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**MATERIALS DEVELOPMENT CENTER**

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# Developing The Rehabilitation Facility Personnel Manual

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# DEVELOPING THE REHABILITATION FACILITY PERSONNEL MANUAL

BY

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# PREFACE

Much of the literature in the area of personnel management (or relations) pertains to theoretical problems and considerations in developing and administering personnel policies. Far fewer materials are available which discuss the practical aspects of developing personnel policies. Almost every rehabilitation facility has established personnel regulations for their facility and most have staff manuals. A review of staff manuals currently being used by rehabilitation workshops verifies that they are providing important personnel information to their staff. Yet, a high percentage of these manuals are lacking in consistency, clarity, and direction. Many do not provide the reasons for their policies.

The goal of this publication is to provide rehabilitation facilities with a guide which will assist them in developing or improving on their facility personnel manual, and provide examples of what some rehabilitation facilities are including within their personnel manuals. Objectives of the publication are: (1) the facility personnel director or another individual charged with the facility personnel functions will be able to develop, change or modify any or all areas of the personnel manual so that the manual is improved and the functions of the personnel office can be carried out more smoothly, and (2) a new rehabilitation facility, or one which does not currently have a personnel manual will be able to use this publication as a guide to develop its own personnel manual.

The Commission on Accreditation of Rehabilitation Facilities (CARF) has established an entire manual section on the area of personnel. CARF (1980) states that the facility "... shall establish and maintain personnel policies which contribute to the effective functioning of its staff" (p. 41). Several of the standards state the need for a written personnel manual:

> 4.3 Current personnel policies and practices shall be established, maintained and readily available in written form.
>
> 4.3.1 Personnel policies shall be a matter of official record, and be made available to all staff in employee handbook or by other suitable means.
>
> 4.3.2 Personnel policies shall cover the basic relationships between the employer and employee, the responsibilities and obligations of each, and the general arrangements.
>
> 4.3.3 Personnel policies shall be reviewed no less than annually. (p. 41)

The board of directors is the governing body of the rehabilitation facility, and all personnel policies must have the general approval of this body. It is then left to the chief executive to see that the policies are carried out according to the purpose for which they were developed and adopted. So that there is no confusion as to what constitutes a personnel policy, all personnel policies should be written into a complete manual, then distributed to the staff so

that they will come to know and understand the policies. Of course, policies are left to the interpretation by each individual reading the policies. As such, it is important that in addition to the policies themselves, a more detailed manual should be maintained within the confines of the personnel office and should include discussions on what the policies were established to do. The manual should serve as an important resource guide for the personnel officer. Whenever an employee of the facility raises a question or has a concern pertaining to that which is stated within his/her personnel manual, access to a detailed manual by the personnel officer will assist in interpreting what the particular area means. The detailed manual should be prepared by the individual whose responsibility is that of resolving personnel issues. The manual, identical to the employee manual, should include notes by the personnel officer to himself. Perhaps other state or federal agencies have been contacted and clarifications made on certain areas of personnel. Additional notes may provide assistance when discussing problems with employees. Copies of board meetings referring to personnel policies are similarly good additions to the manual since they may offer further explanation as to why a particular action was taken. The longer the personnel officer is on the job, and the more experience that is obtained, the more detailed the manual should become.

The introduction discusses how a facility can begin the formulation of the personnel manual. The remaining nine sections of the publication each deal with one specific aspect of the personnel manual, e.g., wage and salary administration, or employee fringe benefits. A checklist appears at the end of the publication and should be used by the facility to determine which of the policy statements discussed should be developed and placed within its personnel manual. Each section contains a brief narrative or overview of what the section covers, and the importance of the section. Finally, each section contains examples of what other rehabilitation facilities have prepared for their personnel manual in order to meet the requirements of the section.

Each facility should compare the information and examples presented within this publication with its own manual and use that which will improve the quality of the manual.

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March, 1981

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# INTRODUCTION: HOW TO BEGIN THE PERSONNEL MANUAL

The purpose of developing and maintaining a personnel manual is to provide the board of directors, chief executive, personnel director, and all other employees of the facility with clearly written and defined policies and procedures. The manual should be designed as a fundamental communication tool to help clarify policies and practices and, thus, prevent grievances, complaints, or morale problems before they arise. Written documentation lessens difficulties associated with unwritten or inconsistent policies.

The manual should serve as a channel of communication from management to subordinates within the facility. When personnel questions or problems arise, management can reference the personnel manual, and thus will not need to take time to discuss how the policy should be implemented.

The manual is also very useful when a change of personnel occurs within the facility. It can serve as an important training tool for the new employee, and answers many of the questions he/she may have concerning facility policies and practices. The manual also insures that the new employee does not misinterpret any policy or practice on what they are designed to do. Finally, the personnel facility manual provides information necessary for CARF when a survey is being completed. Without such a manual, the facility will find that Section #4 of the CARF Manual - Personnel - is not currently being met.

Personnel manuals are meant to be used by all employees of the facility. The facility will also find it pertinent to provide personnel manuals to board members. Each of these individuals is charged with varying degrees of responsibility for the direction and management of facility employees. Thus, they need immediate access to and understanding of personnel policies and practices.

Most rehabilitation facilities develop employee and client personnel manuals. Some larger facilities have staff, hourly employee, and client personnel manuals. These manuals are designed to not only help management, but also the workers and clients of the facility.

For the rehabilitation facility, one or more personnel may be charged with the development of the manual. The governing body of the facility is normally assigned the task of formulating and adopting the general policies and practices of the facility. They in turn, designate the chief executive as being responsible for determining the more specific policies and practices affecting the day-to-day routines of the facility (e.g., job descriptions, length of break and lunch times). The board of directors or the chief executive of the facility should then:

(1) decide who should have the authority and responsibility for writing the manual (normally the personnel director, with small committee assistance),

(2) determine, in general terms, what should or should not be included within the manual, and,

(3) decide on or give approval for, the format and organization of the manual.

(This may or may not be done prior to the writing of the manual. However, the governing board or chief executive should give approval of the format and organization before the manual is declared completed.)

Rehabilitation facilities already having personnel manuals will be more concerned with revising the material within the manual. The responsibility for revising the manual may be left to the personnel director or another individual assigned by the executive officer of the facility. Input may or may not be provided by the executive officer. However, changes in policies or practices should first be approved by the governing body and chief executive. Why revise the personnel manual? Several of the more important reasons are: (1) the facility has been unionized since the manual was written, and now it finds that it must include additional policies covering grievances, fringe benefits, etc., (2) the manual hasn't been updated since the advent of the laws pertaining to fair employment, Equal Employment Opportunity, and the rights of the handicapped, (3) fringe benefits, wage and salary guidelines and other policies that have changed since the manual was written, or have been expanded, and (4) the organization has grown since the writing of the manual, and the facility has found that its structure, types of programs, and clientele have changed.

## INFORMATION SOURCES TO BE USED WHEN PREPARING THE MANUAL

Rehabilitation facilities, whether they currently have a personnel manual or not, have a number of information sources which can be utilized when developing or revising their manual. The more resources which are called upon by a facility, the better the odds on developing a complete manual. Information sources that should be used by facilities are as follows:

(1) The facility personnel manual currently being used by the facility. Many facilities have the opportunity to compare existing personnel policies and practices within their personnel manual with what their needs are today. Why start revising the personnel manual from scratch when the current personnel manual can serve as an important information resource and eliminate unnecessary work?

(2) Employee and client manuals presently available in the facility. Sometimes, facilities or departments within the facility may update employee or client manuals and not note the necessary revisions in the detailed personnel manual maintained by the personnel office. Thus, these manuals can be compared to the personnel manual to determine if differences exist in regard to facility policies and practices. This avoids discrepancies which may arise at a later date.

(3) Personnel policies and procedures announced on bulletin boards. Facilities often post announcements on a new or revised policy or practice for employees and clients; but information on such announcements may not be included within the personnel manual. Thus, these announcements should be compared to the statements found in the personnel manual to determine differences.

(4) The staff and employees of the facility also make contributions. The interpretations these individuals have of the personnel policies and practices testify as to clarity of the content of the particular polices and practices. If the facility has established a policy for a particular purpose, but the staff read it differently, then the policy should be revised so that both the facility and the staff receive the same message.

(5) Personnel manuals obtained from businesses or other rehabilitation facilities. Rather than struggling for hours on how personnel policies or practices should be written, a more practical and time-saving approach may be to review manuals in use by other rehabilitation facilities or those used by businesses. Some may be readily adaptable to those needed by the facility.

(6) The personnel or executive committee of the facility also make contributions. Either of these two committees is usually responsible for reporting the activities of the personnel office to the governing board. These individuals should be meeting with the personnel director on a regular basis, and providing him with sound advice or recommendations on actions taken with regard to personnel policies or practices. Thus, should the facility have questions on developing or revising policies and practices, they should use these committee members as a source of information.

## DECIDING ON CONTENT AND FORMAT OF THE MANUAL

The decision as to what should or should not become part of the personnel manual should be the responsibility of the personnel director, with guidance and input from the chief executive and the governing board. Together, these individuals determine the rules, regulations, and procedures which will be of importance to the facility. For many facilities, the governing board establishes the general policies and practices of the facility. The extent to which the chief executive has input to the board varies among facilities. Some allow the executive to help set the policies and areas while others establish them without his input. The board of directors for many facilities do provide for the chief executive to establish the policies and practices which are concerned with the day-to-day operations. These policies are often much more specific than the general policies adopted by the board members. The personnel director usually has the responsibility of developing the policies and practices into a form which will become the personnel manual. Once the manual has been developed, it will be submitted to the board of directors for their review and approval.

The format for the personnel manual could be chosen by the personnel director or his committee, the chief executive, or the governing board of the

facility. The emphasis here is to decide on a format and stick with it throughout the manual. When new policies are added, they should be included into the manual in the same format.

The material that is to be included in the manual should be organized in a logical manner. Four of the more widely used techniques are listed below:

1. Alphabetical order according to the name of the policy area, e.g.:

| A | B | C |
|---|---|---|
| Absenteeism | Bonuses | Compensation, Worker's |
| Accident Report | Bulletin Boards | Classification of staff |

An advantage of this technique is its simplicity - every policy is merely filed alphabetically. A disadvantage is that it can be difficult to locate a specific policy statement when the subject of the policy statement could be listed under several alphabetical words. For example, accident report could be listed under the letter "A" or "R" (accident, report).

2. Alphabetical code, where the main classifications of policy statements are given a key letter, and subdivisions of the main classifications are given the key letter and an additional letter, e.g.:

| A | B |
|---|---|
| Employee Benefits | Hiring |
| AA | BA |
| Paid Holidays | Preemployment Physical |
| AB | BB |
| Earned Vacation | References |

An advantage of this technique is that related policies are grouped together under one main subject area. Thus, if an individual was interested in reading policies on vacations or sick leave, he/she would simply refer to the section on fringe benefits and then to the specific areas themselves. A disadvantage is that it may be difficult to determine which main classification a subdivision may fall under.

3. Numerical code technique, where instead of using an alphabetical code (#1), a numerical code is used, e.g.:

1. Employee Benefits
   - 1.1 Paid Holidays
   - 1.2 Earned Vacation

2. Hiring
   - 2.1 Pre-employment Physical
   - 2.2 References

An advantage of this technique is that subjects are assigned numerical codes rather than alphabetical codes. Numbers are usually less confusing than letters. Once again, it may prove difficult to locate subdivisions within the main classifications.

4. Alphabetical and numerical combination, where major policy statement subjects are arranged alphabetically and subdivisions are identified numerically, e.g.:

| Section 1 - Accidents on the Job | Section 2 - Holidays |
|---|---|
| Safety rules----------1.1 | Paid----------2.1 |
| Prevention----------1.2 | Falling on Weekends---------2.2 |

With any of the above mentioned techniques, or any other selected by the facility, it is important that the technique used be explained in the personnel manual. This will alleviate questions on how to locate policies and practices within the personnel manual. The personnel manual should also have a table of contents page or an index page. Both may be used if the manual contains a large number of pages. Anything that can be done to assist the reader locate whatever it is he/she is searching for, the easier it is for everyone concerned.

When writing or updating the personnel manual, it is important that the language be kept clear so that the reader will have a good understanding of the content. Sentences should be as short as possible with only one idea in each. When something can be said in simple terms, avoid using complex sentence structure and large words. Use action verbs and terms which the reader can picture. When the manual has been written, it should be reviewed by a number of people within the facility for accuracy. Individuals which should review the manual include: the chief executive officer, executive staff, and supervisors who may need to draw upon the policies and procedures within the personnel policy manual. Comments and reactions to the personnel manual may necessitate the revision of one or more sections of the manual. Once the personnel manual has met with the approval of the chief executive and others within the facility, it should be reviewed by the governing board of the facility. As discussed earlier, the governing board is responsible for the development of the general personnel policies affecting the facility. As such, they must give their approval of the personnel manual. Once this has been done, the manual can be duplicated and distributed to the employees of the facility.

A facility personnel manual should be updated at least every one and one-half years to two years and sooner if necessary. If personnel policies or practices have been deleted, modified or added since the last writing of the personnel manual, these changes should be placed within each of the manuals existing in the facility. When the personnel manual has been updated, all outdated copies should be collected and destroyed. One copy should be saved for future reference.

All of the examples which follow have been, or still are, used by various rehabilitation facilities in personnel manuals. The variety provides for the opportunity to select and modify, if need be, a statement to best fit your facility's particular needs.

# SECTION ONE: DEVELOPING PERSONNEL POLICIES

Everything should be done with a purpose and so should it be for having a personnel manual. If the manual will not serve as a resource guide for employees and clients, or the personnel office in completing its assigned duties and functions, then there is no need to put policies or procedures in writing. However, facilities whose intentions are to make personnel decisions based on information contained within the personnel manual have in fact stated their purposes for having a manual.

Section one of this publication includes examples of policies related to: policy statement(s) as to the purpose of having a personnel manual for the facility; the individual or individuals assigned the authority for seeing that a personnel manual is developed; the individuals to whom the personnel manual is intented to be given to and read by; procedures for adding supplements to the manual; and policies or procedures for adding new or revised policies to the manual.

## PURPOSE FOR DEVELOPING POLICY STATEMENTS

Two examples of purpose statements for developing and maintaining a personnel manual were selected from facilities who have manuals. While there is considerable difference between their length and detail, both emphasize the purpose in having a personnel manual. The first example by Goodwill Industries of Orange County states:

> *To provide a uniform method of establishing and distributing information referring to Policies and Procedures affecting Personnel at Goodwill Industries of Orange County, California.*

Workshops, Inc., has stated its policy as follows:

> *This manual contains statements of agency personnel policies and procedures. It is designed to be a working guide for all employees in the day-to-day administration of our Agency personnel program. These written policies should increase understanding, eliminate the need for personal decisions on matters of agency-wide policy, and to help to assure equitable treatment of all staff. It is the responsibility of administrative and executive staff to administer these policies in a consistent and impartial manner.*

## AUTHORITY FOR POLICY ADOPTION OR REVISION

The board of directors for the rehabilitation facility generally is granted the authority to adopt and/or revise policies affecting the facility and make employees aware of the changes, as can be seen by the following example from the Rehabilitation Center of Sheboygan, Inc.:

> *The adoption of personnel policies for the Agency, including amendments thereto, shall be by action of the Board of Directors, which has delegated the responsibility for periodic review to its Personnel Committee. All Agency employees shall receive a copy of the Personnel Policies of the Agency, including duly adopted amendments.*

## SUPPLEMENTAL POLICIES

As the facility grows and changes in philosophy or programs, it will find that modifications will need to be made with the existing personnel manual. Rather than rewrite the entire manual, supplements should be added to the manual, as suggested by the following policy from Workshops, Inc.:

> *The Personnel Policy Manual is constructed so that changes can be made easily. As periodic or annual changes are made and approved by the Personnel and Finance Committee and the Board of Directors, new, approved pages will be printed and distributed to the holders of the manual. The old policy page can then be replaced by the new page. The summary version of the Personnel Policy Manual will be published once annually. However, supplement memos will be distributed to all staff as policy changes are made and approved.*

## ADDING NEW OR REVISED POLICIES

Modifications cannot always be made to existing policies. There will be times when the facility will need to adopt new policies or revise old ones. The two examples given below are policy statements which express how new or revised policies may be established. The first example, from the Daniel Arthur Rehabilitation Center states:

> *The Personnel Policies may be reviewed quarterly and shall be reviewed annually by the staff's Personnel Advisory Committee, and recommended revisions or additions, if any, shall be submitted to the Board of Directors for appropriate action. The Board of Directors shall review the Personnel Policies annually.*

Whereas the Board of Directors receives recommended revisions or additions of policies from the staff's personnel advisory committee in the above example, the second example shows the executive director receiving the recommendations prior to the board members. The Rehabilitation Center of Sheboygan, Inc. states:

> *There shall be a Staff Advisory Committee which has the responsibility of reviewing Agency Personnel Policies and making recommendations for revisions to the Executive Director for presentation to the Personnel Committee of the Board of Directors.*

Having established policies related to the purpose of having a personnel manual, the individuals responsible for adopting policies, the manner in which supplements are attached to the manual, and how policies are added or revised, the facility is on its way to developing a manual.

## SECTION TWO: RECRUITMENT, SCREENING, HIRING, AND ORIENTATION

This section of the publication covers policies and procedures related to the recruitment, screening, and hiring of employees for the rehabilitation facility. Supplementary information provided within this section applies to the newly hired employee. The following policies are discussed: definitions of employee status; pre-employment physical examinations required by the facility; orientation of new employees to the facility, and, the confidentiality of each employees' personnel file.

