to document approval of the leave. Upon execution of the form, it shall be placed in the employee's personnel file or in the employee's personnel medical file.

An employee who becomes ill and uses all PTO benefits accrued to his/her account and is still unable to return to work may be placed on a Medical Leave of Absence.

1. The Health System may grant an employee a leave up to three (3) months upon request provided the reason for the leave is an acceptable one. Leave of absences may not be granted until vacation and/or accrued holidays are exhausted.

Leaves of educational purposes are encouraged. Requests may be made in writing to your Department Manager or Supervisor and include expected date of leaving, expected date of return and reason for leave. This must be approved by the Department Manager and the Administrator. Requests must be made at least thirty (30) days before time for leave to begin or more as may be required by individual Department Managers.

Maternity Leave. Employees (including male employees) who have worked for the Lincoln County Health System for a minimum of twelve (12) consecutive months are entitled to maternity leave, up to but not exceeding four (4) months in duration, to care for their infant child (including an adopted child) if they plan to return to the Health System at the end of that period. The employee shall give at least three (3) months' advance notice of the anticipated starting date of the leave, the length of the leave, and her intention to return to full-time employment with the Health System after the leave. In the event of an emergency, the three (3) month notice requirement may be waived. Lincoln County Health System will reinstate the employee to the same position or a similar position of equal status, pay, length of service credit and seniority. However, if the position is so unique that it cannot be temporarily filled after making reasonable efforts, and then Lincoln County Health System is not obligated to reinstate the employee at the end of her maternity leave.

The first twelve (12) weeks of maternity/family leave will count towards an employee's entitlement to FMLA.

Furthermore, should the employee pursue other employment opportunities or work full or part-time for another employer, Lincoln County Health System is not obligated to reinstate the employee. If reinstatement is denied for any of the above reasons, the employer will notify the employee that it will not reinstate her and will cite the reasons in writing. Two (2) weeks before the employee wishes to return to work she should notify her supervisor. Failure to report to work at the end of the set expiration of the maternity leave will be considered a voluntary resignation.

2. **Entitlements.**

Although an employee returning from a Leave of Absence cannot be guaranteed a position, every effort will be made to place the employee in a suitable position for which the employee is qualified. Although the Health System attempts to place an employee returning from LOA in a position similar to the position held prior to the LOA, such placement cannot be guaranteed. An employee returning from a LOA will be given preference over outside applicants; however, placement of the employee ultimately depends upon the employee's qualifications versus the particular vacancies in the Health System at that time. Salary compensation for the position would be based on the salary range established for the position assumed.

Employees returning to work after leave of absence will retain the same seniority held at the time leave was granted.

The full group insurance premiums, both hospitalization and life, are paid by the employee during his/her leave of absence.

Retirement plan payments by the Health System and the employee will be suspended during the leave of absence period. Insurance premiums must be paid in advance in order to stay in the group plan sponsored by the System.

When an employee will be absent without pay for more than four (4) consecutive working days, the employee will be placed on LOA. Once an employee is on LOA, the employee's coverage under the group hospitalization and life insurance programs will continue only if the employee arranges for personal payment of the entire premium charged to the Health System by the insurance company, prior to commencing the LOA.

Leaves of absences will require adjustment to the employment service date. During the leave of absence, outside of the benefits the employee has accrued and is entitled to, salaries and wages will not be paid.

If an employee on Lincoln County Health System's group health insurance is on an approved absence due to sickness (certified by a physician) the employee's coverage under the group health insurance will continue for a period of time not to exceed six (6) months. During the approved period, the facilities and the employee fund their portion of the premium. At the end of the six (6) months, COBRA coverage will be offered. Employment will automatically terminate at the end of nine (9) months on an approved absence due to sickness.

3. Extensions.

Extension of a leave must be handled in the same manner as for the original leave.

An extension up to three (3) months beyond the original period will be granted if circumstances warrant with the approval of the Department Manager and Administrator.

- 4. Absence report for any reason will be filed with the Human Resources Department. Explanation of absence is to be recorded in this report by the Department Manager or Supervisor.**
- 5. An employee who gives false reason for his request for leave is subject to dismissal.**
- 6. Any employee taking a job with another employer while on leave of absence without the consent of his Department Manager or Administrator shall be considered to have terminated employment with the Health System.**
- 7. It is the employee's responsibility to notify the Department Manager two weeks in advance of his/her desire to return to work, before the end of the approved LOA. If the LOA expires without the employee requesting to return to work or requesting an extension of the LOA, the employee will be considered to have voluntarily terminated his/her employment without notice. Failure of the employee on LOA to return to work at the agreed upon time shall result in automatic dismissal.**

E. Inclement Weather.

In view of the requirement to provide continuous service at all times, it is the policy of the Health System to maintain all essential services during periods of inclement weather including the provision for adequate staffing.

It is recognized that snow or icing conditions on streets, highways and bridges in the area can lead to traffic conditions usually dangerous to the health and safety of staff members.

Employees who are scheduled for work are depended upon to report at the appointed hour. It is expected that employees will make every effort to report as scheduled. In the event that employees are unable to report as scheduled, they shall notify their Department Manager or immediate Supervisor of this fact.

Department Managers or Supervisors who receive notification of any employee's inability to report for the scheduled duty shall determine the need for the employee. If the employee's services are not essential to continued operations of the department, the employee shall be instructed to remain at or return to his/her home.

Employees will not be allowed to use this day as a sick day inappropriately. If transportation is available and the employee chooses not to report to work after being notified that their presence is essential to the operation of the department, it will be considered as an unexcused absence and will be subject to disciplinary action.

In the event that employees who have completed their scheduled work shifts are unable to commute to their home, Department Managers and/or Supervisors will instruct employees as to the availability of transportation. Should transportation be unavailable for any reason, administration will make every effort to find temporary accommodations for the employees.

F. FMLA Leave Policy (Absences for FMLA will not be counted against an employee's attendance records).

Amount of Leave. The Family & Medical Leave Act (FMLA) entitles certain employees to a twelve (12) week leave of absence.

Qualifications for Leave. In order to be entitled to FMLA leave, an employee must have been employed by the Health System for twelve (12) months, working at least 1,250 hours during the twelve (12) month period immediately preceding FMLA leave.

Purpose of Leave. FMLA leave can be taken for: The birth of a child; The placement of a child for adoption or foster care; To care for a spouse, child, or parent with a serious health condition; Because of a serious health condition that causes you to be unable to perform the essential functions of your job.

Husband & Wife Rule. A husband & wife who are eligible for FMLA leave are limited to a combined total of twelve (12) weeks of leave if the leave is taken for: For the birth of a child; For the placement of a child for adoption or foster care; To care for a parent with a serious health condition.

Period for Taking Leave. The twelve (12) week FMLA leave may be taken during a "rolling" 12-month period measured backward from the date an employee uses any FMLA leave. FMLA leave may be taken intermittently, or on a reduced leave (part-time) basis. However, if FMLA leave is taken on an intermittent or reduced leave basis, you may be transferred temporarily to an available alternative position which better accommodates recurring periods of leave. In placement of a child for adoption or foster care, it must be taken at one time—not intermittently, or on a reduced leave basis—and it must be concluded within one year of the birth or placement.

Employee Notice. In order to take FMLA leave, you must give the Health System at least thirty (30) days notice if the need for the leave is foreseeable. If the thirty (30) days notice cannot be given because of an unexpected change in circumstances, a medical emergency, or the like, notice must be given with as much lead time as possible, normally within one or two working days of when you become aware of the need for FMLA leave—except in extraordinary circumstances. When planning medical treatment for you, or a family member, you should work with the Health System to schedule this leave in a way that does not disrupt business operations to the extent that it is medically possible to do so. If FMLA leave will cause disruption, the Health System may require you to reschedule the leave if it is medically possible to do so. If the required notice is not given, the Health System will delay FMLA leave until the notice has been given and the appropriate amount of time has passed.