An important area for the personnel manual and the rehabilitation facility in general is the affirmative action plan of equal employment opportunity. Federal and State law both make it illegal for an employer to discriminate because of race, creed, color, national origin, ancestry, age, marital status, sex, or handicapping condition of any individual. Discrimination for any of the reasons is, therefore, unlawful and constitutes the denial of civil rights. Thus, it is the obligation of rehabilitation facilities to insure that the rights of all individuals are protected by maintaining an affirmative action of equal employment opportunity. What, exactly, is meant by affirmative action? It is a plan which outlines positive steps to draw qualified workers into the facility's work force at all job levels through substantive recruitment efforts and expanding job opportunities. The plan should include the commitment by the facility to recruit, employ, and promote qualified women and minorities. An absence of complaints for identifiable cases of discrimination is not enough to assume that discrimination is not being practiced by the facility. Management of the facility must take steps to eliminate discrimination in employment by developing a positive program.

There are three programs covering the employment of handicapped people. In 1973, Congress voted into legislation Title V of the Rehabilitation Act of 1973, stating that agencies of the federal government, federal aid recipients and businesses receiving federal monies cannot discriminate against an individual because of a mental or physical handicap. The rules and regulations related to the Rehabilitation Act of 1973 became effective June 3, 1977. Section 503 of the Rehabilitation Act specifically states that every employer doing business with the Federal Government under a contract for more than $2,500 annually must take affirmative action to hire handicapped people. The contracts may be for the procurement of supplies of services, or for the use of real or personal property. Affirmative action covers more than just hiring handicapped individuals. It also covers job assignments, promotions, training, transfers, working conditions, and terminations for handicapped individuals.

A second program covering the employment of the handicapped people is the Vietnam Era Veterans Readjustment Assistance Act which was passed by Congress in 1974. This law states that every employer with a Federal Government contract of $10,000 or more, annually, must take affirmative action to hire disabled veterans of all wars, and all veterans of the Vietnam Era. Once again, affirmative action applies to all personnel action, not just to hiring.

Section 504 of the Rehabilitation Act Amendments of 1974 is the third program covering the employment of handicapped people. Under this law, every institution in the United States receiving Federal financial assistance must

take steps to assure that handicapped people are not discriminated against in employment. The rules and regulations related to the Rehabilitation Act Amendments of 1974 became effective January 13, 1978. Institutions included within this law are schools, colleges, hospitals, nursing homes, social service agencies, and many other kinds of institutions and establishments.

While Section 503 calls for affirmative action, Section 504 calls for nondiscrimination. In practicality, there is little difference in how they affect the handicapped individual in employment. Who is considered handicapped under Sections 503 and 504? A handicapped individual is anyone who has a physical or mental impairment which substantially limits one or more of his major life activities, has a record of such an impairment, or who is regarded as having such an impairment. A handicapped individual having a hard time getting a job or getting ahead on the job because of a disability would be considered substantially limited. Substantially limited has to do with the degree of the disability. Major life activities include communication, self care, socialization, education, transportation, and employment. The emphasis here is on activities that in some way affect employment.

The Vietnam Era Veterans Readjustment Assistance Act defines a disabled veteran as a person who has a thirty percent or more disability rating from Veterans Administration, or who was discharged or released from active duty for a service connected disability.

Of course, not every handicapped individual is eligible for any of these three programs. To be qualified, a person must be capable of performing a particular job with reasonable accommodation to the handicapping condition if it is needed. By reasonable accommodation, reference is made to making necessary adaptations to enable a qualified handicapped person to work. This includes making facilities used by all employees accessible to handicapped people, such as ramps, restroom adaptations, or wider aisles. It also includes making modifications in jobs, work schedules, equipment, or work area so that the work can be done by a handicapped person.

## AFFIRMATIVE ACTION PLANS

Two example affirmative action plans are given below. The length of the plans indicate the importance of the facilities to comply with Section 503 of the Rehabilitation Act. The Daniel Arthur Rehabilitation Center has adopted the following affirmative action plan:

> *The Equal Opportunity Policy is and will continue to be communicated to all relevant audiences within the geographical area served by DARC. 1. The policy is specifically included in the personnel manual and will be a continuing and essential component of the personnel policies and procedures. 2. A copy of this document will be given to every employee, including those persons engaged in the recruitment, hiring, placement, training, and education of employees. 3. This policy will be thoroughly discussed in employee orientation and all training programs and in appropriate management and supervisory meetings, so that the organization's policy is made clear. 4. Notices required by Equal Employment Opportunity Commission, the office of Federal Contract Compliance in the Department of Labor and any state or city human rights agencies will be displayed in working*

areas. 5. Local minority organizations, rehabilitation programs, employment agencies, secondary schools, colleges and universities will be notified in writing and discussions of this Affirmative Action Program. RESPONSIBILITY FOR IMPLEMENTATION: Responsibilities of the equal opportunity officer (Director, DARC) include, but are not limited to: 1. Awareness of problem areas and establishment of goals and objectives. 2. Periodic evaluation of client admission practices and employee hiring and promotion patterns to evaluate progress and remove impediments to the attainment of goals. 3. Annual discussions with supervisors and employees to insure that the organization's policies are fully understood and are being carried out in furnishing services to clients and in affording opportunities to job applicants and employees. 4. See to it that minority group employees, handicapped individuals and women are afforded full opportunity and encouraged to participate in all organization-sponsored educational, training, recreational, and social activities. 5. Evaluation of supervisory staff will include consideration of their equal opportunity efforts and results. GOALS AND TIMETABLES - At proper times immediate and future goals and timetables will be projected as needed. PROGRAMS TO ATTAIN GOALS - A. Admission of Clients for Treatment: DARC will periodically review its policies and practices in providing services to clients in order to assure the continuance of its long standing practice of providing services to all who need them. B. Recruitment of Employees: The recruitment program will be conducted in a manner to insure that DARC is actively reaching minority group members, handicapped individuals, and women. This means taking direct initiative to make certain that all such candidates, who might be available are identified, made familiar with available positions and encouraged to apply. This will be done by: 1. A review of qualifications for professional and non-professional positions to remove artificial barriers that may restrict the pool of candidates. 2. Identify, contact, and make interviewing arrangements with university placement offices that have special programs for such groups. 3. Direct contact with professional minority and handicapped group employment and placement agencies. 4. Direct contact with groups specifically oriented and concerned with such minority and handicapped groups. 5. A review of present staff who may be qualified for change in status. Every consideration will be given to internal promotion first before seeking candidates outside the organization. C. Training: The learning opportunities provided employees by DARC will be open to all without discrimination. For example, where professional employees attend out-of-town conferences with part or all expenses paid by DACR, such attendance will not be determined on a disciminatory basis. Similarly, in-house training will be free of discrimination. AUDIT, REPORT AND EVALUATION - The Director, DARC will periodically, but not less often than once each year, review the Center's Affirmative Action Program in terms of overall effectiveness plus application of the Program in specific areas of client treatment and employee personnel administration. These areas will include: 1. Admission of clients for services at the Center plus a review of services performed after admission. 2. Practices followed in seeking applicants for job openings, including sources of application, recruitment practices, and realistic minimum job requirements. 3. Practices followed in providing training and promotional opportunities to employees. This review will be conducted primarily for the purpose of determining whether the DARC Affirmative Action Program is truly operating in a manner which assumes equal opportunities for clients and employees. The director will

*seek staff assistance including the Personnel Advisory Committee in making this review and will make the general results known to the Center's Board of Directors. To assure the necessary continuing emphasis on and effectiveness of the program, the Director will assign the responsibility for its day-to-day implementation to such person or persons as he may be designated.*

The second plan, from Workshops, Inc., states:

*Reaffirmation of Workshops, Inc., Policy: Since our mission is to provide services to disabled persons to help them develop employability and independent living skills, we are very much committed to the concept of affirmative action. We are, therefore, committed to an affirmative action plan which requires us to provide equality of opportunities in employment policies. Our affirmative action plan requires the agency to accept responsibility for establishing and maintaining equal employment opportunities for all employees and potential employees. It includes practices, policies, and procedures for recruitment, employment, training, promotion, and retention of minorities, women and disabled persons. The implementation of this plan requires careful analysis of those areas which have not been aggressive and, progress and ability in promotional considerations based on criteria and/or potential abililty of the individual to perform efficiently and effectively in the job area. Policy Dissemination: It is the policy of Workshops, Inc., that discriminations against any individual for reasons of race, color, religion, national origin, handicapping condition, or sex is specifically prohibited, and there will be no unlawful discrimination because of age. It is further the agency's policy that a formal affirmative Action Program be established and a structure be established to have as it's overall objective the achievement of a balanced representation of various minority groups and females at all levels of employment. The Affirmative Action Program will function to identify and help eliminate discriminatory practice and to promote those practices which will help attain a balanced representation of minority group, disabled, and female members in our employment. It is our policy of the agency to ensure that equal employment opportunities in all staff position shall be extended to all persons. The Executive Director will have the responsibility for assuring that the policies and goals of the agency's affirmative action plan are adhered to and will report the following to the Personnel/ Finance Committee at least annually: progress in the plan's implementation, attainment of goals, and recommendations or other changes that will affect the affirmative action plans of the agency. These reports will then be forwarded to the Board of Directors, upon committee approval, for any further policy/procedure consideration and approval. The Executive Director will provide the leadership to assure that successful actions take place in all phases of personnel management for all departments and programs. Outline of Responsibilities of Executive Director and/or Administrative Staff Personnel for Implementing Affirmative Action Program. Affirmative action will be exercised in administering every aspect of the following employment relationships: Recruitment, Selection, Training, Leaves, Compensation, Transfer, Promotions, Layoffs, Recall, Terminations. Duties - 1. Maintain appropriate records showing current transactions relative to personnel levels, recruiting, training, hiring, and promotion. 2. Keep*

*all employees informed about the Affirmative Action Program. 3. Report to committees, administration, and other personnel, changes in the laws and regulations that affect equal employment opportunities. 4. Publish at least annually a report showing activity and progress within the Affirmative Action Program. 5. Recommend policies and procedures relative to improvement or changes in the program. Short-Term Goal - 1. To continue to expend extra efforts in recruiting minority group members, and handicapped persons at all levels in our staff through job advertising and posting procedure. 2. To continue to encourage women, minority and handicapped employees to improve themselves and make them aware of how attendance at vital conferences, seminars, workshops, and educational studies applies in qualifying them for future promotional opportunities. 3. To continue hiring qualified minority group employees, handicapped persons and women in all employee groups and categories in an effort to balance the agency welfare with a percentage of available minority, handicapped, and women employees in the various career areas of the labor force. 4. To develop personnel policies and procedures conclusive to equal employment opportunities and practices in all phases of personnel management including but not limited to: recruiting, screening, evaluation, performance appraisal, job classification development and alteration, promotion, transfer, and termination. 5. To eliminate sexist language in publications, brochures, policy statements, and records.*

EQUAL EMPLOYMENT OPPORTUNITY

Section 504 of the Rehabilitation Act calls for nondiscrimination by an employer. Below are two examples, each an equal employment opportunity (E.E.O.) policy for a facility. So that the reader has the opportunity to compare the relationship of E.E.O. policies to afirmative action plans, the policies provided are from the same two facilities whose affirmative action plans were described above. The policy from Daniel Arthur Rehabilitation Center states:

*It is the policy of Daniel Arthur Rehabilitation Center (DARC) to provide services to clients and employment opportunities to all people without regard to race, color, creed, sex, age, national origin or handicapping conditions and to promote the full realization of that policy through a positive continuing program to be known as the DARC Affirmative Action Program. The DARC is fully committed to assuring equal opportunity and equal consideration to all persons receiving services from the Center. The same equality is assured all job applicants and employees in personnel matters including recruitment and hiring, training, promotion, salaries, and other compensation. In the implementation of this policy, the DARC will seek personnel for all job levels within the organization through upgrading and recruitment from minority group members, handicapped individuals and women.*

The second policy, from Workshops, Inc., states:

*It is the continiung policy of Workshops, Inc., that all persons are entitled to equal employment opportunity, regardless of race, creed, color, sex, age, handicapping condition, religion, or national origin. Specifically: (1) Employment opportunities are and shall be open to all qualified applicants solely on the basis of their experience, aptitudes,*

*and abilities, and (2) Advancement is and shall be based entirely on the individual's achievement, performance, ability, attitude and potential for promotion. If at any time two people have identical qualifications as described above, length of service will be the determining factor.*

EMPLOYEE STATUS

Employees will fall into several categories, even if the facility has only a few people. Some may be part-time or hired for a specific short period; others will be full-time, permanent people. In addition to being classified as regular part-time, regular full-time, or temporary, an employee may be considered as probationary for a specified length of time. Most of the probationary periods will occur when a person initially enters into employment with the facility. A second probationary period may result whenever the individual transfers or is promoted into a different position.

The purpose of having a probationary period is so the facility can verify that the new employee has the necessary skills, attitudes, and motivation to do the work expected. Judgments made during the hiring process are often subjective. It is not until the employee begins work do they become valid or invalid. If things are not going to work out, evidence usually surfaces early. The policy, then, should state the length of time the employee is to be considered probationary as well as any other conditions or rights which the employee may have.

Definitions of employee status, as viewed by two facilities, are given below. The first one defines part-time and not full-time, while the second example defines both. However, by stating that a part-time employee is someone working less than the standard workweek, a distinct separation between full-time and part-time status has been made. The policy from the Philadelphia Association for Retarded Citizens states:

*Entry Probation: There shall be a three month probationary period for all personnel to enable the workers and the agency to determine whether employment is mutually satisfactory. The probationary period may be extended where possible by the supervisor, if deemed necessary. This period will provide orientation to the job and a knowledge of the agency and the community. There shall be a written evaluation at the end of the probationary period. Any worker dismissed during this probationary period or extension shall be given two weeks notice of his termination. Any accrued annual leave benefits for this period shall be forfeited. Part-time: A part-time employee is one who is engaged on a permanent basis, but works less than the standard work week. Should an opening for a full time permanent job occur, the part-time employee shall be given the first opportunity to apply for such an opening, provided it carries the same job title as his own. Part-time employees, after two years of service, are entitled to all the rights and privileges of permanent employees as stipulated in these codes and practices, except that they receive appropriate benefits in an equitably pro-rated manner. Temporary: A temporary employee is one who is engaged for a period not to exceed six months, or for the duration of a specific project. Temporary employees retained*

*beyond the end of their temporary employment shall become permanent employees with seniority computed from the date of original employment. Temporary employees who become permanent employees in the same job title and who have been employed for three months or more, are considered to have completed their probationary period.*

A second example policy, from Workshops, Inc., states:

*Entry Probation: The probationary period for new salaried employees is 180 calendar days, where as the probationary period for hourly employees is 60 calendar days. During these periods, the employee has the opportunity to demonstrate proper attitudes and abilities for the position for which employed. He/she may be released or terminate his/her employment without prior notice or obligation during this period. Employees on entry probation are not eligible to take paid sick leave, paid vacation, or paid funeral leave. However, upon satisfactory completion of probation, all benefits with the exception of health and life insurance accrue to date of hire. Regular Parttime: A parttime employee is an employee who consistently works more than 20 but less than 40 hours per week. Parttime employees are eligible for prorated vacation, holiday, and sick pay, and Worker's Compensation insurance. They may elect to purchase group health and life insurance at their own expense. Parttime employees may fill salaried positions, but are paid on an hourly basis. An employee who works less than 20 hours per week is, by definition, a temporary employee. Regular Fulltime: A regular fulltime employee is one who has successfully completed his/her entry probation and who consistently works at least 40 hours per week, as assigned by the department head. This employee is eligible for all employee benefits. Temporary: A temporary employee is one who is hired for a specific period, not to exceed 90 working days, a specific purpose, such as consultation, or for less than 20 hours per work week. A temporary employee is not eligible for fringe benefits with the exception of Worker's Compensation Insurance. Transfer Probation: A regular parttime or fulltime employee will be placed on a transfer probation status when transferred or promoted to a different position. A transfer probationary employee is entitled to retain all benefits of a regular parttime or fulltime employee. Transfer probation is normally a 90 day period, renewable for an additional 90 days.*

## REQUISITION AND RECRUITMENT FOR POSITIONS

Whenever job positions are vacated by employees or new positions created, the facility must recruit for the positions. These positions can be filled either internally or externally by the facility. In some instances, the decision may be made not to fill a vacated position. Regardless, the personnel director or individual responsible for the recruitment of job applicants should be kept informed of the status of the vacated job. It is important that the facility adopt a policy which states the procedure to be used when requesting for the filling of a position, and when recruiting for the position. Two examples are given below. The first example, by the Rehabilitation Center of Sheboygan, Inc., discusses the method to be used when filling a position:

*Staff who possess the necessary qualifications shall be given the first opportunity to fill available Agency positions. Employees interested in reassignment within the Agency are required to apply in writing to the*

*interviewing Program Director. The Program Director may require that a reassignment questionnaire be completed by the applying employee-applicant. If an available Agency position is not filled by reassignment of staff, applicants will be sought through regularly accepted recruitment methods, such as Job Service, newspaper ads, and educational institutions.*

The second example is more comprehensive than the first. It details the procedures to be used when requesting for and filling a vacated position. Further, it covers newly created positions. The policy from Workshops, Inc., states:

*Positions at Workshops become available in two ways: vacancy created by termination retirement, transfer, promotion, or death, and creation of a new position. Upon receipt of a written notice of termination, the department head (administrative staff person) will assess the need for filling the vacant position. If it is decided that the position is to be filled, either before the incumbent leaves or immediately after his/her last date of employment, the department head will requisition the filling of the position in writing to the Executive Director. With the approval of the Executive Director, the requisition is forwarded to the Business Manager for recruitment. The Business Manager will consult with the department head regarding desired characteristics to be sought, changes in job description, etc., and will place job requisitions with various sources such as Job Service, local and regional newspapers, professional journals, college and technical school placement office, etc. The job requisition will be posted on the employee bulletin board five days before outside recruitment begins to recruit potential applicants from within the Agency. In addition, applications on file will be screened. All applications received by the Business Manager will be forwarded to the department head for screening, interviewing, reference checking, and hiring. If the department head is not satisfied that any of the applicants meet the minimum qualifications of the job, he/she may request that the Business Manager continue recruiting. Such request must be approved by the Executive Director. The recommendation for the creation of a new position must be made in writing by a department head to the Executive Director. If the Executive Director agrees to the creation of the new position, the department head and the Business Manager will be directed to develop an appropriate job description in approved Agency format. The Executive Director will assume responsibility for forwarding same to the Personnel and Finance Committee, and if approved by the, to the Board of Directors. If approved by the Board of Directors, job requisitioning and recruitment will proceed as in filling vacated positions.*

## HIRING PROCEDURES

When rehabilitation facilities recruit, screen, and hire job applicants, they must be aware of Sections 503 and 504 of the Rehabilitation Act which were discussed in the introduction to this section of the publication. Facilities required to adhere to the laws may not discriminate against handicapped persons in hiring, promotion, demotion, transfer, layoff, or rehiring. Further, handicapped persons must be on equal footing with the non-disabled in job assignments and on career ladders, as well as the same treatment on sick leave, leaves of absences, training programs, and other similar factors.

Pre-employment inquiries of an applicant as to whether he is handicapped, and the severity or nature of the handicap should not be permitted. The rationale for this is that employers tend to disqualify a person for a particular job if a certain handicap exists. With the advent of Section 504, an employer may only inquire of the person's abilities or talents. For example: an employer may not ask if an applicant is blind or visually impaired, but may ask if he/she has a valid driver's license, provided it is a qualification for the position. Likewise, an employer can ask an applicant if he can safely perform a particular job, but may not ask if the applicant has epilepsy. While facilities may wish to develop specific policies related to the hiring of handicapped individuals, most have elected to maintain their acknowledgement of nondiscrimination within their E.E.O. and Affirmative Action policies and plans.

PRE-EMPLOYMENT PHYSICALS

Rehabilitation facilities which must adhere to Section 504 of the Rehabilitation Act cannot conduct pre-employment medical examinations for the purpose of determining the existence or the nature of a handicap. Rather, pre-employment physicals must concern themselves with the applicant's ability to perform job related functions. If pre-employment physicals are administered to all entering employees in a nondiscriminatory manner and the results treated confidentially, then offers of employment to handicapped individuals may be conditioned on the results of the examination.

Some of the reasons for pre-employment medical examinations are to: detect diseases unknown to the applicant which may be contagious, treated, and cured; to establish a record of the applicant's health at the time of employment in case of future insurance or compensation claims; and to discover any medical limitations that should be taken into account in the placement of the applicant.

Community Industries Corporation requires a thorough physical prior to employment. It's policy states that:

> *A thorough physical examination is required for employment at Community Industries Corporation. Thereafter, staff are encouraged to have an annual or at least a biannual medical check-up. Approval of attending physician is necessary for employment. Chest x-ray or T.B. skin test are highly recommended on an annual basis.*

Some facilities may or may not reimburse a newly hired employee who has a pre-employment physical completed by his/her own physician, as indicated by the following policy from Workshops, Inc.,:

> *All employees are required to have a physical examination prior to or within ten working days of hire to determine freedom from communicable diseases and general health in relation to the position. This physical will be performed at the Fond du Lac Clinic at no cost to the employee. If the employee wishes, he/she may have his/her personal physician perform the examination within the same time period. Upon presentation of a receipted bill from the employee's physician, the agency will reimburse the employee the amount normally paid for preemployment physicals or the total amount of the bill, whichever is less.*

## NEW EMPLOYEE ORIENTATION

All newly hired employees need orientation to the facility. The orientation program serves as the official welcome to the facility. It may be assigned to one or more staff members. Common features of an orientation program include: a tour of the facility; introduction to staff and employees; benefits orientation; review of the personnel manual; and assignment of office space or work department. The following example from the Daniel Arthur Rehabilitation Center describes the procedures it follows when orientating new employees:

> *It is assumed that new professionals and others with prior training are competent to perform their assigned duties, However, it is recognized that each person must receive orientation to Daniel Arthur routines, procedures, methodology, and philosophy. Therefore, each department will follow the guidelines for orientation listed below for all new staff. 1. Tour of the Center. 2. Introduction to the Executive Director and the Assistants to the Director. 3. Review of personnel policies. 4. Review of this manual. 5. Visit to Business Office to sign forms and discuss personnel matters. 6. Orientation to assigned Department; specific procedures, processes, forms, and reports. 7. Supervised work and observation for a time to be determined by the immediate supervisor. 8. New staff members without prior training will receive on the job training as determined by the immediate supervisor.*

## PERSONNEL FILES ON EMPLOYEES AND THEIR CONFIDENTIALITY

From the moment an individual is hired by the facility and through his/her termination, personnel records are documented and maintained in a secure area. Some of the information is highly confidential and is made available only to authorized personnel such as the chief executive and personnel director. Other information may be acceptable for viewing by executive staff and department heads. After the employee terminates employment, personnel information may or may not be kept on file. Thus, it is important that the facility adopt a policy which states its intentions to keep confidential certain personnel records as well as indicating who has authority to view the files. The Goodwill Industries of Orange County has adopted a detailed policy on the confidentiality of personnel files. The policy states:

> *All personnel information concerning rehabilitants and employees will be considered confidential and will be kept, while in any office, in such a manner as to insure that information contained therein will be revealed only to those persons having a need to know it or having authority to handle it. Personnel Records are defined as those records referring to applications, physical examinations, status forms, performance ratings, testing, correspondence, disciplinary actions, etc., referring to a single individual placed in an individualized folder and stored under lock and key when not being used. Records are located as follows: 1. Executive Staff: Office of the President. 2. Salaried employees: Office of the Director of Personnel. 3. Permanent and transient employees: Records Room. 4. Fee Paying Rehabilitants: Records Room in a locked portable cabinet that can be moved to various offices as needed. 5. Payroll and related records (all Personnel): Vault in the Accounting Division Office. 6. Other records may exist and be kept in individual offices as needed but will not be considered as a part of this policy. Example: talent records,*

*supervisors' working records, Good Losers Club records, medical treatment records, etc. Access to Personnel Records: 1. Executive Staff members may review records of personnel under their supervision. 2. Professional Staff member - on a need to know basis - may review records when approved by the Director of Personnel. 3. Records room personnel have access to records as required to perform assigned duties. Employees may review their own records, however, the Director of Personnel will be informed of the request prior to granting of the request. "Sealed" records: Confidential information which may be damaging or may have been "restricted" by an outside agency may be placed in a sealed envelope within the personal folder. The envelope will have the following information written on it: (1) Name of the individual employee or rehabilitant; (2) Date; (3) By whom sealed; (4) Under what circumstances it may be opened. Complete records will be retained for three years after termination. At the end of three years, files will be disposed of as follows: a. Employee files: The material listed below will be placed on microfilm. When this film has been developed and examined to verify proper reproduction, the file will be destroyed by use of a paper shredder. Application sheet, Personnel Data Sheet, Pre-employment Physical Examination, History Sheet, Termination Status Form, Employee Exit Questionnaire, Last Performance Rating Sheet, Supervisor's Investigation Reports, OSHA Accident/Illness Reports, Doctor's Reports of Injuries, Auto Accident Reports. Correspondence, including claims for unemployment or State Disability, paperwork from the Gibbens Company, Employment verification, etc.*

# SECTION THREE: HOURS OF WORK, ATTENDANCE, AND ABSENTEEISM

This section of the publication provides a discussion of policies applicable to hours of work, compensatory or overtime, attendance at facility related activities, absenteeism and tardiness, and facility shutdowns. The first areas to be discussed are the hours employees are expected to be at work and any compensatory or overtime they may be eligible to receive.

## HOURS OF WORK, INCLUDING COMPENSATORY AND OVERTIME

For a facility to function, it needs employees to report on a regular basis for work. So that there is no misunderstanding with what the regular hours of work are to be, a personnel policy should be adopted by the facility. This holds the employees accountable for reporting regularly for work while an employee of the facility. Occasionally, employees may be required to work at times other than their normal working hours. Federal and State Wage and Hour Laws require payment of premium rates for all hours worked over forty (40) hours in one workweek by employees who are covered by the regulations. Work time beyond 40 hours per workweek is known as overtime. Facilities are encouraged to check with wage and hour offices for a clarification of who must receive overtime pay. Some employees may not be covered by the regulations. In other words, they are exempt from wage and hour regulations concerning overtime. Such positions may include executive, administrative, and professional staff. To compensate for the additional hours worked by these individuals, the facility may grant compensatory time. This is time off with pay from the normal workday to compensate for the additional hours worked beyond the normal workday and workweek.

The following policy from the Youngstown Society for the Blind clearly specifies the normal hours of work and length of lunch and break periods.

> *The normal work week is Monday through Friday. Working hours are 37½ hours per week. They are scheduled as follows: Social Service and Rehabilitation Center - 8:30 A.M. to 4:30 P.M., Industrial Division - 8:00 A.M. to 4:00 P.M., Lunch Period: A ½ hour lunch period is authorized for all personnel, Coffee Break: Staff is permitted two coffee breaks of fifteen minutes to be taken at staff members convenience in morning and afternoon. Breaks will not exceed fifteen minutes duration.*

The two policy statements given below are involved with work time beyond the normal workday. The first one, by the Goodwill Industries of Orange County, pertains to overtime compensation. Note that supervisors may authorize overtime hours.

> *Federal and State Wage and Hour Laws require payment of premium (e.g., time and one half) rates for all hours worked over 40 hours in one work week by employees who are covered by the regulations. The work week starts on Monday and ends on Sunday. All Goodwill employees are covered by the regulations except certain executive, administrative and professional staff members. Staff members who are exempt from wage and hour regulations will be notified individually by the Director of Personnel. Subject to approval by division directors, supervisors may authorize overtime hours for key personnel when absolutely essential.*

*Executive, administrative and professional staff employees who are exempt from wage and hour regulations concerning overtime are given assignments which normally are presumed to require a minimum of 40 hours per week for accomplishment. Additional duty assignments may be required before or after normal office or on weekends to accomplish necessary Goodwill business. Premium pay is not authorized for these staff members, however, occasional absences during working hours for personal reasons are authorized when coordinated with the appropriate member of the Executive Staff.*

The second policy statement, by the Youngstown Society for the Blind, applies to compensatory time. Note that the Executive Director is the only individual approved to grant compensatory time.

*Compensatory time is time granted by the Executive Director to compensate for hours of work in excess of the regular working schedule. The following are guidelines for compensatory time: (1) Time off with pay will be granted for scheduled extra work. Thus, if you have a scheduled meeting or appointment outside the regular working hours, you will get compensatory time. However, if you work past the regular quitting time for a short period of time, you will not be granted compensatory time. It is expected that you may have to work some unscheduled hours on occasion, due to the nature of the work, (2) Compensatory time must be cleared ahead of time with the Executive Director. Under no condition can compensatory time be accrued without prior knowledge and approval of the Executive Director.*

When preparing policy statements on overtime and compensatory time, the facility should specify who will have the authority to grant such time for employees. Accountability for employee work hours is strengthened when several or less individuals have authority to approve overtime or compensatory time.

## ATTENDANCE AT FACILITY RELATED ACTIVITIES

Occasionally it may become necessary for facility employees to participate at meetings, lectures, and training programs. Employees may become actively involved on committees or boards. Travel time may or may not occur from such participations. So that employees understand their responsibilities or opportunities associated with such participations, policies should be prepared outlining the area. The two examples which follow describe staff participation at meetings, lectures, and training programs. The first example by Community Industries Corporation states:

*It is the policy of the agency to encourage and aid the employees in their professional advancement. Employees are expected to participate in the In-Service Training Programs conducted by the Corporation. Employees are also encouraged to participate in the professional advancement activities outside the Corporation. With prior approval of the Executive Director, time off with pay is allowed for attendance at conferences for designated staff members who are participating in programs and to attend conferences when they can be excused from duty. To the extent that the budget permits, at least partial expense may be provided by the agency for attendance at professional conferences for*

*selected staff members. The staff member is expected to bring back a constructive report to the agency. As arranged with the Executive Director, staff attending training workshops at agency expenses must remain with the agency for one year or more. Unless otherwise arranged, the agency will require reimbursement for travel and training expenses provided and the salary for the leave period if an employee leaves the agency before one year of additional employment is completed.*

The second example by Workshops, Inc., states:

*All fulltime regular employees who have completed entry probation are required to participate in a minimum of forty (40) hours per year of staff development activities. Parttime regular employees are expected to engage in a prorated quantity of staff development activities. Staff development activities include graduate, undergraduate, or technical school courses, conferences, institutes or seminars, and in-Agency training programs. Time off, with pay, to participate in activities which occur during the normal work day is granted by the department head based on the relevance of the activity to the employee's annual staff development plan and the staffing needs of the department. It is the responsibility of the Business Manager to maintain records regarding all employees' staff development plans, hours earned and hours yet to be earned. Participation in staff development activities as specified in the employees annual staff development plan will be a significant determining factor in the granting of merit increases. Time off during the employee's normal work day for participation in college or technical school courses may be granted by the department head. It is expected that the employee will make up the time missed from work at a mutually agreed upon time.*

Employee involvement on committees and boards can be an asset to the facility in terms of public relations. Their communication with others keeps both the facility in touch with other agencies and other agencies in touch with the facility. The following policy by Community Industries Corporation recognizes committee and board involvement by employees. The policy states:

*Staff members are encouraged to accept community or professional responsibilities on boards or committees. The Executive Director must give approval taking into consideration time off the job, demands on staff, and how the staff person is presently functioning.*

Since work time may be consumed while traveling to and from meetings, lectures, and programs, the facility may want to adopt a policy describing the extent to which the facility will compensate the employee for his/her travel time. The following example by Workshops, Inc. does that by stating:

*Employees will be compensated for time spent in travel related to their positions within the Agency, during the employee's normal work day. Travel time outside of work hours, even though related to the job, must be approved by the department head as with any other overtime hours. Employees are not compensated for time spent in traveling to and from work. Employees will receive compensation for time spent in travel to staff development activities if the activities are relevant to the employees annual staff development plan and if travel time commences or ends or occurs during the employee's normal work day.*

## ABSENTEEISM AND TARDINESS

Sternhagen (1972) has defined absenteeism as the "... failure of workers to report on the job when they are scheduled to work - that is, when they are actually 'on the job.'" (p. 61-3) Tardiness, then, is the failure of workers to report on time on the job when they are scheduled to work. One method of controlling them is by preventing them from occurring. To do this the facility must adopt policies on absenteeism and tardiness. The policies must be supported by management. Supervisory personnel can actively control absences and tardiness through proper actions. The sequence of actions for dealing with absenteeism could be as follows: first offense, an interview with the employee; second offense within a relatively short period of time, another interview and a warning; third offense, a final warning; fourth offense, termination from the facility. Of course, reference made here is to unexcused absenteeism only. Illness, jury duty, vacation, or other excusable absences would not apply within the example above. The two policies given below describe absenteeism and tardiness. The first example by Daniel Arthur Rehabilitation Center states:

> *Each employee must report any absence or lateness to his supervisor or designated alternate as soon as possible. It may be necessary to contact the supervisor at home, especially when scheduled patients are affected. Calls directly to the Center should be made at 8:30 A.M. when the receptionist arrives. Information regarding your lateness and/or absence will be disseminated by the receptionist to the appropriate supervisory and administrative personnel.*

Workshops, Inc., states its absenteeism and tardiness policy in more depth:

> *All employees are expected to be present for the total working day, unless they are excused by the department head. Such excused absences include the following: Illness reported to Supervisor; Industrial injury; Jury duty or other leave of absence; Pre-arranged absence such as vacation, holiday or compensatory time taken; Death in immediate family; Attendance at off-site meeting, conference, etc. Unexcused absences are those not covered by the above factors. Both unexcused and unreported absences are cause for disciplinary action as contained in the Disciplinary Policy Tardiness or leaving work early, without prior department head approval, will be treated as unexcused or unreported absences. All employees are required to contact their department head during the first half hour of their normal work day or before if they will be absent or tardy. It is the employee's responsibility to record such absenteeism or tardiness on his/her own Employee Time Sheet. If the employee does not return to work prior to the end of a pay period, it is the responsibility of the department head to complete the employee time sheet, approve it and forward same to the bookkeeper. All employees are required to report to their department head upon returning from a period of absenteeism for purposes of updating, reassignment, etc. Any employee missing five or more consecutive days due to illness or for other medical reasons is required to provide written approval of their return to work from their physician.*

## FACILITY SHUTDOWNS

There may be times when the facility will be forced to cease operations. Agency shutdowns could occur as a result of inclement weather or fiscal emergencies. A policy should be adopted so that employees are aware of what constitutes agency shutdown. The following policies discuss shutdowns for some facilities. Handi-Shop Industries states that:

> *In events and situations whereby the revenue resource(s) of the Handi-Shop Industries, Inc., facility become less than the projected budget, the Executive Director and Personnel Committee reserve the option of temporary layoffs of staff members. This option would only be exercised to protect the interests of the shop.*

VGRS policy states that:

> *Any absences due to weather conditions or similar circumstances will be charged to accrued vacation time or deducted from pay unless the Executive Director designates it as a day of leave with pay for all employees absent that day.*

Finally, Workshops, Inc., states:

> *Occasionally, the Agency will be required to shut down for a portion or all of a work day due to emergency weather conditions or equipment malfunctions. If the decision to shut down is made prior to the beginning of a work day, employees will be notified via radio stations KFIZ and WFON. Salaried, exempt employees will be compensated for hours missed due to official Agency shutdowns. Hourly employees will not be compensated during official Agency shutdowns, but may take earned vacation or sick leave in lieu of pay. Any hourly employee who does work during periods of official Agency shutdown will be compensated for the hours worked with approval of department head. Salaried employees will receive compensatory time off during the pay period if they work during periods of official Agency shutdown.*

# SECTION FOUR: WAGE AND SALARY ADMINISTRATION

The administration of a facility's wage and salary program is important in maintaining a good employer-employee relationship. One of the methods of retaining high morale and low turnover is to have a formal wage and salary program consisting of written policies and procedures. The policies should be written so that they are flexible enough to allow exceptions or slight deviations from the norm when necessary. They should describe the various types of increases e.g., probationary, merit, general, and promotional. Likewise, they should encompass the requirements of federal and state laws. Wage and salary policies should be communicated to employees through supervisors as well as being included within the personnel manual. Efforts should be made by facility management to keep the policies and compensation structures competitive with the outside labor market so as to continue to attract qualified applicants as well as keep current employees.