Medical Certification before leave. If you wish to take FMLA leave to care for your seriously ill spouse, child, or parent, or because of your own serious health condition, you must provide to the Health System a medical certification from the treating health care provider. This certification must be provided within fifteen (15) calendar days of your request for FMLA leave. You can obtain a form for this medical certification from the Human Resources Department. If you do not provide this medical certification, your request for FMLA leave will be denied. The Health System also reserves the right to obtain a second or third medical certification at the Health System's expense as allowed by the FMLA. Additional medical certifications may also be requested by the Health System in accordance with FMLA regulations.

Substitution of Paid Leave.

FMLA leave is unpaid. However, you must substitute any paid-time-off (PTO) which you have earned or accrued in place of FMLA leave until this earned or accrued paid leave has been fully used. Any remaining FMLA leave will be unpaid. (The only exception to this substitution rule is that earned or accrued sick leave can be substituted only for the purpose of caring for yourself as a result of a serious health condition). Similarly, long-term disability can be substituted only for the purpose of caring for yourself as a result of a serious health condition, if the serious health condition qualifies as a disability plan, and if the terms and conditions of this plan are otherwise satisfied.

Group Health Insurance. During the period of FMLA leave, group health insurance coverage will remain in effect for you. If paid leave is substituted as discussed above, your portion of the premium will be paid by payroll deduction as it normally is. If all or part of the leave is unpaid, then you must pay your portion. If your portion of the premium is not paid in a timely manner, your group health insurance coverage may lapse during your FMLA leave. If you do not return to work after your FMLA leave, the Health System reserves the right to recover all group health insurance premiums paid by the Health System for your health insurance coverage depending upon the reason for your failure to return to work.

Status Report. While you are on FMLA leave, you must report to the Human Resources Department every two (2) weeks upon your status, including whether you intend to return to work, and the date on which you will return to work, if known.

Medical Certification Before Return From Leave. If you have been on FMLA leave because of your own serious health condition, before you can return to work, you must provide a medical certification from your treating healthcare provider which states you are able to resume work. If you do not provide this medical certification, you will not be permitted to return to work.

Return From Leave. When you return from FMLA leave, you will be given the same job you had when you left, or an equivalent job. However, if you are a key employee as defined in the FMLA (among the highest paid 10% of all employees within 75 miles of your worksite), you may be denied the right to return to the Company under certain circumstances. If you do not return during, or at the end of your FMLA leave, you lose your right to be returned to your former job or an equivalent one.

V.

**WAGE
&
SALARY
ADMINISTRATION**

V. WAGE & SALARY ADMINISTRATION

A. Time & Place of Payment.

Lincoln County Health System employees are paid every two (2) weeks. Employees will receive their checks within five (5) days following the end of the pay period, normally on Thursday. It is important that the employee understand that he/she is paid every two (2) weeks, and not twice a month. This means he/she will receive twenty-six paychecks per year. You cannot add the gross pay of the two (2) bi-weekly pay checks and arrive at a monthly salary. Rather, you must multiply the amount of one bi-weekly check by 26 pay periods per year and divide by 12 months. Pay changes will be effective only at the beginning of a pay period.

Pay day is considered to be Thursday bi-weekly. If this day falls on a scheduled holiday, pay day will be the last regularly scheduled work day for the business office prior to that day.

B. Deductions.

As required by law, deductions are made from paychecks for Social Security (FICA), Federal Income Tax (FIT), court orders, and other required taxes. Other authorized deductions (authorized by employee) may be taken by the payroll department, such as insurance premiums, retirement contributions, contributions to charity, voluntary savings to credit union, hospital bills, etc. Each deduction is recorded on the check stub.

C. Payment of Wages & Benefits Due Upon Termination of Employment.

Employees who have been discharged may be paid all wages to which they are entitled, and employees who voluntarily resign shall be paid all wages to which they are entitled on the next regularly scheduled payday. In addition, benefits shall be paid out in accordance with policies pertaining to the benefit program.

D. Recording Time.

The following policies related directly to the recording of time for employees through the time clock system.

1. All hourly paid employees must clock in and out each workday to properly record worked hours. Any "call-back" hours worked in the Health System should be recorded through the time clocks as well. You are responsible for the accuracy of your recorded time.

2. Employees may not clock in or out for any other employee.

Hourly employees must clock out any time they leave the building unless the trip is work related, and approved, and clock back in upon their return.

Any hourly employee who leaves the Health System's premises for personal reasons without clocking out or who utilizes another employee's time record shall be subject to disciplinary action and/or termination.

3. Employees are to clock in no more than seven minutes before nor seven minutes after the scheduled beginning of their work shift. Work times begin at the scheduled start of the shift. If an employee punches in from 8 to 22 minutes after their scheduled start time their worked hours will be reduced by 15 minutes. If an employee punches in from 23 to 37 minutes after their scheduled start time, that employee's worked 30 minutes, and so forth will reduce hours. When employees perform work approved by the Department Manager or Supervisor for eight minutes or more beyond their regularly scheduled hours, the Department Manager or Supervisor shall initial such time, included as hours worked and employees shall be paid either at straight time or overtime rates as appropriate.
4. Each employee is expected to follow his/her work schedule. Employees will be required to work the hours assigned. Non-exempt employees should not report to work earlier than seven (7) minutes prior to their scheduled start time. Three (3) to five (5) minutes is allowed for reaching the assigned working area after clocking in. At the conclusion of the work shift, employees must leave work and clock out in the same reasonable time frame. The Department Manager or Supervisor should specifically approve any deviation.
5. If there is a problem with the time clock (incorrect time, clock not working, etc.,) the employee must follow up with his/her Department Manager or Supervisor at the first available opportunity for the Department Manager or Supervisor to make any corrections to the time card. No one except these authorized personnel will be permitted to make changes to the time entries.
6. Any and all overtime must be approved by the Department Manager or Supervisor and initialed after the work is completed. The Department Manager or Supervisor should approve overtime, when possible, prior to performance.
7. For those employees not normally scheduled to work at the time that mandatory in-house lectures, meetings, and/or training programs are being conducted, employees should clock in and out so this time will be included in hours worked.
8. All hourly employees are required to clock out and back in for a thirty (30) minute lunch break. If an employee clocks out for a meal break and has to perform work duties, they are paid for the entire meal break. If an employee does not get a meal break, it is their responsibility to record no break and complete "time" correction form, and they will be paid. The Department Manager or Supervisor must also initial the no meal break correction form.

If an employee does not clock out for a meal, a thirty (30) minute meal period will be deducted from his/her total hours worked each day, unless the Department Manager or Supervisor designates that period as work time, and the employee works six (6) consecutive hours.

If you leave facility for a meal break or for personal business, you must clock out.

9. Periods prior to the beginning of employee's scheduled hours of work or after the termination of their scheduled hours of work (when they are waiting to commence work or preparing to depart from the work station for their home or for other places) are not time worked and shall not be so recorded unless employees actually perform work during such periods. In the event that employees actually perform work at such time, it must be considered hours worked. The appropriate Department Manager and/or Supervisor must approve such hours.

E. Overtime.

While an expensive item of cost, overtime is necessary and justified under certain circumstances.

It is anticipated that an adequate number of employees are available to do the work of the Health System without regularly scheduled overtime. However, each employee will be expected to work such overtime as assigned. When overtime becomes necessary, the Supervisor or Department Manager must specifically approve it and be responsible for it. Regularly scheduled overtime must be specifically approved by the Administrator.