This section of the publication will provide policy statements related to: wage and salary; performance appraisals; and payroll deductions. The first to be discussed will be basic wage and salary policies.

## WAGE AND SALARY POLICIES

The term wage is generally used for those employees whose pay is calculated according to the number of hours worked during the pay period. The word salary applies to compensation that is uniform from one pay period to the next and does not depend on the number of hours worked. Salaried individuals are often executive, administrative and professional staff of the facility whereas work supervisors and clerical personnel are paid wages. The wage and salary policy from Goodwill Industries of Orange County distinguishes between salaried and hourly employees in the following manner:

> *Salaried Employees: Administrative and professional staff are hired on a salary basis, and will be paid 1/26th of the annual salary for each biweekly pay period. To be entitled to full pay, professional staff are required to work at least the number of hours for which scheduled.*
> *Hourly Employees: All para-professional and support staff are hired and will be paid on an hourly basis for all authorized hours of work. Straight time pay will be paid for the first 40 hours of work each week. All overtime must be scheduled and approved in advance by the Executive Director and will be paid for at the rate of 1½ times straight pay for all hours of work in excess of 40 hours each week.*

## BASIS OR FOUNDATION OF WAGE AND SALARY ADMINISTRATION

Wage and salary policies should encompass the requirements of federal and state laws. There are many laws, and their primary purpose is to protect the employee. One such law that has an influence on almost all organizations is the Fair Labor Standards Act. It is the federal standard in the area of time and one-half pay for overtime work and in the setting of minimum wages. Facility management should consult federal and state departments of labor, wage, and hour divisions for a complete listing of laws that must be abided by. As these laws may change, the facility must continually watch for changes and adjust wage and salary policies accordingly. The following

policy describes the basis or foundation of wage and salary administration for Goodwill Industries of Orange County:

> *Goodwill Industries of Orange County, Calif., functions as an Evaluation and Rehabilitation Center, approved by the California Department of Education, accredited by the Commission on Accreditation of Rehabilitation Facilities and certified by the Federal Department of Labor, Wage & Hour and Public Contracts Division and the California Department of Industrial Welfare. These certifications authorize the Center exemptions from the Federal and State Minimum Wage Laws and other pertinent regulations. All policies concerning the payment of salaries and wages will confirm to the following applicable government regulations: 1. Title 29, Parts 524 and 525, Code of Federal Regulations, "Employment of Handicapped Clients in Sheltered Workshops" and "Special Minimum Wages for Handicapped Workers in Sheltered Workshops." 2. The Fair Labor Standards Act. 3. The Walsh-Healy Public Contracts Act. 4. The Wagner O'Day Act as amended. 5. Equal Opportunity Employer's Act. 6. Title III, Consumer Credit Protection Act. 7. Occupational Safety and Health Act of 1970. 8. Title VII, Civil Rights Act. 9. Labor Code of the State of California.*

ADMINISTRATION OF WAGE AND SALARY PROGRAM

In order to properly administer a sound wage and salary program, the facility must adopt a policy which acknowledges the need for a uniform system of compensation. This policy should describe the various types of increases, including probationary, merit, general, and promotional. The following policy from Workshops, Inc., covers the area in depth:

> *The administration of the wage and salary program includes determination of wage or salary (new employees), salary adjustments, and coordination of the program. These are detailed as follows: 1. DETERMINATION OF WAGE OR SALARY (NEW EMPLOYEES): A new employee will receive the minimum wage or salary for the position classification to which he/she is assigned. Exceptions to this are as follows: a. A person who has directly related experience above the minimum qualifications for the classification, may be employed at a wage or salary above the minimum of the range, but no higher than the midpoint of the classification; b. A person not minimally qualified may be employed at a wage or salary below the classification minimum for the position. The exception applies only in cases where an employee has sufficient potential to meet qualifications for the position within 12 months and can be raised to the minimum at that time: 2. WAGE & SALARY ADJUSTMENTS: Adjustments in an employee's wage or salary are based on annual adjustment of the Wage and Salary Classification Schedule and Staff Performance Appraisal as follows: a. Review Schedule - 1. Entry or Transfer Probationary: One week before completion of probationary period, for adjustment effective upon completion of probation. 2. Regular Fulltime or Parttime Employee Remaining in the Same Position: During April 1978, for adjustment effective May 1, 1978. Thereafter, all regular employees will be evaluated during December for adjustment effective January 1; b. Tickler System: Appraisal dates for all employees are established by these policies, i.e. all employees will be appraised in December of each year for adjustment effective January 1, except those in entry or transfer probationary status. All*

*probationary employees will be appraised one week prior to anticipated completion of probation. The Business Manager will maintain a tickler system and notify each department head, one month in advance of the anticipated effective date of the adjustment when an appraisal is due; c. Staff Performance Appraisal Procedure: Each department head will conduct an appraisal of each employee within his/her department in terms of job description and the employee's performance related to it; d. Necessity for Granting Increases: The foregoing is not intended to imply that wage and salary adjustments must always be given upon completion of each individual's Performance Appraisal. If adjustments are made in the Wage and Salary Classification Schedule by the Board of Directors, then these adjustments will be passed on to the employee based upon the aforementioned policy. However, merit increases will only be granted based upon the employee's Performance Appraisal. Performance is the key factor in the granting of a merit increase, not length of service; e. Determination of Wage and Salary Adjustments: Each department head is responsible for submitting recommenced wage and salary adjustments along with Staff Performance Appraisals to the Executive Director for approval at least three working days prior to the effective date of the adjustment: 1. Normal Adjustment Amounts: The normal adjustment amount for any employee will be the amount by which the Wage and Salary Classification Schedule was adjusted for cost of living purposes for the position's assigned classification and the employee's step within that range. 2. Merit Adjustment Amounts: The merit adjustment amount for any employee is determined solely by the results of his/her Staff Performance Appraisal and is equivalent to the minimum, one half, or all of the merit range for the position's classification and the employee's assigned step within that classification. 3. COORDINATION OF PROGRAM: The Business Manager is responsible for coordinating all wage and salary adjustments in order to maintain wage and salary classifications. Department heads preparing Staff Performance Appraisals (including wage and salary adjustment recommendations) should work closely with the Business Manager in order to keep their recommendations in line with general Agency trends. In order to assist the Business Manager to maintain uniform and consistent administration, the Executive Director will review each completed Staff Performance Appraisal and resulting wage/salary adjustment recommendation, prior to it's review with the employee.*

## PERFORMANCE APPRAISALS

Beach (1965) defined employee appraisal as "... the systematic evaluation of the individual with respect to his performance on the job and his potential for development" (p. 258). One of the purposes of appraising an employee's performance is for the determination of future wages or salary. Facilities may relate the size and frequency of pay increases to the rating assigned to the employee in the performance appraisal. So that all employees of the facility have an understanding of the importance which performance appraisals have regarding wages and salaries, the facility should adopt a policy on the subject. Two performance appraisals are given below. The first, from Goodwill Industries of Dallas, states:

*Once each year, on or near your day and month of hire, your performance on the job will be reviewed by your supervisor and department head. Factors important to the completion of your job, future plans and past*

*performance and salaries will be discussed. Occasionally, staff persons will be given additional reviews, with merit salary increases, recognizing outstanding job performance. These reviews are separated from your regular scheduled performance review. Store Managers may be involved in a bonus plan in line with their performance and some persons whose positions are funded by grants may encounter variations of the above procedure due to specific stipulations within a grant. While formal annual reviews will be held for all staff persons, a policy of continuous monitoring of performance and progress is encouraged.*

The second performance appraisal policy, from Workshops, Inc., states:

*The Agency will periodically appraise the performance of all employees in order to: 1. Maintain or improve each employee's job satisfaction and morale; 2. Improve job performance; 3. Serve as a basis for promotions, transfers, and merit increases; 4. Provide an opportunity for each employee to discuss his/her job and interests with his/her supervisor; 5. Provide an opportunity for the joint development of the employees annual staff development plan. The Business Manager will forward Staff Performance Appraisal forms to department heads according to the following schedule: 1. Entry & Transfer Probation: One week prior to the anticipated completion of the probationary period; 2. Parttime and Regular: By December 1 of each year. Upon receipt of the Staff Performance Appraisal forms, the department head and the employee's immediate supervisor (if other than the department head) will review the employee's performance against his/her job description since his/her last Performance Appraisal. This Appraisal will include recommendations for transfer, promotion, merit increase, and the staff development plan to improve future performance. When the Staff Performance Appraisal form is completed to the satisfaction of both the department head and the employee's immediate supervisor, they will review the form with the individual employee in a face-to-face interview. Based on this interview changes will be made in the annual Staff Development Plan and the employee will have the opportunity to add written comments of his/her own. All persons involved in the performance appraisal interview will sign the Staff Performance Appraisal form and forward it to the Executive Director. Based on analysis of the results of each Staff Performance Appraisal and it's relationship to the Wage and Salary Classification Schedule in effect at the time, the Executive Director will authorize wage or salary increases. For persons satisfactorily completing either entry or transfer probation, wage or salary changes will take effect the next working day after the completion of probation. Wage or salary adjustments for regular parttime and fulltime employees will become effective on January 1 of each year. All employees will be notified in writing of these changes by the Executive Director. Individual Staff Performance Appraisal forms will then be forwarded by the Executive Director to the Business Manager for posting of wage or salary adjustments and for inclusion in the employee's personnel file. The employee may secure a completed copy of his/her Performance Appraisal by contacting his/her department head or the Business Manager.*

## OVERTIME AND COMPENSATORY TIME

There may be times when hourly or salaried employees work more than the number of hours regularly worked during the normal work week. Hourly employees are usually entitled by federal and state laws to receive premium pay (time and one-half wages for every hour of overtime) or compensatory time with pay for the extra hours worked. Salaried employees are usually exempt from receiving overtime pay but may receive compensatory time off with pay. Each facility must decide for itself if salaried employees are to be provided compensatory time off with pay for extra hours worked during the normal workweek. Each of the three policies given below clarify who in the facility is eligible to receive either overtime or compensatory time. The first policy, from Community Industries Corporation, states:

> *All staff working more than 40 hours in any work week must file an overtime form. For non-professional staff required to work beyond legal hours, compensatory time may be given within seven calendar days or be paid time and one half. Professional staff are expected to consider periods of necessary overtime as part of the professional responsibility the worker owes to his job. Exceptions will be taken under consideration by the Executive Director.*

The policy from Goodwill Industries of Orange County states:

> *Federal and State Wage and Hour laws require payment of premium (e.g., time and one half) rates for all hours worked over 40 hours in one work week by employees who are covered by the regulations. The work week starts on Monday and ends on Sunday. All Goodwill employees are covered by the regulations except certain executive, administrative and professional staff members. Staff members who are exempt from wage and hour regulations will be notified individually by the Director of Personnel. Subject to approval by division directors, supervisors may authorize overtime hours for key personnel when absolutely essential. Executive, administrative and professional staff employees who are exempt from wage and hour regulations concerning overtime are given assignments which normally are presumed to require a minimum of 40 hours per week for accomplishment. Additional duty assignments may be required before or after normal office or on weekends to accomplish necessary Goodwill business. Premium pay is not authorized for these staff members, however, occasional absences during working hours for personal reasons are authorized when coordinated with the appropriate member of the Executive Staff.*

The third policy on overtime and compensatory time is from Workshops, Inc. It states:

> *Non-exempt, hourly employees only are entitled to overtime pay or compensatory time off with pay. To earn such premium compensation, the employee must have worked more than 40 hours in a work week. Overtime pay or compensatory time off will be granted on the basis of one and one half (1½) hours for every hour worked over 40 in a work week. Any time worked over 40 hours in a work week must have the prior approval of the department head. If time over 40 hours in the work week is granted by the department head, the department head is required to make every effort to grant compensatory time off to the employee within the pay*

*period. If, due to workload demands, the department head cannot grant the earned amount of compensatory time off within the pay period limit, then the employee will be compensated for 1½ times his/her overtime hours on his/her next paycheck.*

## METHOD AND TIME OF PAYMENT OF WAGES AND SALARIES

So that all employees of the facility understand the length of the pay period, the method of payment, and the time of payment, the facility should adopt a policy and include it within the personnel manual. Many organizations pay employees biweekly (every two weeks) or twice a month. Due to the amount of bookkeeping and processing involved, few pay employees on a weekly basis. The policy from Workshops, Inc., includes information about scheduled pay dates falling on scheduled holidays. The policy states:

*All employees will be paid by check, on the following schedule: Hourly employees: Alternate Fridays for the fourteen (14) day period ending on pay day. Salaried: On the 15th of the month and the last day of the month. If the hourly pay day falls on a holiday, every attempt will be made to pay on the work day before. If the salaried pay day falls on a weekend or a holiday, every attempt will be made to pay on the work day immediately before. If an employee is absent with excuse on his/her normal pay day, he/she may request, in writing that his/her pay check be mailed to a given address or picked up by a friend or relative. All payroll checks will be ready for employees by 3:00 P.M. on each day. Employees will pick up their own checks from the bookkeeper and will be asked to sign for receipt of pay checks in order to prevent loss or inappropriate distribution of checks.*

## PAYROLL DEDUCTIONS

Each facility is required by law to deduct certain taxes from each employee's earnings. Additional payroll deductions may be made from an employee's check with his/her authorization. While experienced employees may be knowledgeable of the required deductions that can be made from their paychecks, employees new to the job market may not understand them. Required payroll deductions include: social security tax (FICA); federal withholding tax; state income tax; and city income tax, when applicable. Additional employee authorized deductions may include: tax sheltered annuities; group health and/or life insurance; savings; United Way contributions; and facility purchases. Two payroll deduction policies are given below. The first one, from the Youngstown Society for the Blind, explains required deductions. The policy states:

*Deductions are made from the paycheck for the following purposes: Social Security (FICA), Federal, State and City Income Tax, and those deductions for which the employee has signed up, such as: hospitalization premiums, retirement benefits, advances and contributions to the United Appeal. SOCIAL SECURITY -FICA (Federal Insurance Contribution Act) - Under the Social Security Act both the Society and the employee are taxed equal amounts to provide retirement benefits to employees. The entire amount taxed is credited to the employee's social security account. The amount the employee is taxed is deducted from his paycheck.*

*FEDERAL WITHHOLDING TAX: The federal government requires that the employer deduct federal income taxes from an employee's paycheck, and for this purpose each employee is required to complete a W-4 form indicating dependency status at time of employment. STATE INCOME TAX: The State of Ohio requires that employers deduct State Income Tax from an employee's paycheck. YOUNGSTOWN INCOME TAX: The city of Youngstown requires that the employer deduct city income taxes from the employee's paycheck. The tax is one and one-half per cent (.015%).*

While the second policy statement from Workshops, Inc., does not define each deduction, it does list them. Any employee can then ask for further explanation from the accountant or bookkeeper of the facility. The policy is as follows:

*All deductions from gross pay fall into the following categories: 1. Required by Federal and/or State Laws: FICA - Employee's share of Social Security tax; State Withholding Tax; Federal Withholding Tax; Garnishments & Wage attachments. 2. Deductions authorized by employee: Employee tax sheltered annuity contribution; Employer tax sheltered annuity contribution; United way contribution; Savings or bond programs; Credit Union; Others.*

As most employees are, by nature and necessity, concerned about the wages or salaries they receive for work performed, it is important that the facility develop policies which are clear and easy to understand.

# SECTION FIVE: SENIORITY, PROMOTIONS, TRANSFERS, AND LAYOFFS

Of all of the sections of information contained within the rehabilitation facility personnel manual, this was found to be the weakest area from those manuals reviewed. Undoubtly, many or all facilities have provisions or plans for dealing with promotions, transfers, and layoffs, but apparently, they are unwritten rules or policies. Perhaps this is because the rules and policies vary, according to the individual(s) affected by the promotion, transfer, or layoff possibilities. There will always be exceptions to the rule, but the facility should adopt policies or rules pertaining to seniority, promotion, transfers, and layoffs, the rights of the facility, and the individual(s) affected. These rules or policies should be written into the personnel manual.