Every effort shall be made to control the utilization of overtime; however, under no circumstances shall the provisions of this policy be so interpreted as to have a harmful or deleterious effect on adequate staffing for patient care or Health System operations.

F. Call Pay.

Certain employees will be required, as a condition of employment, to be on-call at times other than those normally scheduled. An employee who is required to be on-call will be compensated at a rate to be specified for that position. Each department will determine response time. Please see policy and procedure manual for your specific department.

VI.

EMPLOYEE BENEFITS

VI. EMPLOYEE BENEFITS

A. Group Health Insurance.

The Health System carries an option of hospitalization insurance for the benefit of its employees. Any regular full-time or regular part-time employee may elect to join the group. Coverage may also be obtained for families of employees. Details of the plans will be explained to you by the Human Resources Department. Health Insurance premiums are sheltered from Federal Income Tax and FICA (Social Security). Cobra coverage is available to employees who leave employment with the Health Facilities.

B. Employee Health Program.

In order to protect the health of employees and patients, the Health System requires minimum annual exam tests to be performed on all employees including contract employees. All employees will have these tests annually during the month of their anniversary date of employment. These tests are listed on Page 7 of this manual. These tests will be performed at the Health System's expense.

C. Worker's Compensation.

The Health System provides insurance under the Tennessee Worker's Compensation Law for expenses and loss of earnings in the event of an accident on the job and in the event of occupational sickness. The law sets forth limits on filing such claims. For this reason, the Department Manager and Risk Manager must be notified immediately after any injury. In accordance with Tennessee law, the Health System has established a panel of physicians to treat our employees with Workman's Compensation claims that must be utilized under this program.

D. Pharmacy Expense Discounts.

The Health System offers discounts to employees in purchasing prescriptions through the hospital pharmacy. These prices are usually less than when purchasing prescription medications through a retail vendor.

E. Life Insurance.

A life insurance policy is provided to all regular full-time employees at the Health System's expense after one (1) full year of employment. Details of the plan will be made available to you by the Human Resources Department. Additional life insurance options are available.

F. Disability Insurance.

After one (1) year of full-time employment, the Health System provides disability insurance to each regular full-time employee. Disability insurance pays 50% of regular salary. Payment begins after three (3) months of being disabled. Details are available in the Human Resources Department.

G. Short-Term Disability Insurance.

After six (6) months of service, employees may purchase short-term disability coverage. Participation is voluntary. The employee contacts Human Resources to sign up and is responsible for premiums.

H. Tax Deferred Annuity Plan.

The tax deferred annuity plan is a program available on a voluntary basis to all employees. By participating in the tax deferred annuity program, that amount of withholding specified is “sheltered” in that no federal withholding taxes are deducted. Taxes will be due and payable on the savings when the employee withdraws his contribution. More information regarding this program can be obtained in the Human Resources Department.

I. Direct Deposit.

The Health Facilities utilizes direct deposit for all Health System employees. You may obtain more information from Human Resources.

J. FICA/Medicare Tax (Social Security).

The payment of Social Security and Medicare benefits under the Social Security Act is made by you and the Health System. The percentage of wages is determined by the Federal government. The determined percentage times the gross amount of earnings is deducted from the employee’s check. The Health System matches your contribution to Social Security and Medicare dollar-for-dollar, and thereby pays one-half of the cost of your retirement and Medicare benefits under Social Security.

K. State Retirement System (Hospital based employees)

All regular full-time hospital based employees are to participate in this program. After the initial six (6) month period, all full-time employees must participate in this plan. The employee contributes 5% of his/her gross wages, and the Health System contributes an actuarially determined percentage of the gross payroll of members each month to the system. (**EXCEPTION:** Retirement plan is optional for Care Center employees. Contact Human Resources to obtain more information.)

These monies are payable to employees at retirement, disability, or death, based on an employee’s salary, age and years or credit.

L. Patrick Rehabilitation/Wellness.

Lincoln County Health System offers discounts to Health System employees wishing to participate in the Patrick programs. Information on this can be obtained through the Patrick and/or Human Resources Department.

M. Inoculation Program (Refer to Page 6).

Flu shots are available to all employees who desire it, at no charge.

A tuberculin screening is required yearly for all employees and is given at no charge.

Heptovax is offered to employees classified in high-risk areas at no charge.

Rubella screening is drawn on all employees at the time of hire. A negative report requires immunization, and this is given at no cost to the employee. (EXCEPTION: Care Center employees).

N. Continuing Inservice/Education.

An orientation program is offered to all new employees on a monthly basis. Employees will be oriented annually. All mandatory subjects are addressed at that time.

Continuing education is offered on current subjects throughout the year. Each Department is responsible for planning a number of inservices specific to their Department during the year.

Movies on Health System-related subjects are also scheduled for showing when available.

Many services to promote staff development, such as magazine subscriptions, current books on varying subjects, copies of articles, videos, when requested, and cassettes for viewing are available.

The Health System also offers opportunities for education.

O. Scholarship Program.

As a recruitment/retention tool, scholarships will be made available to our employees based on the needs of the Health System. A committee has been established to oversee those scholarships. We encourage professional fields.

P. Parking.

Parking is provided to all employees free of charge.

Q. Dietary.

The Health System has Dietary Departments providing meals at a nominal rate for employees.

R. Security.

In an effort to maintain a safe & healthy work environment, the Health System reserves the right to examine any packages entering or leaving the buildings. This also includes lockers, which may be provided by the Health System.

VII.

PROCEDURAL POLICIES

VI. PROCEDURAL POLICIES

A. Travel Policy.

Occasions may arise when it is necessary for employees to travel on behalf of the Health System for business or educational purposes. Employees are encouraged to choose meeting locations, which involve reasonable travel expenses. Expenses that are incidental to travel may be eligible for reimbursement by the Health System. The following guidelines shall apply:

1. The cost of travel by privately owned vehicles would be reimbursed at the rate set by the Finance Committee for deduction for business miles if a Health System car is not available. If the employee chooses to use his/her own vehicle when the company car is available, the reimbursement shall be at one-half of the above established rate.
2. Reasonable charges for meals and lodging based on actual costs may be approved. Receipts will be required on all individual expense items.
3. Registration fees in connection with attendance at meetings are 100% reimbursable if they are required for attendance at such meetings and if the Department Manager and Health System Administrator or CEO previously approves the employee's attendance.
4. Other expenses may be reimbursable upon approval by the Health System Administrator or CEO. Examples are travel by common carrier, taxi fare, or automobile rental.
5. The Health System Administrator or CEO must approve all seminars with input from the Department Manager.

B. Filing of Variance (Incident Reports).

Because of the State's Worker's Compensation Law, it is extremely important that a Variance Report Form be completed for every employee accident which occurs in the Health System, or during work time, no matter how minor. It is the injured employee's responsibility to notify his/her Department supervisor of the accident. The incident report form is to be completed by the Department Manager or Supervisor of the injured employee. It shall be forwarded to the Risk Manager for proper disposition. The ultimate responsibility for seeing that a form is completed on every injured employee rests with the injured employee. The form should be completed no later than the end of the work shift following the accident. Post accident drug screening will be done.

C. Accidents Which Occur On the Job.

- 1. An employee injured on the job will be sent to the Emergency Room for immediate treatment. The injured employee may be accompanied by his/her Supervisor or Department Manager.**
- 2. If an employee elects to have his/her own physician treat him/her, this treatment will be performed at no expense to the Health System .**
- 3. As soon as practical, the Department Manager will complete a variance (incident) report. These reports will be forwarded to the Risk Manager's office for processing.**
- 4. Reports of treatment rendered by the Emergency Room will be forwarded to the Risk Manager's office. Confidentiality shall be maintained with only those with a business need to know having access to this information. Medical information will be maintained in the medical file.**
- 5. Confidentiality shall be maintained with only those with a business need to know having access to this information will be maintained in the employee's personnel medical file.**

Illness - Health Problems of Immediate Nature (Not Work Related):

Employees who become ill on duty may be seen in the Emergency Room. However, your Supervisor must be notified prior to you leaving your workstation. The employee is expected to clock out prior to going to the Emergency Room. This does not apply to on-the-job injuries. Financial responsibility for treatment will rest with the employee.

D. Employee's Personnel File.

The Health System keeps a current personnel file on all of its employees. All the information contained in the personnel file is Health System property, is strictly confidential and accessible only to specifically authorized employees of the Health System (unless subpoenaed by a court of law or other government regulating body).

All employee health related information is maintained in a separate confidential medical file. Approval for access to personnel files (not medical files) must be obtained through the Administrator or designee. An employee's request to see personnel files must be in writing and the request made a part of the personnel file. Employees may see all the contents of their personnel file and must be accompanied by the Administrator or his/her designee.

E. Grievance Procedure.

The following grievance procedure is to be read by and explained to all new employees upon hiring during the orientation procedure. Employees are required to sign a statement about receipt of the grievance procedure. This statement is found on the last page of his handbook.

1. Purpose.

In the continuing effort to provide and maintain the best possible work conditions and to improve relationships among the staff, the management encourages the prompt, fair settlement of problems and differences through an orderly appeals procedure.

2. Objectives.

The objectives of this policy include assuring the employee of a means to get their problems or complaints considered rapidly, fairly, and without fear of reprisal; free expression of the employee; provide better understanding of policies, practices, procedures which affect employees; supervisors exercising proper responsibility and improve effectiveness in carrying out established policies; and to improve opportunities for all staff members to perform their duties with effectiveness and satisfaction.

We are deeply committed to the principle of equal opportunity for all employees without any discrimination because of race, color, religion, national origin, sex, age, or physical or mental impairment. This policy of non-discrimination applies to rates of pay, selections for training, promotion, demotion, transfer, suspension and dismissal. We are equally determined to make every effort to see that no employee is subject to unfair treatment.

To encourage clear understanding and reduce fears or false impressions of unfair treatment, personnel policies include the following provisions:

- a. Free communications will exist between the employees and supervisors concerning conditions of employment such as job requirements, hours of work, vacations or leave, promotions, rates of pay, etc. Supervisors should keep themselves well informed on personnel policies and practices.
- b. No action involving demotion, suspension or dismissal is to be taken against an employee for disciplinary reasons until such action has been recommended to and approved by the Administrator except immediate suspension as necessary to protect the safety of personnel or property. In no case should an employee be dismissed without the approval of the Administrator or designee.

3. **Procedure.**

The procedure shall consist of the following steps:

STEP 1: Discussions Between Employee and Immediate Supervisor.

The employee who has the problem or grievance will discuss it first with his/her immediate Supervisor. The problem or grievance must be put in written form. If the employee agrees, the Supervisor may call the Department Manager into the discussion or may seek advice from the Administrator before giving any answer to the employee. The employee shall receive an answer within five (5) working days after discussing the grievance with his/her Supervisor or Department Manager.

STEP 2: Appeal to the Administrator.

If the decision is not sufficiently satisfactory to the employee or he/she does not receive an answer within the period provided, he/she may request the Administrator consider the matter. The request must be presented within five working days of the decision of the Supervisor and/or Department Manager and may be presented in person or writing at the appropriate level. Depending on the nature of the appeal, the Administrator will determine to what extent facts will be required in writing. The Supervisor and/or Department Manager and the employee shall provide all pertinent information to the Administrator, who will review the facts and perform whatever research he/she deems desirable or the employee, Supervisor and/or Department Manager may request.

- a. After all necessary discussions are held, the Administrator will make a decision within five working days and the decision will be announced immediately to all parties concerned.
- b. If the decision reached by the Administrator, in consultation with the CEO, is not acceptable to the employee, the employee may request that his/her case be presented to the Human Resource Committee of the Board for its consideration. This request should be made in writing through the Administrator within five working days of the CEO/Administrator's decision. Facts surrounding the case will be presented to the Human Resource Committee and the employee may speak to them if he/she desires. After receiving the data, the Human Resource Committee will conduct whatever research it deems appropriate and announce its recommendations to all parties concerned within five (5) working days after having heard the appeal. The Board of Trustees at its next regularly scheduled monthly meeting for final decision will review the recommendation of the Human Resource Committee. This review by the Board of Trustees is not an appeal, and there is a right of employees to appear before the Board to present his/her case. The decision of the Board of Trustees is final.

4. Policy.

Every employee shall have the right to present his problem or grievance free from interference, coercion, restraint, discrimination, penalty, or reprisal.

Employees leaving the employment of the Health System for reasons other than voluntary retirement having thirty (30) days after the last day they worked to present a grievance or complaint. The procedure outlined above should be followed.

VIII.

EMPLOYEE CONDUCT & DISCIPLINE

VII. EMPLOYEE CONDUCT & DISCIPLINE

A. General Information.

1. Employees are expected to use reasonable judgment in guiding their behavior on the job. The various policies and procedures in this manual are intended as a guide for action. Disciplinary action is not only intended to deter and/or punish unwanted behavior, but also to provide impetus for improvement.
2. An employee's previous work history may be taken into account in determining which step or disciplinary action is to be taken. The Health System policy will be equitably, consistently, and fairly apply the procedures under this section.
3. There are four (4) possible disciplinary actions which may be taken by the facilities:
 - a. Verbal counseling.
 - b. Written counseling.
 - c. Written counseling & suspension without pay.
 - d. Discharge.
4. The responsibility for disciplinary action rests with the employee's Department Manager or Supervisor with the advice and consent of the Administrator, and their decision on disciplinary action, except for "Discharge", may not be appealed. If the recommendation for disciplinary action is "Discharge" this recommendation shall be referred to the Health System Administrator prior to implementation. The Administrator shall review the matter and may implement the discharge or take such other disciplinary action as he deems appropriate. If the disciplinary action is "Discharge" and the employee feels that he has not been treated equitably, consistently and fairly, he may treat this as a "grievance" and would then follow the same procedures as outlined in VI (e) of this Employee Handbook; however, during the grievance procedure the employee will be relieved of all duties without pay or other benefits.
5. Listed below are examples of causes for disciplinary action. The severity or frequency shall determine what disciplinary action is taken in each case. The list is intended to be only an example and is not intended to be exhaustive or all-inclusive.

EXAMPLES OF BEHAVIOR, WHICH COULD RESULT IN DISCIPLINARY ACTION:

1. Horseplay, carelessness, or boisterous behavior, which may or may not result in injury, property damage or dangerous conditions.