## SENIORITY

Seniority refers to the length of time an individual has been employed by the facility. This length of service becomes important should the facility be forced to reduce its work force, e.g., fiscal emergency. Those with seniority will remain while recent hires will be laid off. Certain positions are usually exempt from seniority policies, e.g., executive and administrative staff. Department heads, although recently hired, are needed to supervise and manage those who remain in their charge. Workshops, Inc., has stated its seniority policy as follows:

> *Length of Service is the amount of time that an employee has worked for the Agency. It is determined by the date that the employee was hired or hired back after a break in service. Entry probation employees have no length of service rights. However, length of service rights revert back to date of hire upon satisfactory completion of entry probation. Length of service rights can be lost through resignation, discharge, layoff of more than one year, failure to report for work upon notice of recall, and overstaying a leave of absence. With the exception of Executive and Administrative staff personnel, length of service will be the basis for all layoffs and recalls from layoff.*

## PROMOTIONS

Promotion is usually associated with the assignment of an individual to a position of more responsibility, or to one which requires the application of the individual's particular education or experience. These positions become available when vacated by employees for reasons such as termination or promotion to another position, and when new positions are created. When this occurs, the facility should first look internally for possible replacements. The intentions of the facility to promote from within whenever possible should be stated in the form of a policy. Three policy statements on promotions are given below. The first policy, by Rochester Rehabilitation Center, Inc., states:

> *As vacancies occur or as new positions are developed at any level, information regarding the vacancy is made known to staff along with a job description including the salary grade, job pre-requisites, etc. Anyone wishing to apply is invited to do so with the understanding that consideration will be given based on qualifications.*

The second example policy, by UCP of Queens, states:

> *In filling a vacant position, the Center shall give first consideration to promotion of qualified employees within the Center. Promotion shall be based on evaluation of past performance and capacity for the vacant position. If an individual is not given the promotion to fill the vacant position that would normally fulfill the internal promotion system, the reason for lack of movement will be discussed with the individual by the Executive Director, whose judgment will be final-subject only to review by the Board of Directors.*

The third example, by Workshops, Inc., is more detailed. It states:

> *Promotion is the reassignment of an employee to a position having a higher wage or salary classification. Such classification may be due to the creation of a new. higher classification position or a vacancy in a higher classification position. Promotion is always based upon better than satisfactory performance appraisal. As it is the policy of the Agency to secure the best qualified persons for all positions, all promotions must be earned. All vacant positions, whether due to termination of the incumbent or the creation of a new position, will be posted within the Agency five days before listing as specified in the REQUISITION AND RECRUITMENT policy. Qualified employees will be screened and evaluated along with qualified applicants from outside of the Agency. If the employee is selected for promotion over other applicants, he/she will be offered the position, will be placed on transfer probationary status for ninety (90) days, and will be assigned to the classification and step commensurate with the employee's qualifications in relation to the new job description. Upon satisfactory completion of transfer probation, the employee will be considered for a merit adjustment commensurate with his/her Staff Performance Appraisal covering the probationary period.*

TRANSFERS

If a promotion has been defined as the assignment of an individual to a position of more responsibility, then a transfer is the assignment of an employee from his/her current job into a position having the same wage and salary classification. A transfer is possible when the position has been vacated through termination, promotion, or transfer of the individual currently assigned to the job. A transfer may also become possible when a new position has been created by the facility. Observe the following two example policies on transfers. The first example, by the Youngstown Society for the Blind, states:

> *If an employee's services can no longer be utilized in his department or division, or if the employee voluntarily desires a transfer, consideration will be given to transferring him or her to another office to fill a vacancy for which they are qualified.*

The example policy from Workshops, Inc., states:

> *Transfer is the reassignment of an employee from his/her present position to a position having the same wage and salary classification. Such*

*transfer may be due to the creation of a new position at the same classification or a vacancy in a position at the same classification. The policy for PROMOTIONS will apply to all transfers. The transferring of an employee from one position to another may be a function of Agency reorganization in an attempt to avoid layoff of persons in eliminated positions or may be due to the employee's desire to change positions.*

LAYOFFS

A layoff, although initiated by the facility, differs from other terminations in that it is normally a temporary situation, resulting from lack of work. To be properly classified as a layoff, the following conditions should exist: (1) there should not be enough work for the employee; (2) the layoff should be a relatively short-term, temporary situation; and (3) the facility intends to recall the employee as soon as the workload permits. By establishing a layoff policy, the intent is to protect a permanent employee's tenure and all related benefits and privileges. The employee laid off because of a temporary lack of work is still regarded as an employee, but one who is not currently working and not receiving any regular pay. Workshops, Inc., had adopted the following policy for layoffs. Note that layoffs of more than one calendar year do not have to be recalled by the facility.

*Unfortunately, it occasionally becomes necessary for the Agency to layoff staff due to lack of funds. Should this become necessary, all layoffs will be based on length of service, i.e., newest employees will be laid off first, with the exception of Executive and Administrative staff personnel. Recalls from layoff will also be based on length of service in that employees with the most seniority will be recalled first should funding become available. Should more than one calendar year elapse from layoff to recall, the Agency will have no obligation to recall laid off employees and may, if funding becomes available, recruit for and fill positions as with new employees. Seniority is held in abeyance during a lay off, but will be reinstated, minus the elapsed time of the layoff, upon return to work. Health, life and tax sheltered annuity benefits may be maintained during a layoff, at the employee's expense, up to a limit of one calendar year. Layoffs of persons funded through CETA will be governed by CETA policies. The Agency reserves the right to layoff on the basis of length of service regardless of the source of funding for the position.*

# SECTION SIX: EMPLOYEE FRINGE BENEFITS

Today, potential employees carefully review the fringe benefit packages offered by employers before making the decision on which particular job to accept. Employees of one business continually compare the fringe benefits they have with those provided by other businesses which could use their talents and abilities. A good package is essential to recruiting and maintaining an effective work force.

The rehabilitation facility should carefully inform employees and potential employees of what fringe benefits are offered. The most appropriate place to discuss benefits is in the personnel manual. Clear, concise policies reduce the risk of employees misunderstanding what the facility offers in terms of benefits.

Benefit plans may be presented to employees in terms of their actual costs. By doing so, an employee may be better able to compare his present salary and benefit cost with a job offering him a higher salary but with weaker benefits. People tend to look first at the dollar amount they earn (salary), but the "invisible paycheck" received from fringe benefits is changing this notion.

Because employees and potential employees do look seriously at fringe benefits, it behooves the facility to review its benefits regularly. As benefits are added or dropped from the facility, similarly the policies presented in the personnel manual should be added or dropped. It is important that the facility does not overlook important benefits nor indicate nonexistent benefits. This may mislead individuals seeking employment with the facility.

This section of the publication will discuss the various types of fringe benefits which employees may receive from the rehabilitation facility. Example policies from facilities have been provided for each of the fringe benefits discussed. The first benefit involves vacations.

## VACATIONS

Vacation time with pay is usually granted to an individual who has been employed by the facility for a specified length of time--usually one year. As the individual's length of service increases, he/she may become eligible to receive additional days or weeks of scheduled vacation time. When the facility is developing a vacation policy, it should include information on the following: amount of vacation allowed; holidays falling on a scheduled vacation day; illness during vacation; unused vacation time at termination of employment; approving the vacation; and, accumulating earned vacation time. Since most employees take vacations annually, it is important that the facility has clearly stated vacation procedures. This will reduce any misunderstandings the employee may have with the procedures. Three vacation policies are given below. While each is distinctly different from the other two in terms of style, all basically highlight the same type of procedures. The vacation policy from the Daniel Arthur Rehabilitation Center is as follows:

> *Employees shall earn annual leave at the rate of one day per month during the first year and one and two-thirds days per month thereafter. First year to be from date of employment to anniversary date following year. Exceptions to the Policy may be made by the Board of Directors. Annual*

*leave may be accumulated, but not more than ten (10) days may be carried forward from one year (anniversary date) to the next. Annual leave for part-time employees will be pro-rated. Consultants will not be granted annual leave. Compensation in lieu of annual leave is not given except for terminal leave. The scheduling of annual leave shall be at the approval of the Director and the Department Heads. Except at the discretion of the Director, requested "leave without pay" will not be approved when annual leave is available.*

The vacation policy and procedure from Nevada County Community Workshop states:

*Eligibility - A. Employee must be permanent full-time or permanent part-time. B. Employee must have six months of continous service with the Workshop and be on the active payroll. Vacation Allowance - A. All full-time employees who are on the payroll and have more than one (1) but less than four (4) years of continuous employment are eligible to receive a maximum of two weeks (10 days) of vacation time off with pay. B. All full-time employees who are on the payroll and have five (5) but less than nine (9) years of continuous employment are eligible to receive a maximum of three weeks (15 days) of vacation time off with pay. C. All full-time employees who are on the payroll and have ten (10) or more years of continuous employment are eligible to receive a maximum of four weeks (20 days) of vacation time off with pay. D. All permanent part time employees receive 50% of the above schedule of benefits. E. The Executive Director shall receive 15 days paid vacation each year for the first five years of employment and 20 days per year each year thereafter. General - A. Vacation time off shall be arranged at a time which least interferes with operational requirements. Insofar as possible, the employee's vacation time shall be arranged to meet the employee's request. Long service employees shall be given preference over those with less service in scheduling vacations. B. Vacations may not be taken in increments of less than half day. C. A workshop recognized holiday, falling within a vacation period, shall not be charged against the employee's vacation account. D. Vacation time off may not be converted to sick leave once a vacation has started except in an emergency situation wherein the Executive Director may authorize the conversion. E. Employees who terminate receive pay for all unused vacation provided that six (6) months of continuous service with the Workshop has been completed. F. The maximum amount of vacation that may be accumulated is six (6) weeks. Vacation carry-over in excess of six (6) weeks is forfeited. G. Employees may be paid for vacation in excess of six (6) weeks in cases when it was not convenient to the Workshop to allow vacation to be taken as requested.*

The third policy statement, from the Rehabilitation Center of Sheboygan, Inc., states:

*It is the Agency's policy that vacations earned be taken so as to maintain the highest level of proficiency of its employees. Vacations are a fringe benefit earned by full-time staff. Vacation pay shall be computed at the employee's compensation in effect at the time vacation*

*is taken, and is based upon the employee's normal workday. Subject to the following, each eligible employee shall, as of his or her anniversary date of hire, receive a paid vacation, to be taken during such employee's current anniversary year, based upon his or her continuous length of service as of that date is provided in addendum #1. The length of an employee's vacation shall be reduced by 1/10 for each 23 days of absence from work during his or her preceding anniversary year, and all earned vacation benefits not taken within the employee's current anniversary year shall be forfeited. There shall be no vacation pay in lieu of vacation time, except that an employee may request, and the Agency shall thereupon grant, paid vacation time during the first three days of an illness. All vacation periods are subject to the approval of the employee's Program Director, and vacation requests must be submitted to the employee's Program Director at least two weeks prior to the requested commencement date, except in case of illness or other situation for which two weeks' notice is impractical. If an employee on authorized vacation becomes eligible for any other benefit, such as disability insurance, bereavement leave, or jury duty leave, the employee may request that benefit in lieu of vacation benefits by making application to his or her Program Director. Approval of such application shall not extend the previously approved vacation period. If an extension of the previously approved vacation period is desired, a request must be made by the employee, which likewise shall require the approval of his or her Program Director. An eligible employee with more than one year of continuous service with the Agency, whose employment is terminated (either voluntarily or involuntarily) prior to his or her anniversary date of hire shall receive partial vacation benefits computed on the basis of 1/12 of the vacation benefits he or she would have earned as of such subsequent anniversary date for each full month worked during the current anniversary year. If an "Agency Shut Down Week" is scheduled in any calendar year, each eligible employee will be required to take one of his or her earned vacation weeks during that week, unless the program director, with approval of the Executive Director, requests that such employee work during such period to fulfill agency needs. If an employee is not eligible for or entitled to vacation benefits, he or she will be subject to layoff during that shut down week. If the Agency is closed during a normal workday and the Executive Director directs that employees then working are to be paid for scheduled hours not worked, employees on vacation at such time shall likewise be entitled to receive their regular compensation for such lost time.*

HOLIDAYS

In addition to earning vacation time, employees also are entitled to holidays observed by the facility. The number of holidays observed can vary greatly from facility to facility. As a minimum, the following holidays are observed by all facilities: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving, and Christmas. Additional holidays may include any or all of the following: Martin Luther King Day, President's Day, Good Friday, Friday after Thanksgiving, Christmas Eve Day, Yom Kippur, and Rosh Hashanah. A facility may also have one or more floating holidays which can be used at its discretion.

When developing a policy statement regarding holidays, the facility should include information on: observed holidays falling on a Saturday or Sunday; compensation for working an observed holiday; and religious holidays other than those included within the policy. Observe the policy statements given below. The policy from the Rehabilitation Center of Sheboygan, Inc., states:

> *To be eligible for holiday pay, a full-time or part-time employee must have completed his or her probationary period of employment and must be entitled to compensation for both the workday before and the workday after the holiday. An employee's normal workday shall be the basis for computing the amount of holiday pay. The following holidays are observed by this Agency: 1) New Year's Day. 2) Good Friday, 3) Memorial Day, 4) Independence Day, 5) Labor Day, 6) Thanksgiving Day, 7) The day following Thanksgiving, 8) The ½ day before Christmas, 9) Christmas Day, 10) Floating Holiday - This day is intended to be taken at the employee's discretion, but approval will be subject to the programmatic needs of the Agency. A written request for this day must be submitted to the respective Program Director at least two weeks in advance, 11) Floating Holiday - Agency Assigned - This day will be an agency-wide shutdown and will be established annually by the Executive Director. Holidays falling on a Saturday or Sunday will be observed on either the Friday before or the Monday following the holiday. Determination and notification of the specific date of the obervance will be announced at least two weeks in advance.*

The policy from the Daniel Arthur Rehabilitation Center includes a statement about non-recognized religious holidays. The policy states:

> *The Center shall observe the following holidays: New Years Day, Good Friday, Independence Day, Labor Day, Thanksgiving and Christmas. At the discretion of the Director, the Center shall be closed in the afternoon hours of Christams Eve and New Years Eve. The above holidays falling on Saturday will be observed on Friday and those falling on Sunday will be observed on Monday. Accepted religious holidays shall be granted as agreed upon at the time of employment.*

A section of the policy statement from Workshops, Inc., includes information on holiday pay. It states:

> *In order to be eligible for holiday pay, an employee must work the last scheduled working day prior to the holiday and the first scheduled working day after the holiday, unless absent due to vacation, illness or other excused absence. Holiday pay is based on the hourly employee's hourly rate times 8 hours. Holiday pay for salaried employees is based on their annual salary divided by 260. Should it be necessary for an hourly employee to work on an Agency holiday, he/she will be compensated based on the OVERTIME AND COMPENSATORY TIME POLICY at the rate of two (2) times the hours worked. Exempt employees will be granted compensatory time off.*

## LEAVES OF ABSENCE

In addition to earned vacation time and observed holidays, employees may be entitled to leaves of absences from the facility. Pay may or may not be received for the hours of work missed. Some of the more common leaves of

absences that are granted by facilities include: funeral leave; military leave; jury duty, maternity leave; medical leave; educational leave; excused leave; and, disciplinary leave. The types of compensated and noncompensated leaves of absence granted by the facility should be developed as a policy and included within the personnel manual.

Funeral leave generally provides for up to three days time off with pay for a death in the immediate family. When developing the policy, it is important that the facility carefully define who is considered an immediate family member. Then, there should be no disagreement between the facility and the employee regarding bereavement pay.

Military leave and jury duty are obligations that the employee must fulfill. As such, leave with pay is usually provided to satisfy military obligations and serve on juries. If an employee is reimbursed for his/her services, he/she is generally expected to reimburse the facility for the difference between his/her wages or salary during the leave and the amount of military or jury compensation. When military earnings exceed the amount of wages or salary, the employee is not expected to reimburse the facility for the difference. Policies for military leave and jury duty should clearly state what is expected of the employee when granting either of these leaves.