2. **Violations of scheduled work times such as:**
 - a. **Excessive tardiness, as defined in this manual.**
 - b. **Excessive absenteeism (Three (3) episodes per quarter).**
 - c. **Failure to call in or report to work (After three (3) days, employee will be considered to have quit).**
 - d. **Leaving the premises without permission prior to the scheduled quitting time.**
 - e. **Absence from work station without permission.**
3. **Failure to prevent or report an accident. Violation of, or disregard for established safety practices.**
4. **Unauthorized use, abuse, damage, destruction of, or possession of tools, machinery, or equipment belonging to the Health System or others.**
5. **Smoking, or the use of tobacco products contrary to established policies.**
6. **Defacing or removal of posted materials.**
7. **Distributing or posting of unauthorized materials on the premises.**
8. **Collecting of contributions for any purpose, solicitations of any kind or the sale of goods or services on the premises inconsistent with guidelines established in this manual. Posting or removing from bulletin boards or distributing on Health System time or premises, without permission.**
9. **Sleeping on the job.**
10. **Threatening, intimidating, coercing or interfering with other employees on the premises. Discourtesy or use of abusive language. Provoking, instigating, or participating in fighting during work hours or on the premises, not including action taken in self-defense.**
11. **Willful neglect of duty, insubordination, or failure, forthwith, to follow Supervisor's instructions. Refusal to accept reasonable job assignments or work schedule. Insubordination or failure to perform duties as instructed. Lack of cooperation.**
12. **Unethical conduct. Immoral conduct or indecent behavior on the premises.**
13. **Unprofessional appearance or inappropriate dress, careless grooming.**
14. **Gambling on the premises, or during working hours.**
15. **Solicitation of tips or other unauthorized payments or gifts from clients or the public.**

16. **Being unfit for work, as judged by the employee's Department Manager.**
17. **Abuse of Health System assets and supplies, including using telephone contrary to established rules.**
18. **Inability to maintain appropriate working relationships with medical staff/co-workers.**
19. **Breach of time record and time clock rules such as punching in/out for another employee or allowing another employee to punch in/out for you, or failure to clock out when leaving the facility.**
20. **Disregard for established employee procedures.**
21. **Release of confidential information.**
22. **Falsifying credentials, license or other employment information in order to secure job. Loss of appropriate licensure or certification.**
23. **Giving false reason to obtain leave of absence.**
24. **Falsification of organizational records or reports.**
25. **Unauthorized possession of a weapon or other instruments designed to do bodily harm or which might threaten the safety of others.**
26. **Theft or unauthorized removal of property belonging to others.**
27. **Conviction of a felony.**
28. **Patient abuse.**
29. **Inability to perform job responsibilities.**
30. **Failure to follow procedures governing receipt, safekeeping, dispensing, and accounting for narcotics.**
31. **Possession or use of alcohol or other unauthorized drugs while on the premises.**
32. **Reporting to or being at work while under the influence of alcohol or other unauthorized drugs.**
33. **Unauthorized consumption of Health System food.**
34. **Refusal to work with, cooperate with, harass, or otherwise intimidate, demean or isolate other employees because of a disability.**
35. **Failure to wear name badge.**

B. Termination.

Since employment at the Health System is based upon continuing mutual consent, either the employee or the employer is privileged to terminate employment at any time for any reason.

It is important for the employee's record that termination is brought about properly. It is also important for the Health System that they have adequate advance notice of the employee's desire to terminate. There are four types of termination procedures:

1. Resignation.

An employee who terminates service with the Health System should give at least a two (2) workweek written notice to his/her immediate Supervisor. Department Managers and Supervisory employees shall provide at least a four (4) workweek notice. This will allow the Department Manager or Supervisor to arrange for a replacement. An employee who resigns with the proper notice may be favorably considered for re-employment.

2. Quitting.

This is the term applied when an employee leaves without notice or with less than the required notice. This practice causes the employee's record to carry a poor termination report and negatively affects the opportunity for re-employment.

3. Layoff.

This term refers to a termination of employment by the Health System because of a lack of work or reorganization. Qualifications, past performance, and length of service of each employee may be guidelines upon which decisions are made. A lay-off will be considered permanent at the end of six months.

4. Discharge.

An involuntary termination initiated by the Health System.

C. Witnessing Wills & Deeds.

No employee may witness a will or deed transfer as requested by patients or their families. Patients must provide their own witnesses for such purposes. This does not apply to a Notary Public authorized by Administration.

D. Personal On-The-Job Harassment.

Through reasonable management, Lincoln County Health System will discourage any form of harassment from occurring in our workplace. Submission to sexual advances, requests for sexual favors, or any other unbecoming verbal or physical conduct are not a condition of employment and no employee will be expected to tolerate such behavior. Likewise, any annoyances of a racial or ethnic nature will not be tolerated.

Any conduct which is considered to be socially unacceptable, which unreasonably interferes with work performance, or which creates an intimidating, hostile or offensive working environment will be corrected without delay.

Should you ever experience any job harassment problem, please contact any member of management in confidence, or the Human Resource Manager. You may expect prompt and concerned reaction to your problem. Your job will not be adversely affected by bringing your harassment concerns to management.

Employees who believe they are being subject to on-the-job harassment by doctors, vendors, visitors, or any other persons who are not regular Health System employees, should report such incidents to the Administrator or CEO.

A prompt and thorough investigation of the complaint will be conducted.

IX.

**AMBULANCE
SERVICE**

Specific

AMBULANCE SERVICE

HOURS OF WORK.

A. General Policy. (Page 12-13)

The standard hours of work are a 24-hour shift on duty and 48 hours off duty. The Ambulance Service employee will be paid overtime for hours worked over 40 hours per week.

B. Benefits. Bereavement Leave (Page 20).

Bereavement leave may be granted not to exceed 24 consecutive hours.

C. Holidays.

Full-time Ambulance Service employees, after the initial employment period (90 days), will accrue one (1) twenty-four hour paid holiday per quarter. Also one (1) twenty-four hour floating holiday.

D. Vacations.

Full-time employees after one (1) year of continuous service:

- 2) After completion of 1 year – 5 vacation days.
- 3) After completion of 8 years – 6 vacation days.
- 4) After completion of 16 years – 7 vacation days.

E. Sick Time. (Pages 33-34) Definition and Approval

At the end of the initial employment period, full-time Ambulance Service Employees will begin to accrue eight (8) hours per month beginning with the first month of employment. Ambulance Service Employees may accumulate 720 hours. (Sick leave based on 24-hour days).

Sick pay will not begin until the second day of illness, unless employee has 15 days (24 hour days) or 360 hours built up - then sick leave begins the first day of illness.

X.

**EMPLOYEE
BENEFITS
TABLE**

BENEFIT	WHO PAYS	FULL TIME	PART TIME	WHEN ARE YOU ELIGIBLE	WHAT YOU RECEIVE
Bereavement Leave (One day must be day of funeral)	LCHS	X		After 90 days	Up to 24 hours, spouse, child, parents, siblings, grandparents, grandchildren, relatives living with you permanently, parent-in-law, sibling-in-law, son or daughter-in-law
	Ambulance Service	X		After 90 days	Up to 26 hours, rest is same.
Direct Deposit	LCHS	X	X	Immediately	Checking, savings, etc.
Disability Insurance	LCHS	X		After 12 months	Begins after three (3) months, 50% of monthly salary. Details in Human Resources
Short-Term Disability	Employee	X	X (20 hrs. per wk)	After 6 months	
Health Insurance (Regular Part-time employees eligible at increased rate)	LCHS & Employee	X	X	After 90 days	Health System pays a portion of premium on employee & family. Employee pays difference
Vision Insurance	Employee	X	X	After 90 days	Employee pays full premium. Must work 20 hrs. per week.
Paid Time Off (PTO)	LCHS	X	X	After 90 days	Please refer to the Accrual Table on Page 20
Jury Duty	LCHS	X	X	Immediately	If scheduled to work, regular eight (8) hours pay per day plus jury fee
Leave of Absence	No payment	X	X	Dependent upon type of leave	Excused time off for education, medical, military, and other approved reasons
Life Insurance	LCHS	X		After 12 months	Life insurance amount uniform through the System (Human Resources Office)
Notary Public	LCHS				LCHS has employees who are Notaries to assist employees
Patrick Rehab-Wellness	LCHS & Employee	X	X	After 90 days	Discounts to Health System employees wishing to participate in wellness program. (Contact Patrick for details).
Rest Periods/Breaks	LCHS	X	X	As soon as employed	15-minute break for each 4 consecutive hours worked
Social Security (FICA/Medicare Tax)	LCHS	X	X	As soon as employed	Employee matches FICA dollar for dollar
State Retirement	LCHS	X		Mandatory for LMC employees after 6 months.	Retire when eligible, with retirement benefits.
State Retirement (Care Centers)	LCHS	X		Optional for Care Center employees	Retire when eligible, with retirement benefits.
Tax Sheltered Annuity	Employee	X	X	As soon as employed	Defer income tax to save money
Termination Pay	LCHS	X	X	Upon termination of employment without cause	Earned accrued PTO upon receipt of proper advance notice
Workman's Compensation	LCHS	X	X	As soon as employed	Protection for on-the-job injuries

XI.

DRUG-FREE WORKPLACE POLICY

LINCOLN COUNTY HEALTH SYSTEM

SUBSTANCE POLICY STATEMENT

Lincoln County Health System is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any employee illegally uses drugs on or off the job, comes to work under the influence, possesses, distributes or sells drugs in the workplace, or abuses alcohol on the job. Therefore, **Lincoln County Health System** (Company) has established the following Policy, pursuant to T.C.A. Section 50-9-100 et. Seq:

- (1) It is a violation of Company policy for any employee to use, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job.
- (2) It is a violation of Company policy for any employee to report to work under the influence of or while possessing in his or her body, blood or urine, illegal drugs in any detectable amount.
- (3) It is a violation of Company policy for any employee to report to work under the influence of or impaired by alcohol.
- (4) It is a violation of Company policy for any employee to use drugs illegally, i.e., to use prescription drugs that have not been legally obtained, or in a manner, or for a purpose other than prescribed. However, nothing in this policy precludes the appropriate use of legally prescribed medications.
- (5) Violations of this policy are subject to disciplinary action up to, and including termination.

It is the responsibility of the Company's supervisors to counsel employees whenever they see changes in performance or behavior that suggest the employee might have drug and or alcohol problem. Although it is not the supervisor's job to diagnose personal problems, the supervisor should encourage such employees to seek help and advise them about available resources for getting help. Everyone shares responsibility for maintaining a safe work environment, and co-workers should encourage anyone who has a drug or alcohol problem to seek help.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive and drug-free environment. The intent of this policy is to offer a helping hand to those who need and want it, while sending a clear message that the illegal use of drugs and the abuse of alcohol are incompatible with employment at Lincoln County Health System.

As a condition of employment, employees must abide by the terms of this policy and must notify the Company in writing of any conviction of a violation of a criminal drug statute occurring in the workplace no later than five (5) calendar days after such conviction.

The Company offers resource information on various means of employee assistance in our

community, including, but not limited to, drug and alcohol abuse programs. Employees are encouraged to use this resource file, which is located in the Human Resources Office. In addition, we will distribute this information to employees for their confidential use.

GENERAL PROCEDURES

Any employee reporting to work visibly impaired will be deemed unable to perform required duties and will not be allowed to work. If possible, the employee's supervisor will first seek another supervisor's opinion to confirm the employee's status. Next, the supervisor will consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred, if, in the opinion of the supervisor, the employee is considered impaired, the employee will be taken to Lincoln Medical Center by taxi or other safe transportation alternative – depending on the determination of the observed impairment – and accompanied by the supervisor or another member of management if necessary. A drug and/or alcohol test will be performed. An impaired employee will not be allowed to drive to or from the test or home.

OPPORTUNITY TO CONTEST OR EXPLAIN TEST RESULTS

Employees and job applicants who have a positive, confirmed drug and/or alcohol test result may explain or contest the result to the Medical Review officer within five (5) working days after receiving written notification of the test result from the Medical Review Officer. The Medical Review officer shall report a positive test result back to the Company; A person may contest the drug test pursuant to rules adopted by the Tennessee Department of Labor.

CONFIDENTIALITY

The confidentiality of any information received by the employee through a substance abuse testing program shall be maintained, except as otherwise provided by law.

JOB APPLICANT DRUG TESTING

All job applicants at this Company will undergo testing for substance abuse as a condition of employment. Any applicant with a confirmed positive test result will be denied employment.

Applicants will be required to submit voluntarily to a urinalysis test at a laboratory chosen by this Company, and by signing consent agreement, will release this Company from liability.

If the physician, an official or lab personnel has reasonable suspicion to believe that the job applicant has tampered with the specimen, the applicant will not be considered for employment.

This Company will not discriminate against applicants for employment because of a past history of drug and/or alcohol abuse. It is the current use of illegal drugs and/or of alcohol, preventing employees from performing their jobs properly, that this Company will not tolerate.

EMPLOYEE DRUG TESTING

This Company has adopted testing practices to identify employees who illegally use drugs on/off the job, or who abuse alcohol on the job. It shall be a condition of employment for all employees to submit to substance abuse testing under the following circumstances:

- (1) When there is reasonable suspicion to believe that an employee is illegally using drugs or abusing alcohol. "Reasonable Suspicion", is based on a belief that an employee is using or has used drugs or alcohol in violation of this Company's policy drawn from specific objective and articulate facts and reasonable inferences drawn from those facts in light of experience. Among other things, such facts and inferences may be based upon, but not limited to the following:
 - (a) Observable phenomena while at work, such as a direct observation of substance abuse, or of the physical symptoms or manifestations of being impaired due to substance abuse;
 - (b) Abnormal conduct or erratic behavior while at work, or a significant deterioration in work performance;
 - (c) A report of substance abuse provided by a reliable and credible source;
 - (d) Evidence that an individual has tampered with any substance abuse test during his/her employment with this Company;
 - (e) Information that an employee has caused or contributed to an accident while at work, or,
 - (f) Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working, or while on the employer's premises, or while operating the employer's vehicle, machinery or equipment, or while performing any other duties required by the employer.
- (2) When employees have caused or contributed to an on-the-job injury, a substance abuse test will be performed. Also, we may send an employee for a substance abuse test if they are involved in on-the-job accidents where personal injury or damage to company property occurs.
- (3) As part of a follow-up to treatment for drug abuse.
- (4) Routine fitness-for-duty drug or alcohol testing. A covered employer must require an employee to submit to a drug or alcohol test if the test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination where the examinations are required by law, regulations, are part of the covered employer's established policy, or one that is scheduled routinely for all members of an employment classification group.

ALCOHOL TESTING

The consumption or possession of alcoholic beverages on this Company's premises is prohibited. (Company sponsored activities which may include the serving of alcoholic beverages are not included in this provision). An employee whose normal faculties are impaired due to alcoholic beverages, or whose blood alcohol level test is .08% by weight for non-safety sensitive positions or .04% of safety sensitive position, while on duty or Company business shall be considered as misconduct, and shall be subject to discipline up to and including termination.

REFUSAL TO SUBMIT

Failure to submit to a required substance abuse test also is misconduct and also shall be subject

to discipline up to and including termination.

IMPORTANT INFORMATION FOR JOB APPLICANTS AND EMPLOYEES

When an employee or job applicant submits to a drug and/or alcohol test, they will be given a form by the specimen collector that contains a list of common medications and substances which may alter or affect the outcome of a drug and/or alcohol test. This form will also have a space for the donor to provide any information that he/she considers relevant to the test, including the identification of currently or recently used prescriptions or non-prescription medications or other relevant information. The information form should be kept by the job applicant or employee for their personal use. If the job applicant or employee has a positive confirmed test result, a Medical Review Officer will attempt to contact the individual in order to privately discuss the findings with that person. The job applicant or employee should keep the form as a “reminder” to discuss this information at this time. The Medical Review Officer will take this information into account when interpreting any positive confirmed test results. The information provided shall be treated as confidential and will not be given to the employer. Employees and job applicants have the right to consult with a Medical Review Officer for technical information regarding prescription and non-prescription medicine.