Any other leaves of absences allowed by the facility are generally granted without pay. The employee is usually expected to request the leave in writing and obtain facility approval prior to the leave itself. The leave is normally granted for a specified length of time. Absence from work beyond the expected return date of the employee could result in termination of employment. Provided below are some leaves of absences polices developed by facilities. Leaves of absences policies for the Rehabilitation Center of Sheboygan, Inc., state:

> *Bereavement Leave: In case of absence of a non-probationary employee from work during scheduled work days because of the death of spouse, a child (including step-child), mother or father, such employee shall be paid for time lost at his or her regular compensation for 3 working days. A one-day leave of absence, with up to 2 additional days if previously approved, with pay for time lost at the employee's regular compensation, will be granted for the purpose of an employee attending the funeral of his or her grandfather, grandmother, grandson, granddaughter, brother, sister, father-in-law, mother-in-law, son-in-law, daughter-in-law, brother-in-law, or sister-in-law. Jury Duty Leave: A non-probationary employee selected for jury duty will be granted a leave of absence for the time necessary to serve on the jury, and will be paid his or her regular compensation for the time necessarily lost from scheduled work, provided, however, that the employee remits to the Agency, upon receipt, all fees collected for such jury duty service. Personal Leave: The Agency may grant an employee a leave of absence, without pay and upon such other terms and conditions as the Agency determines, for personal reasons. Written application for such leave shall include time particulars and the reasons for the requested leave. A request for personal leave of absence shall require the prior approval of the employee's Program Director, and if such requested leave is for more than 5 regularly scheduled work days, the prior written approval of the Agency's Executive Director. Maternity*

*Leave: A request for, and the granting of, a maternity leave of absence is treated like a personal leave of absence and shall be subject to the following requirements: a. To promote the safety and welfare of the pregnant employee and unborn child, it is requested that the employee notify her Program Director upon confirmation of pregnancy. However, to be eligible for a maternity leave of absence, the employee must notify the Agency of such pregnancy no later than six (6) months before the expected date of delivery. Upon request of the employee, such notification will be treated in a confidential manner by the Agency, b. Should the employee desire to resume her position following child delivery, she shall also be required to submit a written request for a maternity leave of absence for the period she will be unable to perform her position responsibilities and duties due to such pregnancy. Such written request for a maternity leave of absence shall be submitted by the employee to her Program Director at least three (3) months before the expected date of delivery, and shall include the expected duration of the maternity leave of absence and a statement of intent to resume her position following child delivery, c. The employee shall be permitted to perform her position responsibilities and duties prior to child delivery until such time that her physician recommends commencement of the requested maternity leave of absence, unless the Agency determines that such maternity leave of absence should commense at an earlier date--considering the safety of the employee and unborn child and the ability of the employee to efficiently perform the responsibilities and duties of her position, d. A maternity leave of absence will end when the absence due to pregnancy ends, but in no event shall a maternity leave of absence exceed three (3) months after date of delivery, subject to an extension of up to three (3) months upon the prior written approval of the Agency. An employee who has requested a maternity leave of absence, but fails to return when the absence due to pregnancy ends shall be deemed to have voluntarily quit. The employee may be required to furnish satisfactory medical evidence as to her ability or inability to return to work and efficiently perform the responsibilities and duties of her position by a physician selected by the Agency, at its cost. e. A maternity leave of absence shall be without pay, but shall not interrupt the employee's seniority with the Agency during such period. While an employee is on an approved maternity leave of absence, she will not accrue or be paid any benefits furnished by the Agency except for group insurance coverage and continued enrollment under the Agency's pension plan.*

Workshops, Inc., separates its leaves of absences according to whether or not pay is given. The policy states:

*Leave of absence are granted both with and without pay. The types of compensated and non-compensated leaves are as follows: Without Pay: These include maternity leave, leaves for extended study or vacation, extended illness, or other reasons of importance to the employee. Requests for leaves of absence without pay must be in writing and approved by the department head and the Executive Director. Such a leave of absence will be granted for no longer than 90 calendar days, but is subject to renewal for an additional 90 days upon written request by the employee, approved as with the original request. Leaves of absence without pay may not be extended longer than 180 days; employees who do not return from*

*unpaid leaves of absence within the specified time period will automatically be terminated. Fringe benefits may be continued during unpaid leaves of absence at the employee's expense. Upon return from this type of leave of absence, employees will be reinstated in their former position or a position of equal classification, if available. If no such position is immediately available the employee may apply for a vacant position of lesser or greater classification, for which he/she is qualified. If no such position is available, the LAYOFF policy will apply. With Pay: These include military leaves of absence, jury duty, and funeral leave. a. Military leave and jury duty: The employee will be granted leave with pay to satisfy military obligations and serve on juries. Such leave must be requested in writing by the employee and approved by the department head. If the employee is reimbursed for his/her services, he/she will be expected to reimburse the Agency for the difference between his/her wages or salary during the leave and the amount of military or jury compensation. Return from military leave or jury duty will be governed by the above policy. b. Funeral leave: Employees are granted up to three (3) days leave with pay due to a death in the immediate family. Immediate family is defined as mother, father, husband, wife, children, brother, sister, mother-in-law, father-in-law, grandparents, grandchildren, brother-in-law, and sister-in-law. Funeral leave may be extended by using accrued vacation or without pay, upon approval of the department head.*

SICK LEAVE

Sick leave compensates the employee for absences from work caused by personal illness or injury, exposure to contagious diseases, personal medical or dental appointments, and in some cases to illness or death in the immediate family. The latter cause for sick leave is only necessary for employees of facilities not having a funeral leave policy. Paid sick leave may or may not be granted for the temporary emergency care of ill or injured members of the immediate family. The sick leave policies of three facilities are given below. Each is different in some way from the other two. The policy from Community Industries Corporation offers a maximum of twelve days per year, cummulative up to sixty days. The policy states:

*Sick Leave: Paid sick leave of one (1) day for each month of employment, or up to a maximum of twelve (12) days per year, is allowed during each calendar year of employment. Sick leave is not granted if the employee does not notify the Corporation of his or her illness, or does not keep the agency informed regarding his or her condition, in order that the agency may plan accordingly. The Executive Director must be notified as soon as the employee finds that he or she cannot report for duty because of illness. A staff member who is ill for more than three days may be required to have medical attention if paid sick leave is to be granted. The name of the physician must be furnished. Sick leave is cumulative up to 60 days. An extended sick leave may be granted by the Executive Director with the approval of the Board of Directors in cases of serious illness and on the length of employment and previous health record. For regular part-time workers, employment half-time or more, and having continuous employment, the sick leave time and pay pro-rated for the employment year on the basis of the average of hours of work and the normal sick leave allowance for the position. Temporary hourly employees, consultants and part-time workers are not entitled to sick leave allowance.*

*Employees leaving the agency prior to the end of their employment year and having used up more sick leave than has been earned, must forfeit salary to the amount of the extra sick leave taken. Sick leave allowances are maximum and in no sense "used up" each year. Accumulated sick leave will not be paid to terminating employees. Upon returning from sick leave, the sick leave form must be filed.*

The sick leave policy from Nevada County Community Workshop allows employees to accumulate a maximum of sixty days, but varies the amount of sick days earned per year according to length of service. The policy states:

*If an employee received benefits from Workmen's Compensation Insurance covering an occupational sickness or accident case, or if he receives benefits from the State Disability Insurance Plan covering a non-occupational sickness or accident case, he is eligible to draw on his accrued sick leave to make up any difference between what he received from his insurance and what he would have received had he worked. In no case, however, may an employee receive a larger total benefit when his insurance benefit is added to his Workshop sick leave reimbursement than what his regular base earnings would have amounted to for the length of time he was absent. (Employees should be encouraged to apply for insurance benefits, when eligible, in order to preserve their Workshop sick leave accrual as much as possible.) All employees shall be entitled to draw upon his unused sick leave in the event of his absence from work because of an occupational or non-occupational sickness or accident, or in the event of his absence from work because of a sickness, accident, or death of a member of his immediate family. (Bereavement leave will be limited to three (3) days, except in extreme cases). All employees shall be entitled to draw upon his unused sick-leave for personal leave. No more than one-half (½) of the accrued sick leave per year can be used as personal leave. No more than two (2) consecutive working days can be taken at one time. The Executive Director's approval must be given in writing three (3) days before the leave is to be taken. Management at its discretion may allow an employee or client to take sick-leave prior to four months of continuous service or to take more sick-leave than the employee has accrued. Maximum accrual for sick-leave for any employee shall be 60 days. All staff employees or client/employees must complete four months of continuous service with the Workshop before they become eligible to apply for sick-leave benefits as outlined below. Sick leave may be drawn in hourly units and is accrued on the following basis:*

| *Fulltime Employment* | *Accrued Sick-Leave/Year* |
|---|---|
| *0 - 2 years* | *10 days* |
| *3 - 5 years* | *12 days* |
| *6 - 7 years* | *14 days* |
| *8 - 9 years* | *16 days* |
| *10 + years* | *18 days* |

*Permanent part-time employees receive 50% on the above schedule of benefits.*

The Rehabilitation Center of Sheboygan, Inc., reimburses its employees 50% of his/her compensation for sick days unused during the calendar year. The sick leave policy states:

*The Sick Pay program fully compensates an eligible employee for loss of earnings only during the first 3 days of such absence. On January 1 of each calendar year, each eligible employee who has completed his or her probationary period of employment shall be entitled to the following sick days which may be taken during that calendar year: administrative and professional - 9 days, para-professional and support - 6 days. Eligible employees who complete their probationary period during a calendar year shall be entitled to, as of that date, a proration of the awarded sick days based upon the number of full calendar months remaining in that calendar year. Sick days unused during a calendar year will not be accumulated or carried over into a succeeding calendar year. However, each employee will be reimbursed at 50% of his or her compensation in effect on December 31, payable during January of the following year. The Agency has the right to require a physician's certification of illness or injury to substantiate eligibility for sick pay, or ability to resume regularly assigned work duties. In addition, the Agency may send an employee home in the event such employee's presence, in the opinion of supervisory personnel, poses a potential health hazard to others on the premises.*

GROUP HEALTH AND LIFE INSURANCE

Group health and life insurance plans provide financial security to the employees of the group in case of illness, injury or death. Most facilities offer one or both types of group insurance to their employees. The premiums for the coverage may be entirely paid by the facility, shared by both the facility and the employees, or entirely paid by the employees.

The objective of group health insurance for an individual is to provide him/her with financial protection against unpredictable medical expenses and maternity expenses incurred for himself and members of his immediate family. The facility's objective for providing such insurance to employees is the recognition that group buying of health insurance is less costly for an employee than if he/she purchased it by a separate agreement. The coverages provided under the group health insurance plan will vary according to the needs of the group and the amount of premium desired to be paid.

The objective of group life insurance for an individual is to provide low cost financial security for beneficiaries in case of the employee's death, and may also do so for the employee, in case of his/her total and permanent disability. The most widely used form of group life insurance for employees is term insurance. Term insurance does not build up cash value over the life of the policy. As such, it is less expensive to purchase than many other types of life insurance. Another form of group life insurance commonly found among facilities is accidental death and dismemberment insurance. This may be attached to the term insurance group policy and provide supplemental money to the employee should he/she die accidentally or lose one or more parts of the body.

Generally, group health and life insurance policies protect the employee and other family members only while he/she remains with the facility. At termination of employment, the employee must convert the policy or policies to individual policies or be dropped from the group plan.

Given below are two group health and life insurance policies adopted by facilities. The group insurance policy from Goodwill Industries of Orange County provides a procedural outline in addition to the policy. The policy states:

*Group Insurance: 1. Employee Coverage - Full-time Employees Only: Employees become eligible for the following insurance benefits on the first day of the month following 30 days of employment at no cost to the employee. Coverage includes: Life insurance based upon the employee's base level of compensation. Accidental Death and Dismemberment insurance to a maximum level equal to the life coverage. Health insurance benefits (medical, hospitalization, major medical, etc.) as detailed in the master policy which is available for inspection at the administrative office of the Agency. Short Term Wage insurance with benefits (subject to favorable income tax treatment) of 60% of the employee's current compensation. Benefits are payable during the first 6 months of an absence due to non-job related injury or illness, subject to an elimination period of 3 days. Long Term Disability insurance (permanent total disability) with benefits (subject to favorable income tax treatment) of 50% of the employee's current compensation. Benefits are payable to eligible employees at age 65, subject to an elimination period of 180 days. Disability Insurance - Under the California Unemployment Insurance Code, disability insurance is payable when an employee cannot work because of sickness or injury not caused by the job. The cost is 1% of the first $11,400 of wages and 1% of the pay of all covered employees is automatically withheld. Benefits are based on wages earned on a quarterly basis and vary from $25 to $119 per week. Goodwill Club Trip Insurance - Goodwill Club Trip Insurance is provided for all Goodwill Club recreation trips made on public carriers on a comprehensive basis for a total of 24 hours. All arrangements for this coverage will be made by the Goodwill Club, acting as its own agent. All premiums are paid by the Club. PROCEDURES - Premium Payment for Life Insurance: 1. The application for Life Insurance will be completed as a part of the pre-employment counseling interview. Coverage is issued and in force after ninety days as follows: a. Hourly wage employees - $2,000 (Premium 44¢ per pay period); b. Salaried employees and staff - $5,000 (Premium $1.08 per pay period) Optional additional coverage within prescribed limits. Hospital and Surgical Insurance: 1. The information concerning group hospital and surgical insurance is also included in the preemployment counseling interview, but application may be made any time during the first 60 days at Goodwill. All employees are eligible except those entitled to full medical treatment in a government hospital. It is, however, optional. Personnel reaching Medicare age may continue insurance on their dependents only with a pro rate adjustment in the premium. Premiums are participating and are paid monthly in advance. Premium rates are subject to change. Dependents must be added at the time insurance application is made. Exceptions will be made only by the authority of the Director of Personnel. 2. Hospital and Surgical Insurance - semi-monthly premiums are deducted from the payroll and are as follows: a. No dependents - $2.15 per pay period; b. One dependent - $7.07 per pay period; c. Two or more dependents - $11.70 per pay period. Premiums are participating and are paid monthly in advance (to the insurance company). Premium rates are subject to change. PROCEDURES DURING LEAVES AND ABSENCES: A. Personnel on employment leave, sick leave or extended vacations may pay their proportionate share in advance by special arrangement with the Business Office. If the*

*absence extends for more than a period of thirty days, the individual concerned must assume that portion of the premium for both life and hospital insurance which is normally carried by Goodwill Industries. Rates will be computed weekly on the following basis: 1. Life Insurance - 45¢ per thousand per pay period. 2. Hospital (no dependents) - $5.75 per pay period. 3. Hospital (one dependent) - $12.45 per pay period. 4. Hospital (more than one dependent) - $17.95 per pay period. These rates are subject to revision by the Insurance Carrier. B. Life insurance may be converted on termination without having a physical examination. Individuals must contact the Insurance Company within 31 days furnishing their individual life insurance number. The Insurance Carrier is: Aetna Life Insurance Company, Suite 913, Union Bank Square, 530 S. Main, Orange, California. Rates will be recomputed in accordance with schedules published by the company. C. Group Insruance may be converted on termination by contacting the Health Service Office to arrange for completion of the necessary papers to have the policy converted. Application must be made within 31 days. The carrier is the same as in Paragraph IV, B, above, and the rates will be adjusted by the carrier. D. Insurance coverage for employees who have been authorized leaves of absence over extended lengths of time must be reviewed monthly and approved by the Executive Staff member concerned, the Payroll Supervisor and the Director of Personnel. PROCEDURES IN CASE OF DEATH: Survivors will notify the Director of Personnel and will furnish a bona fide copy of the death certificate. The application will be processed by the Business Office. The Personnel Department will be responsible for delivery of the insurance check to survivors.*

The second example, from Workshops, Inc., states its policy on health and life insurance, but asks employees to contact the Business Manager for the specifics of the programs. The policy states:

*The Agency provides group health insurance to all eligible employees at no cost to the employee. Both single and family plans are available. All employees are eligible to participate in the group health insurance program effective one calendar month from date of hire. Employees are urged to contact the Business Manager regarding specific benefits of this program. If an employee is laid off or takes a leave of absence without pay, he/she may elect to continue group health insurance coverage by paying the full monthly premium(s). If group health insurance benefits are not continued by the employee, he/she will be enrolled in the program again when he/she returns to employment. However, the Agency insurance carrier may require that the employee undergo a physical examination prior to a second enrollment. Employees are asked not to enroll in the group health insurance program if they are already covered under another group health insurance plan. The Agency provides group life insurance to all eligible employees at no cost to the employee. The group life insurance plan is a rider on the group health plan; however, it may be taken separately for those who do not wish to enroll in the health plan.*

## UNEMPLOYMENT AND WORKER'S COMPENSATION

General policy statements should be adopted by the facility addressing the rights of employees to file for unemployment or worker's compensation. The facility should refrain from stating what is or is not covered within each;

rather, cases on an individual basis should be referred to the Unemployment or Worker's Compensation Bureau for determination of eligibility. General policy statements may be developed similarly to the policies from Workshops, Inc. Its policy states:

> *The Agency contributes to the State Unemployment Compensation fund in order to provide unemployment benefits to Agency employees laid off or otherwise terminated without cause. Worker's Compensation insurance is carried on all persons on the Agency payroll. This insurance provides coverage for work related injuries and is available at no cost to the employee. Worker's Compensation coverage begins at date of hire.*

RETIREMENT PLANS

In addition to making contributions to an employee's social security fund, the facility may offer some type of retirement plan to some or all employees. So that employees have the opportunity to join such a plan, the facility should develop a policy which includes the responsibilities and rights of the facility and the employee. Since retirement plans, their costs, and their benefits vary among insurance companies, the facility will want to carefully review each proposal prior to selecting the proper plan. Several retirement plan policies are given below. The policy from Community Industries Corporation states:

> *All staff working more than half-time are eligible for a tax sheltered annuity after one year of service. Opening dates are January 1 and July 1 of each year. Each employee may elect that up to five percent of his/her salary be contributed to the fund. If a staff member wishes to have more than five percent contributed, he/she may do so through a payroll deduction.*

The policy from Rehabilitation Center of Sheboygan, Inc., requires two years of facility employment prior to eligibility. The policy states:

> *The Agency has established a pension plan for eligible employees which provides retirement income, in addition to that provided by Social Security, and death benefits for the employee's family. The following is to be considered general information: (1) All full-time employees who are 22 years of age and have completed 2 years of employment are eligible for inclusion in the plan on the subsequent plan anniversary date (June 30), and (2) The Agency will contribute each June 30th an amount equal to 4% of the covered employee's base compensation during the preceding 12 months of employment.*

The final retirement policy, from Workshops, Inc., is stated as follows:

> *In cooperation with Lincoln National Life Insurance Company, the Agency maintains a tax sheltered annuity program for all eligible employees. Upon completion of entry probation, an employee may elect to enter the program by authorizing a regular payroll deduction for that purpose. The Agency will contribute to the employee's tax sheltered annuity program beginning with his/her third year of continuous employment. Bonuses will be paid to these eligible employees during the months of June and December of each year and via payroll deduction, will be withheld and deposited in the employee's annuity account with Lincoln National Life. Eligibility to receive Agency bonuses is based on the employee's length of service in months plus his/her annual wage or salary computed to the nearest $1,000.*

*These calculations will be made as of June 1 and December 1 of each year. If an eligible employee should terminate his/her employment with the Agency prior to the end of June or December after he/she becomes eligible to receive the Agency contributed bonus, he/she forfeits the semi-annual bonus. The total amount to be distributed to eligible employees is determined by the amount budgeted each year for that purpose.*

TRAVEL EXPENSES

At times, employees may be requested to travel on authorized facility business. The facility should state its policy related to authorized travel expenses for employees as well as outline the reimbursement procedures to be followed. Facilities may elect to reimburse for all reasonable expenses incurred during the course of travel or may establish maximum limits which will be paid for each category of expenses. Two travel expense policies are given below. Note the differences which exist among the policies. The policy from the Rehabilitation Center of Sheboygan, Inc., states:

*It is the policy of the Agency to reimburse staff for personal expenditures incurred for mileage, meals and lodging while on authorized Agency business. Reimbursement will be limited to: a. Mileage: 15¢ a mile; *b. Meals - $3 Breakfast, $4 Lunch, $7 Dinner. Tipping, if warranted, is reimbursable but is limited to a maximum of 15% of the meal costs and must be reflected on the receipt. Costs for alcoholic beverages will not be reimbursed; *c. Lodging: Local prevailing rates; *d. Conference Fees: At cost. * Receipts are required for reimbursement. Use of Personal Vehicles: The Agency acknowledges the need for employees to use their personal vehicles for Agency business. However, Agency vehicles should be used whenever possible. An employee may not use his personal vehicle for Agency business unless a certificate of insurance is filed with the Agency by the employee's personal insurance carrier evidencing liability insurance coverage at a minimum level of $100/300/50 (or $300,000 single limits coverage). In addition, it is the employee's responsibility to maintain and equip his or her vehicle so as to be in compliance with all current Motor Vehicle Regulations of the State of Wisconsin.*

The second policy, from Workshops, Inc., states:

*All employees are eligible to be reimbursed for travel and other work related expenses with prior approval of the department head. Reimbursable items are as follows: 1. Travel: Plane, bus or train fare. Use of own auto, at the rate of $ .15/mile. 2. Meals: Breakfast - $2.00 including tip, Lunch - $4.00 including tip, Dinner - $6.00 including tip. 3. Banquets and Luncheons as part of staff development activity or conference: Actual Cost. 4. Registration Fees: Actual Cost. 5. Housing: Actual cost, less personal expenses such as telephone. 6. Parking: Actual cost. Expense vouchers approved by the department head must be submitted for all expenses claimed. Receips must also be submitted along with the expense voucher for travel fare, meals, registration fees and housing. When two or more employees are attending the same work related activity, they are asked to travel together and share housing whenever possible. Employees are also encouraged to use the least costly housing and form of transportation. In some cases, employees may request advances on their expenses. Such*

*advances must be approved by the department head and the Executive Director. Travel distance is figured from the employee's home or the Agency, whichever is less.*

EDUCATIONAL EXPENSES

Another benefit available to employees of many facilities is the reimbursement of expenses incurred from taking work-related educational courses. When requested by the facility, the employee should receive total reimbursement for the costs. When requested by the employee, the facility may reimburse the entire cost, share the cost with the employee, or require the employee to pay the cost. While a facility may decide not to reimburse employee requested education, it may allow time off during work hours and with pay to attend the course(s). Three education policies are given below. The first policy, from Nevada County Community Workshop, states:

*The Workshop encourages continuing education for all employees. Expense of continuing education shall be borne by the employees except in cases where the course is required for continued employment. In the latter case, the Workshop will bear all reasonable costs. All employees are entitled to 10% of their work week off with pay to pursue continuing education. The Executive Director may at his/her discretion require documentation of attendance in cases where employees pursue continuing education during their regular work shift.*

The Rehabilitation Center of Sheboygan, Inc., has an academic enrichment policy which states:

*Staff are encouraged to continue their education and to keep abreast of changing techniques and philosophies in the field of rehabilitation and their specialization during non-scheduled working hours. 1. Staff shall be reimbursed 100% of the tuition fees, costs for course materials, and mileage expense incurred and relating to courses taken by an employee at the request of the Agency. These fees and costs may be prepaid by the Agency, if requested, and upon such payment by the Agency, all course materials shall become the property of the Agency. 2. Staff shall be reimbursed 50% of the tuition fees and costs for course materials relating to courses taken at the instance of the employee and approved in advance by the employee's Program Director and the Agency's Executive Director, subject, however, to the condition that the employee furnishes paid receipts for such fees and costs presents a transcript of successful ("C" for under-graduate and "B" for graduate) completion of the course.*

Workshops, Inc., has a staff development plan which states:

*In order to maintain and improve the skills and performance of all employees, each employee will develop his/her own annual staff development plan with his/her immediate supervisor and department head. This plan will be developed at the time of probationary and annual performance appraisal. The staff development plan will be used by the employee and his/her department head to determine which staff development activities the employee should be encouraged to participate in. Taken as an aggregate, the annual staff development plans will provide the basis for the development*

*of in-service educational programs for staff. Staff development plans should be developed in response to the needs identified in the Staff Performance Appraisal and should include college, graduate school and technical school courses, conferences, institutes and seminars, and in-service education, as appropriate. Each full-time, regular employee is required to participate in a minimum of 40 hours per year of staff development activities. As least 75% of this time or 30 hours must satisfy the requirement of the individual's Staff Development Plan. Part-time regular employees and transfer probationary employees are expected to participate in a prorated amount of staff development activities of which 75% is to satisfay the Staff Development Plan. Requests for funding to support participation in these activities must be directed by the employee to his/her department head. Employees will be expected to submit a copy of his/her grade for any school course and to complete a Staff Development Report on each single staff development activity participated in. This will enable the business office to appropriately record attendance and to reimburse employees for the cost of participation.*

PROFESSIONAL MEMBERSHIP FEES

The final type of fringe benefit policy to be discussed involves professional membership fees paid for by the facility. Most facilities encourage employees to actively participate in professional organizations. Some will reimburse the employee for the amount of the dues. Two such policy statements are given below. The policy from the Youngstown Society for the Blind states:

*The Agency will assist staff in paying annual membership fees to professional organizations when closely related to the staff member's work. This practice would cover membership dues in national professional organizations not to exceed ½ cost per year.*

And, the policy from Workshops, Inc., states:

*Employees are encouraged to join professional organizations related to their employment. Dues for such memberships are fully reimbursable by the Agency with the approval of the department head.*

Employees are interested in the fringe benefits provided by the facility. For this reason, it is important that policies are clearly stated and available to employees in the personnel manual.

# SECTION SEVEN: DISCIPLINARY AND GRIEVANCE POLICIES

The conduct of employees who are on-the-job is a major factor affecting the health and safety within any business. Poor disciplinary procedures may undermine the morale of the employees of the business. Discipline which is either too lax or too harsh can have similar effects on the work force. Thus, the business must decide upon and implement discipline which is somewhere in-between--policies which are impartial and fair, yet firm enough to gain the acceptance of the employees.

Written disciplinary policies, backed by detailed procedures, and spelling out the penalties, provides the rehabilitation facility and its supervisors with a firm stance in administering discipline. No longer does the facility have to decide what disciplinary recourse to impose on an employee when a particular offense has occurred. Rather, written policies set the parameters and provides for the correct punishment each time an offense has occurred.

Employees who know what they can and cannot do, or who know their rights, responsibilities, and privileges, may be better satisfied with their job. They know the results which would occur prior to committing any offense. Then, when any offense is committed, there are no surprises in terms of disciplinary action taken by the facility.

In an effort to establish the smoothest possible working relationship among the employees of the facility, a regular system for setting employee grievances and problems should be established.

When, exactly, is an employee grievance against the facility? It can be thought of as the dissatisfaction which an employee feels when he believes (whether right or wrong) that he has not been treated fairly concerning his seniority, hours of work, vacation or holiday or sick leave eligibility, and other terms or conditions of employment, or when he believes that a mistake has been made in the administration of a rule or facility policy.

Thus, in order to provide an effective and acceptable means for employees to bring problems and complaints concerning their well-being at work to the attention of management, a formal grievance procedure should be established for the benefit and use of the employees of the facility.

## DISCIPLINARY ACTION

Disciplinary action may result from a violation of the facility's work rules, code of ethics, or laws while an employee is performing work. Depending on the seriousness of the offense and the number of infractions, penalties may range from a verbal or written reprimand to immediate dismissal. Except for serious or repeated offenses, the purpose of disciplinary action is to correct conduct which is regarded as detrimental to the department. Employees should have the right to due process in disciplinary actions. This means employees should be notified in writing as to why and how they are being disciplined, and they must be afforded an opportunity to appeal the action through the facility's grievance process.

VGRS of Cleveland describes its disciplinary action and/or discharge policy in detail. This leaves little chance for error by the facility or the employee regarding the procedure to be followed. The policy states:

*The termination of an employee for any reason is always a source of regret to the management. However, certain standards of behavior must be maintained for the welfare of the agency and its employees. While not intended to be all-inclusive, the following are some of the usual causes for immediate suspension or discharge: Stealing - whether it be agency property or personal belongings of others. Deliberate or negligent destruction or defacing of agency property, materials or equipment. Fighting or attempting bodily injury to another. Immoral conduct on agency premises. Falsification of personal or other agency records, including case records, time records, employment application, medical or insurance data, etc. Being under the influence of, the use of, or possession of intoxicants or illegal drugs on agency premises or property, including the parking lot. Gambling in any form on agency premises or property, including the parking lot. Insubordination. Threatening, intimidating, coercing or interfering with clients, employees, or supervisors at any time. Possession of lethal weapons or explosive materials on agency property, including the parking lot. Making or publishing false, vicious, malicious or libelous statements concerning any employee, client, supervisor, or the agency. Other causes for disciplinary action: Use of abusive language which might reasonably be expected to cause a disturbance; uncivil or insulting language in willfull contempt of authority. Horseplay, recklessness or disorderly conduct on agency premises. Poor attendance (absenteeism, tardiness, etc.). Violation of health or safety rules, including good housekeeping. Leaving the department or job for any reasons other than agency business without permission. Sleeping during working hours. Failure to satisfactorily perform normal work assignments. Violation of Use of Facility, Use of Equipment or Visitors policy. Procedure for implementing disciplinary action short of immediate suspension or termination: 1. In the event an employee does not behave in an acceptable manner or does not satisfactorily meet established levels of performance, the department manager will prepare a written statement describing the problem, what action is to be taken, and the length of time the employee has to correct or improve performance (not to exceed 60 days, but may be less than one week). This statement is to be signed by both the department manager and the employee. A copy will be sent to the Business Office for inclusion in the employee's personnel file. Failure to meet expectations as outlined in the first warning notice is sufficient cause for suspension or dismissal. However, at the discretion of the department manager, employment may be continued up to and including but not to exceed, three written warnings. 3. In the case of dismissal beyond the evaluative period, prior notice or the equivalent in salary will be given by the following formula: four weeks notice for managerial employees; three weeks notice for professional-technical employees; and two weeks notice for other employees. 4. Follow up or warning letters is the responsibility of the department manager. If improvement has been accomplished it will be so noted on the warning. Note: If employee performance improves, this warning notice will be removed from the personnel file one year after the successful completion of the warning period. 5. Supervisory personnel may initiate action to dismiss or demote any employee by submitting a recommendation to the department manager. 6. Generally, suspensions should not be for more than five days but may be extended due to circumstances. 7. Demotions (temporary) - The department manager may temporarily demote an employee for*

*reasons of health or temporary disability or for disciplinary purposes. Demotions (permanent) - When it is necessary to reduce an employee in rank or salary because he/she does not perform assigned duties satisfactorily, the required advance notice will fully identify the deficiencies even though the last performance rating was satisfactory. In such instances, only the deficiencies as recorded on the last rating and those occurring since may be used as a basis for action. 8. The Associate Director and Executive Director will review all separation cases prior to the separation.*

Part of a disciplinary policy from Workshops, Inc., describes the proper use of three types of disciplinary action which may be taken against a facility employee:

*There are three types of disciplinary action which may be taken against an Agency employee: written reprimand, suspension without pay, and dismissal. The following describes the proper use of these actions:*
*1. Written Reprimand: Must be issued to the employee, in person or via certified mail if necessary by his/her department head. The employee is required to acknowledge, in writing, that he/she has received a copy of the reprimand. The reprimand is then forwarded to the Executive Director who acknowledges receipt in writing and forwards to the Business Manager for inclusion in the employee's personnel file.*
*2. Suspension without Pay: Must be issued to the employee, in person if possible, or by certified mail, by the department head with the written approval of the Executive Director. Copy is then forwarded to the Business Manager for inclusion in the employee's personnel file.*
*3. Dismissal: Reason(s) for dismissal must be documented in writing by the department head and discussed with the Executive Director prior to informing employee of anticipated disciplinary action. The Executive Director only has the authority to dismiss an employee. Dismissal will be done in person with the employee and his/her department head, if possible, or by certified mail, if the employee is not available. All employees have a right to object to any written reprimands and disciplinary suspensions via the GRIEVANCE PROCEDURE. All written reprimands which are over 12 months old will be purged from the employee's personnel file.*

## GRIEVANCE PROCEDURES

Beach (1965) defines a grievance as "... any dissatisfaction or feeling of injustice in connection with one's employment situation that is brought to the attention of management" (p. 583). Dissatisfaction can result from poor or hazardous working conditions, or improper treatment by a superior. An employee unjustly accused of violating a work rule may have a grievance against the facility. Management of the facility, in order to get at the root of employee dissatisfaction, must establish a grievance procedure to deal with employee problems.

Why should the facility establish a grievance procedure? One reason is the fact that not all employee complaints and dissatisfactions are satisfactorily resolved by the first-level supervisor. When this happens, the employee must be able to appeal his case to some higher official. A second reason is that it brings employee problems to the attention of higher management. When

management formulates plans that will affect employees, it will have become cognizant of the needs and reactions of employees. Thus, complaints and grievances will be less likely to occur. Third, the existence of an effective grievance procedure reduced the likelihood of arbitrary action by supervision, because supervisors know that employees are able to protect such behavior and make their grievances heard by higher management. Fourth, morale may improve if employees realize that they have a right to be heard and are actually heard by management. While they may not win every case of dissatisfaction, the mere fact that management has listened to their arguments demonstrates that they are important to the functioning of the facility. Fifth, there will be less chance that the facility will become the defendant in a lawsuit as a result of having no other avenue available for employees.