It is the responsibility of every employee or job applicant to notify the testing laboratory of any administrative or civil action brought pursuant to TCA Section 5-9-100 et. Seq., Drug-Free Workplace Program.

The provisions of this policy are subject to any applicable collective bargaining agreement or contract and included in the right of appeal to the applicant court.

SUBSTANCE ABUSE TESTING FOR JOB APPLICANTS AND EMPLOYEES WILL INCLUDE URINALYSIS SCREEN FOR THE FOLLOWING DRUGS:

- (1) **Alcohol:** Any “Alcoholic Beverage”, all liquid medications containing ethyl alcohol (ethanol). Please read the label content. For example, Vick’s Nyquil is 25% of (50 proof) ethyl alcohol. Comtrex is 20% alcohol or (40 proof). Contact Severe Cold Formula Night Strength is 25% alcohol or (50 proof) and Listerine is 26.9% alcohol or (54 proof).
- (2) **Amphetamines:** “Speed”, “Upper”, etc.
- (3) **Cannabinoids:** THC, marijuana, hashish, “pot”, “grass”, “hash”, etc.
- (4) **Cocaine:** “Coke”, “crack”, etc.
- (5) **Phencyclidine:** PCP, “angel dust” etc.
- (6) **Opiates:** Narcotics, heroin, Codeine, Morphine, “smack”, “dope”, etc.

LINCOLN COUNTY HEALTH SYSTEM

I do hereby certify that I have received and read the *Lincoln County Health System* Substance Abuse and Testing Policy, and have had the drug-free workplace program explained to me. I understand that if my performance indicates it is necessary, I will submit to a drug and/or alcohol test. I also understand that failure to comply with a drug and/or alcohol testing request, or have a positive confirmed result for the illegal use of drugs and/or alcohol may lead to discipline up to and including termination of employment and/or loss of workers' compensation benefits (pursuant to T.C.A. Section 50-9-100. et. Seq.).

Name of Employee (please print)

Employee's Signature

Date

XII.

NON-DISCRIMINATION

&

HARASSMENT

POLICY

LINCOLN COUNTY HEALTH SYSTEM NON-DISCRIMINATION & HARASSMENT POLICY

Lincoln County Health System 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 unlawful harassment. Therefore, Lincoln County Health System expects that all relationships among persons in the Health System will be business-like and free of discrimination, prejudice, and harassment.

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of Lincoln County Health System to ensure equal employment opportunity without discrimination or harassment on the basis of race, color, religion, sex, age, national origin, citizenship status, physical or mental disability and past, present, or future membership in a U. S. Uniformed Service, or any other characteristic protected by law. Lincoln County Health System prohibits any such unlawful discrimination or harassment.

RETALIATION IS ALSO PROHIBITED

Lincoln County Health System encourages reporting of all perceived incidents of discrimination or harassment. It is the policy of Lincoln County Health System to investigate such reports. Lincoln County Health System prohibits retaliation against any individual who, in good faith, reports discrimination or harassment, or participates in an investigation of such reports.

DEFINITIONS OF HARASSMENT

- 1. Sexual harassment constitutes discrimination and is illegal under Federal, State, and local laws. For the purposes of this policy, sexual harassment is defined, as in 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,**
 - a) Submission to such conduct is made either explicitly or implicitly a term or condition of an individuals' 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.**
- 2. 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, but are not limited to:**
 - a) Unwanted sexual advances or requests for sexual favors.**
 - b) Sexual jokes and innuendoes.**

- c) Verbal abuse of a sexual nature.
 - d) Commentary about an individual's body, sexual prowess or sexual deficiencies, leering, whistling or inappropriate touching; insulting or obscene comments or gestures.
 - e) Display in the workplace of sexually suggestive objects or pictures.
 - f) Any other physical, verbal or visual conduct of a sexual nature.
3. Harassment on the basis of any other protected characteristic is also strictly prohibited. Under this policy, harassment is verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her race, color, religion, sex, sexual orientation, national origin, age, disability, marital status, citizenship, or any other 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 individuals' work performance, or
 - c) discriminatorily affects an individuals' employment opportunities.

Harassing conduct includes, but is not limited to: epithets, slurs or negative stereotyping; threatening, intimidating or hostile acts; denigrating jokes; and written or graphic material that denigrates or show hostility or aversion toward a legally protected individual or group, and that is placed on walls or elsewhere on the employer's premises or circulated in the workplace.

INDIVIDUALS AND CONDUCT COVERED

These policies apply to all applicants and employees, whether related to conduct engaged in by fellow employees or someone not directly connected to Lincoln County Health System; i.e., an outside vendor, consultant or customer.

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.

REPORTING AN INCIDENT OF HARASSMENT, DISCRIMINATION OR RETALIATION

Lincoln County Health System encourages reporting of all perceived incidents of unlawful discrimination, harassment or retaliation, regardless of the offenders' identity or position. Individuals who believe that they have been the victim of such conduct, should discuss their concerns with their immediate supervisor, the Human Resources Director, or any member of management. See the Complaint Procedure described below.

In addition, Lincoln County Health System encourages individuals, who believe they are being subjected to such conduct to advise promptly the offender that his or her behavior is not

welcome and request that it be discontinued. Often this action alone will resolve the problem. Lincoln County Health System recognizes, however, that an individual may prefer to pursue the matter through informal or formal complaint procedures.

COMPLAINT PROCEDURE

INFORMAL PROCEDURE. If, for any reason, an individual does not wish to address the offender directly, or if such action does not successfully end the offensive conduct, the individual should notify his/her immediate supervisor, the Human Resources Director, or any member of management, who may, if the individual so requests, talk to the alleged offender on the individual's behalf. In addition, there may be instances in which an individual seeks only to discuss matters with one of the Lincoln County Health System designated representatives, and such discussion is encouraged.

An individual reporting harassment, discrimination or retaliation should be aware however, that Lincoln County Health System may decide it is necessary to take action to address such conduct beyond an informal discussion. This discussion will be discussed with the individual reporting the harassment. The best course of action, in any case, will depend on many factors and, therefore, the informal procedure will remain flexible. Moreover, the informal procedure is not a required first step for the reporting individual.

FORMAL PROCEDURE. As noted above, individuals who believe that they have been the victims of conduct prohibited by this policy statement, or believe they have witnessed such conduct should immediately discuss their concerns with the Human Resources Director, or any member of management.

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

Any reported allegations of unlawful harassment, discrimination or retaliation will be investigated promptly. 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 investigation process to the extent consistent with adequate investigation and appropriate corrective action.

Retaliation against an individual for the good faith reporting of harassment 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 and will be promptly investigated and addressed.

Misconduct constituting unlawful harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling and/or disciplinary action such as warning, reprimand, withholding of a promotion or pay increase, reassignment, or temporary suspension without pay or termination, as Lincoln County Health System believes appropriate under the circumstances. If a party to a complaint does not agree with its resolution, that party may appeal to Lincoln County Health System's Chief Executive Officer.

False and malicious complaints of harassment, discrimination or retaliation, as opposed to complaints which, even if erroneous, are made in good faith, may be the subject of appropriate disciplinary action.

CONCLUSION

Lincoln County Health System has developed this policy to ensure that all its employees can work in an environment free from harassment, discrimination and retaliation. Lincoln County Health System will make every reasonable effort to ensure that all concerned are familiar with these policies and aware that any complaint in violation of such policies will be investigated and resolved appropriately.

Any employee who has questions or concerns about these policies should talk with the Human Resources Director.

Finally, these policies should not, and may not, be used as a basis for excluding or separating individuals of a particular gender, or any other protected characteristic, from participating in business or work-related social activities or discussions. In other words, no one should make the mistake of engaging in discrimination or exclusion in order to avoid allegations of harassment. The law and the policies of Lincoln County Health System prohibit disparate treatment on the basis of sex or any other protected characteristic, with regard to terms, conditions, privileges, and prerequisites of employment.

The prohibitions against unlawful harassment, discrimination and retaliation are intended to complement and further those policies, not to form the basis of an exception to them.

XIII.

POLICY ON WORKPLACE VIOLENCE

POLICY ON WORKPLACE VIOLENCE

The Lincoln County Health System (LCHS) has a strong commitment to its employees to provide a safe, healthy and secure work environment. The Lincoln County Health System also expects its employees to maintain a high level of productivity and efficiency. The presence of weapons and the occurrence of violence in the workplace during working hours or otherwise are inconsistent with these objectives. While the Lincoln County Health System has no intention of intruding into the private lives of its present or potential employees, it expects all employees to report on the work site without possessing weapons and to perform their job without violence towards any other individual. Lincoln County Health System expects all of its employees to work in a manner so that they can perform their duties in a safe and productive manner. Therefore, Lincoln County Health System has adopted and maintains this Policy on Workplace Violence.

All applicants considered for employment with Lincoln County Health System will be required to sign an acknowledgment that they have received this Policy and understand its contents and intent. Likewise, all current employees will be required to sign an acknowledgment that they have received this Policy and understand its contents and intent. Any applicant or employee who refuses to sign said acknowledgment will be subject to discipline, up to and including discharge.

The Lincoln County Health System has the right to search any areas on the Lincoln County Health System premises for weapons including, but not limited to, lockers, furniture, containers, drawers, equipment or other facilities, lunch boxes, briefcases, personal bags, personal toolboxes or tool kits, parking lots, Lincoln County Health System vehicles and personal vehicles parked on Lincoln County Health System premises.

If an employee is injured while participating in a fight or after instigating a fight, then entitlement to worker's compensation benefits may be denied.

No part of this policy, nor any procedure therein, is intended to affect the Lincoln County Health System's right to manage or control its workforce, or be construed as a guarantee or contract of employment or continued employment. Exceptions from this policy may be granted by the Lincoln County Health System, in its discretion, in unusual circumstances.

Lincoln County Health System specifically prohibits the following and will routinely discipline an employee, up to and including discharge, for any of the following:

- a) Use, possession, or sale of any weapon as described above on the work site.
- b) Storing any weapon in a locker, desk, vehicle, lunch box, tool kit, bag, purse, or other repository on the work site or other Lincoln County Health System premises.

- c) Illegal possession, use, or sale of a weapon off Lincoln County Health System

- property that adversely affects his/her own, or other's safety at work, or indicates a propensity for same.
- d) Refusing to submit to an inspection for the presence of a weapon that is requested by Lincoln County Health System.
 - e) Conviction under any criminal statute for the illegal possession of a weapon or for committing a violent act against the person or property of another.
 - f) Refusing to sign a statement to comply with the Lincoln County Health System's Policy on Workplace Violence.
 - g) Refusing to participate in an investigation pertaining to allegations or suspicion that violence has, or is likely to occur, or an investigation pertaining to the carrying of a weapon by the employee or a co-employee
 - h) Verbal or physical threats, threatening behavior, acts of violence, use of obscene, abusive or threatening language or gestures.
 - i) Fighting.

Lincoln County Health System will take appropriate action when dealing with customers, former employees, or visitors to the Lincoln County Health System who engage in such behavior. (Threatening behavior, acts of violence, use of obscene, abusive or threatening language or gestures). Such action may include notifying the police or other law enforcement personnel and prosecuting violators of this policy to the maximum extent of the law.

Employees have a "duty to warn" their supervisors, security, or human resource representatives of any suspicious workplace activity, situations or incidents they observe, or are aware of that involve employees, former employees, customers, or visitors. Employee reports will be held in confidence to the maximum possible extent. Lincoln County Health System will not condone any form of retaliation against an employee for making a report under this policy.

The Lincoln County Health System, in its discretion, may from time to time modify this policy. In the event Lincoln County Health System's Workplace Violence Policy is revised, a copy of the revised policy will be provided to each employee, and to the extent that the employee acknowledgment of the Policy may need to be updated or revised, each employee will be required to sign an updated version.

An employee who violates this Policy by bringing onto the work site a weapon, and whose employment is not terminated by the Lincoln County Health System will be subject to searches from time to time, for an indefinite period of time not to exceed one (1) year from the date of the violation. An employee's consent to submit to such a search is required as a condition of employment and the employee's refusal to consent may result in disciplinary action, including discharge, for a first refusal, or any subsequent refusal.

WORKPLACE VIOLENCE POLICY & CONSENT TO SEARCHES

I hereby acknowledge receipt of the Lincoln County Health System Workplace Violence Policy from the administration of Lincoln County Health System (LCHS).

In consideration of the Lincoln County Health System’s provision of its facilities for my convenience, I agree that I will not use them for any purpose that would constitute a violation of any Lincoln County Health System’s rules or local, state or federal law.

I hereby acknowledge that Lincoln County Health System has provided me with lockers, furniture, containers, drawers, equipment or other facilities, for my use and convenience, and that they belong to Lincoln County Health System, and I consent to the search of any lockers, furniture, containers, drawers, equipment, or other facilities, lunch boxes, briefcases, personal bags, parking lots and automobiles at any time by Lincoln County Health System.

I also understand that the purpose of the Lincoln County Health System Workplace Violence Policy is to provide a safe working environment for persons and property. Accordingly, I agree not to violate any provision of the Policy and not to engage in any conduct which may harm the person or property of another employee, the Lincoln County Health System, or any individual on Lincoln County Health System premises or the work site.

I agree to abide by the Policy on Workplace Violence and not to possess, sell, store, or otherwise bring any weapon as defined in the Policy onto Lincoln County Health System premises.

I hereby release and fully and forever discharge the Lincoln County Health System or any Lincoln County Health System representative from any claim or liability arising from implementation of the Policy on Workplace Violence, a search of my property, Lincoln County Health System property, or my person.

I understand that the results of any search will be considered in any employment decision, including termination of employment.

Signature of Employee _____

Date _____

XIV.

ACKNOWLEDGEMENT PAGES

ACKNOWLEDGEMENT PAGE

LINCOLN COUNTY HEALTH SYSTEM

I have a copy of the Employee Handbook of Lincoln County Health System which outlines my privileges and obligations as an employee in the Health System. I will familiarize myself with the information in this book and understand that it constitutes the general personnel policies of the Health System and that these in some instances may be added to or amended by more specific policies in each department and that I am governed by them.

Since the information in this booklet is necessarily subject to change without notice by action of the Board of Trustees or the Administrator, it is understood that any changes in the policies as listed herein that may be made by the said Board and/or the Administrator may modify, supersede, or eliminate the policies in this booklet, provided that the personnel in the Health System are notified of such changes through the usual channels.

Grievance Procedure

I have received a copy of the grievance procedure and it is my responsibility to review as it is outlined in this handbook.

I understand that this handbook is not intended to create a contract. I also understand that, as an employee of the Health System, I will always be held accountable for my performance (not just during the first ninety (90) days). Should I ever decide to leave employment or the Health System wishes to sever our relationship, we are both free to do so, at will.

Signature of Employee _____ Date: _____