Grievance procedures may vary from facility to facility, and even for levels of employees within a facility. Individuals hired under terms of a union contract usually must process complaints following the provisions set forth by the contract. Nonrepresented employees (e.g., executive and administrative staff) having grievances usually process complaints through the facility's procedures. Two grievance procedure policies are given below. The first example, by Daniel Arthur Rehabilitation Center, states:

> *Any employee of the Center shall have the tight to appear before the Board of Directors, or a representative Committee, for the presentation of any grievance provided the following procedure has been carried out in the sequence listed: 1. Bring the grievance to the immediate attention of the immediate supervisor or Department Head and attempt to arrive at an acceptable solution. If an agreement cannot be reached at this level, the employee should inform his immediate supervisor that he desires to seek a solution at a higher level. 2. The employee shall make arrangements to meet with the Assistant to the Director for Administrative Services to discuss and attempt to resolve the problem. If an agreement cannot be reached at this level, the employee should inform the Assistant to the Director that he desires to seek a solution at a higher level. 3. The employee shall make arrangements to meet with the Director to discuss and attempt to resolve the problem. In the event a satisfactory solution cannot be obtained, the employee shall request in writing that the Director make the necessary arrangements for the employee's grievance to be heard at a higher level. The employee shall be notified within five (5) working days, in writing, that the appropriate members of the Board have been so notified. 4. The Board of Directors shall inform the employee of the time and place for the hearing of his grievance. The Chairman of the Board may appoint a Committee to hear the grievance. The Chairman of the Board, or the representative Committee, shall prescribe such procedure for the hearing as he deems appropriate. However, all parties involved in this grievance shall be given the opportunity to be present when all discussions are conducted relative to the formal grievance proceedings, except when the Board is rendering their decision in closed session. Decisions arrived at by the Board of Directors, or the representative Committee, shall be final and shall be communicated in writing to the employee at the earliest date.*

The grievance procedure followed by Goodwill Industries of Orange County states:

*Any rehabilitant or employee has a right to express a grievance orally or in writing and is entitled to have that grievance heard by a person who has the authority to act and, if adjudged to be a just and reasonable complaint, to have prompt remedial action taken. A grievance is defined as any complaint by a rehabilitant or employee, oral, written or unexpressed arising out of any policy or action which the individual thinks, believes or feels is unfair, unjust or inequitable. TYPES OF GRIEVANCES COVERED BY THIS POLICY: Those arising from working conditions such as: Job/Training satisfaction; Schedule changes; Changes in procedures; Tools, equipment and machines; Working/Training standards; Working/Training hours; Physical conditions; Inter-employee/rehabilitant relationships. Those arising from personnel policies such as: Abusive, unfair, or preferential treatment; Transfers; Promotions and demotions; Wage rates; Disciplinary actions; Terminations. CHANNELS OF HEARINGS ON GRIEVANCES: For employees: The employee may present his grievance orally or in writing, alone or in the company of a fellow employee, elected representative, or staff member to the next person in line in his channel of appeal. 1. Foreman or Lead Person; 2. Supervisor; 3. Division Director; 4. Director of Personnel; 5. President. Items of a serious nature which are not covered by existing policies or require resolving by a deviation from existing policies may be referred by the President to the Personnel Committee of the Board of Directors, to the Executive Committee or to the entire Board for consideration and action. PROCEDURES: A. The Director of Personnel will be responsible for posting notices advising employees of the proper procedures to follow if they have a grievance. B. Normally, the following order of action will apply: 1. The complainant will define the nature of his grievance as clearly and as fully as possible to the proper person. 2. The person hearing the grievance will gather all the facts that serve to explain when, how, where, to whom and why the grievance occurred. 3. The hearer will offer on-the-spot decisions only when the solution is obvious or when all the facts are clearly known. In all other cases he will check the details for accuracy, consult with those involved, gather all the facts possible, consider all avenues of solution and offer the one selected to the complainant. If his proposal is accepted, he will follow up the case to see that satisfactory action has been taken. C. When the person hearing the grievance cannot, or does not offer an acceptable solution, he will advise the complainant that he will immediately refer the case to either the next in line in the chain of organization or, in the case of a supervisor or above, to the appropriate Executive Staff member. Action will proceed as in V., B, 3, above. D. In no case will a lead person, foreman, supervisor or staff member rule upon a grievance when he is directly involved as the cause of the complaint or when he is a joint complainant with an employee or with a group of employees. E. The suggestion boxes are considered as a legitimate means of making complaints or of expressing grievances. Items placed in suggestion boxes may be signed or unsigned and will receive the same careful consideration as if the grievance had been expressed in person. F. Persons rendering solutions will make a brief record of the problem and the solution and submit them in writing to the Director of Personnel who will be responsible for insuring that corrective action has been taken, wage rates adjusted, transfers made or similar actions have been completed and that a record has been put in writing. G. If any member of the Board of Directors feels that there is an issue deserving attention or consideration, he may present the matter*

# SECTION EIGHT: TERMINATION OF EMPLOYMENT

There are a variety of reasons and causes for employee terminations, e.g., resignation, dismisssal, and other. This last group covers terminations of such a special nature that they do not belong in either of the first two groups (e.g., death, physical incapacity to perform any job in the facility, mandatory retirement). So that employees are aware of their rights and responsibilities associated with termination of employment, the facility should adopt policies which clearly distinguish among the various types of terminations.

## RESIGNATIONS

Resignations are terminations which are initiated by the employee. A resignation requested of the employee by the facility in lieu of being dismissed should not be regarded as a resignation. This should be part of the dismissal policy. Some facility manuals did not discuss this type of resignation. It can only be assumed that they offered requested resignations on an individual basis for their employees.

When accepting an employee's resignation, it is advisable to request a signed letter of resignation so that the facility has documentation that the termination was voluntary. This information can be very helpful in cases involving claims for unemployment compensation.

Given below are two example policies pertaining to voluntary resignation from the facility. Note the differences in the length of time required for notice of termination. Each facility should decide what length of notice best meets the needs of the facility. Community Industries Corporation's resignation policy states:

> *For administrative staff and professional advisors or supervisors, the agency requires a minimum of 30 days notice. For professional staff and shop foremen, 30 days is required. For office and maintenance workers, a minimum of 14 days is required. If a successor can be employed prior to the expiration date of notice, the employee may be relieved of his or her duties, if he or she desires and the Executive Director agrees to the arrangement. It is required of all employees that their work (case records and department reports) be up-to-date and in order before leaving the agency.*

The Nevada County Community Workshop's resignation policy permits the employee to void his/her voluntary resignation:

> *Non-exempt hourly employees shall give 1 week notice prior to termination. Exempt salaried employees shall give 2 weeks notice prior to resignation. The Executive Director shall give 30 days notice prior to resignation.*
>
> *All notification should be in writing and forwarded to the Executive Director through the employee's immediate supervisors. The Executive Director shall furnish the Board President with a written notification of his/her resignation. The appropriate receiving authority shall respond to written notification of termination within 5 working days.*
>
> *Any employee may void his/her voluntary resignation within one half of the notification period or up until a replacement is hired whichever is longer.*

*in writing to the President or to the Personnel Committee as appropriate. Action will be taken then in conformance with the general intent of this Policy. H. The Director of Rehabilitation will be responsible for informing rhabilitants enrolled in a formal program of proper procedures to follow if they have a grievance.*

Policies on disciplinary action and grievance procedures are important for both the facility and the employee. Both have a better understanding of their rights and responsibilities for dealing with complaints, grievances, or violations. The policies allow for consistency in handling items which can be sensitive in nature.

DISMISSAL

Dismissals are terminations initiated by the facility. Because dismissal is drastic action taken toward an employee, such action should be given careful deliberation. Therefore, dismissal should be for just and sufficient cause and only after all practical steps toward helping the employee have been taken and failed. But, if the welfare of the facility indicates that dismissal is necessary, the decision should be arrived at and carried out. The reasons for dismissal should be clearly defined so that the facility will apply the same criteria to all employees. The policies given below are the general dismissal policies for three facilities. The causes for dismissal appear within Section Seven: Disciplinary and Grievance Policies. Daniel Arthur Rehabilitation Center states:

> *Performance below standards for the specific position, as determined by the Director, shall be grounds for dismissal. Negligence and unprofessional or gross misconduct shall be grounds for immediate dismissal as determined by the Director.*

Nevada County Community Workshop's dismissal policy states:

> *The Executive Director may terminate any employee by written notification to the employee at least thirty days prior to the effective date of termination. The Executive Director may terminate any employee without notice where the person's continued employment shall cause the Workshops programs, industries or public image grave harm. All terminated employees have recourse to the Grievance Procedure. The Executive Director may be terminated by the Board of Directors at a duly convened meeting. The decision must be carried by affirmative votes equaling 2/3 of the occupied seats on the Board of Directors.*

The dismissal policy statement from the Youngstown Society for the Blind disallows severance pay to employees still in their probationary period of employment:

> *Discharge from employment can result from one of the following: unsatisfactory job performance, based on a formal evaluation; commission of acts contrary to the practices and policies, and harmful to the Society; and, a medical condition which may be detremental to the employee or to others. When an individual's services are no longer required, the Society provides two weeks notice in writing or two weeks pay in lieu of notice. Employees are compensated through the last working day, plus unused vacation time. In the case of an individual being terminated prior to the end of their probationary period, the agency is under no obligation to pay the individual any severance.*

Within the discussion of resignations, it was mentioned that forced resignations, those requested by the facility as an alternative to dismissal, should be part of the dismissal policy and not within the policy on resignation. The Youngstown Society for the Blind has such a statement, which states:

> *A resignation requested by the Society as an alternative to dismissal, inso-far-as employer-employee rights and responsibilities are concerned, is construed as equivalent to dismissal.*

## OTHER TERMINATIONS

Some types of terminations do not really fall within the two previous categories - resignations and dismissals. Several such terminations include: reduction of work force; the inability to satisfactorily perform the duties of the position, and death of the employee.

A termination may be classified as reduction of work force when an employee's job is eliminated because of combining job functions, changing methods, or by elimination or relocation of certain operations. The facility should adopt a policy which states the length of notice to be given to an employee whose job is lost through reduction of work force. The policy should also state the compensation the employee will receive.

The inability to satisfactorily perform the duties of the position is another type of termination which can be initiated by the facility. An employee may be unable to adequately perform the duties of his/her job during the probationary period. A release from employment with the facility will not be treated as harshly by future employers as would termination by dismissal. Workshops, Inc., has adopted the following policy statement on termination by release:

> *Termination by the employer due to employee's inability to satisfactorily perform the duties of his/her position or due to lack of completion of or unsatisfactory completion of probationary period.*

Employees may be unable to perform the duties of the job because of illness or injury. This type of termination policy should cover absences due to chronic illness or disabilities of indefinite duration where the outcome is not readily determinable or where rehabilitation is doubtful. The policy should also apply to employees who are at work, but whose performance fails to meet minimum standards due to clearly established health problems. So as not to appear discriminatory, the facility should obtain the advice and guidance of a professional - physician or psychologist.

The third type of termination is by death of the employee. Under this circumstance, the facility should move quickly to reimburse the family of the deceased employee for any unused vacation, and possibly severance pay. Each facility must decide for itself what policy it desires to follow during this unfortunate incident.

## BENEFITS AT TERMINATION OF EMPLOYMENT

When a facility and an individual sever the employer-employee relationship, the individual may be eligible to receive certain benefits, e.g., severance pay, pay for unused vacation earned to date, funds contributed to a retirement plan. Whether or not the individual receives termination benefits may depend on the type of termination as well as the policy of the facility. The following three policy statements suggest what some facilities allow at termination of employment. The first example, from Community Industries Corporation, states:

*If an employee is requested to leave the agency, he or she will receive notice not in excess of 30 days for administration and professional supervisors, 30 days for professional staff and foremen, and 14 days for office and maintenance workers. There will be no notice necessary or no severance pay for just cause or flagrant violation of rules and professional ethics. If the Corporation chooses to dismiss an employee without the full notice period, severance pay equalling the amount that could have been earned by the employee will be paid according to his or her job classification.*

The Rehabilitation Center of Sheboygan, Inc., provides notice of termination or severance pay:

*If the employment of a staff member who has completed his or her probationary period is terminated by action of the Agency, professional and administrative staff shall receive one month's prior written notice of termination (or one month's pay), and paraprofessional and support staff shall receive at least two weeks' prior written notice of termination (or two weeks' pay).*

The Youngstown Society for the Blind provides the terminated employee with several options regarding money contributed to a retirement plan. Its policy states:

*The Agency provides for participation in the National Health and Welfare Retirement Association Pension Plan. Any employees who have completed their probationary period, regardless of age, are eligible to participate in the Retirement Plan. All staff members are employed subject to the condition that they agree to join the Retirement Plan upon completion on one year of service with the Society and are between the ages of 25 and 65 years old. Employees may elect to enter this program on January 1st or July 1st. Employee's contribution toward this plan is 5% of monthly wages, and the Society contributes a like amount. At time of termination of employment, the employee may have three choices as to disposition of this fund: A) Paid up annuity, in which case the contributions of employee and employer remain to employee's credit and annuity payments commence at retirement; B) Employee may continue contributions on his own for a limited period to build up retirement benefits; C) Cash withdrawal in which case all of the employee contributions plus any credited interest are refunded. Employer contributions made on account of terminated employees who elect cash withdrawals must be left in the fund until retirement.*

## EXIT INTERVIEWS

The exit interview is an attempt by the facility to find out why a person is leaving, what he liked and disliked about his job and the facility, and what suggestions he might have that would make the facility a better place to work. Two exit interview policies are given below. The first example, from the Goodwill Industries of Orange County, states:

*Whenever possible an exit interview will be conducted with the terminee in order to obtain information that may be useful in identifying undesirable practices or conditions that may be contributing to employee apathy or discontent.*

The example from Workshops, Inc., states:

> *In order to constantly upgrade the quality of these Personnel Policies, it is the policy of the Agency to conduct an Exit Interview with each employee terminating employment. This interview will be conducted independently by the Executive Director and the employee's department head and will cover reason(s) for termination, benefits accruing to the terminating employee, the employee's recommendations for improvement in the Agency's programs and Personnel Policies, and surrendering of Agency keys. The contents of the exit interview will be governed by the CONFIDENTIALITY OF PERSONNEL FILE policy and will be used for research purposes only.*

# SECTION NINE: MISCELLANEOUS POLICY STATEMENTS

In addition to the policy statements appearing in the preceding sections, facilities wish to develop policies on some or all of the following pieces of information: reference inquiries/credit checks; professional conduct; health and safety of employees; use of agency equipment and telephones; and outside employment.

## REFERENCE INQUIRIES/CREDIT CHECKS

The verification of information received on an application form and during the employment interview is important for the facility seeking to fill a position. There is nothing more tangible for predicting an individual's future performance than past success in employment. The inquiry of information from an applicant's former employer may also reveal additional information previously unknown. Therefore, the facility should establish a policy pertaining to reference inquiries. The policy should acknowledge the right of the facility to obtain past employment information as well as provide necessary information to future employers of the individual. At times it may be necessary for the facility to provide information to credit agencies regarding the employee. This could be at the request of the employee or the credit agency. The facility should clearly state its policy both on reference inquiries and credit checks. The following policy from Workshops, Inc., states:

> *All inquiries made by outside parties (potential employers, credit agencies, etc.) with regard to employment history of former or present employees, concerning but not limited to general reputation, character, personal characteristics, performance, ability, attendance, dates of employment or salary shall be directed to the Business Manager for response. Under no circumstances should any information be released except through this office and then only upon written authorization by the employee concerned. The usual reference and verification of employment of present or past employees for purposes of establishing credit, bank loans, etc. will be released only by the Business Manager and this procedure does not require written authorization by the employee except in those instance where confidential information is requested. The Business Manager is authorized by this policy to provide the following information on reference inquiries and credit checks, unless contraindicted, in writing, by the employee: dates of employment; job title; reason for termination; and, current or most recent salary.*

## PROFESSIONAL CONDUCT

All facilities expect their employees to conduct themselves in a professional manner whenever at work and while involved with facility business away from the premises. An important aspect for rehabilitation facilities is the confidentiality of client information. The facility should express its expectations of employees in the form of a policy. Two such policies are given below. The policy from Community Industries Corporation states:

> *Staff members must treat all information regarding clients or staff as highly confidential and must not give out any information or furnish any names of clients, staff, or doctors to media, or to anyone outside the*

*organization without the approval of the Executive Director, Department of Vocational Rehabilitation or Human Services Board, and client. Care must be exercised at all times to see that volunteers and client trainees are not exposed to the case folders and other confidential information on clients and staff.*

The second policy, from the Youngstown Society for the Blind, is stated as follows:

*The Society expects a staff member to support the goals and purposes of the Society in the following respects: (1) To participate creatively in the development of policies and practices which will strengthen the Agency's administrative and service program through meaningful involvement in Agency staff meetings and conferences, (2) To belong to and participate in appropriate professional organizations; to attend meetings and classes; to study professional literature in order to keep informed of current developments in practices and techniques, to the extent that these activities do not seriously interfere with job performance, (3) To conduct himself on the job in an ethical manner, and (4) To conserve the Society's material resources and physical facilities.*

## HEALTH AND SAFETY OF EMPLOYEES

The rehabilitation facility must be concerned with the health and safety of each employee in the organization. Therefore, the facility should adopt a policy which states its intentions to maintain a healthy and safe environment. The responsibilities and expectations of employees should also be expressed. The Rehabilitation Center of Sheboygan, Inc., has a policy which states:

*Health and safety conditions and practices on Agency premises are recognized as the mutual obligation and responsibility of the Agency and its employees. The Agency shall maintain conditions of health and sanitation, and require protective and safety devices, in conformity with the laws and regulations applicable to its operations. Likewise, employees shall fully acquaint themselves with, and strictly adhere to, the health and safety rules and regulations established by the Agency. To implement the foregoing policy, employees shall report to the Executive Director, in writing, any condition which is likely to cause injury or illness to employees, clients, or others on Agency premises. In addition, the Agency safety committee will meet periodically to discuss health and safety problems and programs. Any accident or injury to an employee, regardless of whether it be major or minor in character and effect, shall be immediately reported by the injured employee to his or her Program Director. Periodic reexamination of employees may be required by the Executive Director to maintain established health standards. Failure to comply or to successfully pass the physical examination, is cause for termination of employment.*

A similar policy from Workshops, Inc., states:

*Safety is of the utmost importance in an Agency such as Workshops. It is each and every employee's responsibility to be conscious of unsafe behavior and the safety of the work environment, whether in the office, shop or outside of the Agency. The Agency will adhere to regulations*

*and standards established by OSHA and CARF. Any violation of these rules, without corrective action within a reasonable period of time, will be causes for disciplinary action. The Agency safety program is coordinated through the Safety Committee. This program is both preventive and curative in nature. See Standard Operating Procedure Manual for further information.*

USE OF AGENCY EQUIPMENT/TELEPHONES

Facilities may or may not put in policy form items such as: use of agency equipment, telephones, keys, and personal property on the premises. Community Industries Corporation has elected to place such information in the form of policies. The policies read as follows:

*Telephones: Employees are requested not to use phones for personal business. All telephone lines must be kept clear for necessary business and incoming calls. Except in an emergency, all employees are requested not to have their friends or relatives call them while they are on duty. Messages for staff members may be left with the receptionist who will notify the staff worker. Long Distance Calls and Toll Calls: All staff members are expected to exercise good judgment in making long distance calls for Corporation business. Personal long distance calls are not permitted on Corporation phones, except for emergencies, and must be approved, in advance, by the Executive Director. All long distance and toll telephone calls must be properly recorded on the "card for" provided for this purpose and given to the Accounting Department immediately. Keys: An employee is responsible for all keys issued, including locker, car, and keys to the building doors and cabinets. If the key is lost, the Executive Director must be notified immediately and the employee must replace the key at his or her own expense. On termination of employment, all keys must be returned to the Executive Director. Stolen Property: The agency furnishes reasonable protection for employee's property on Corporation premises, but cannot be responsible for an employee's property which may be lost or stolen. Care must be exercised to not leave billfolds or purses on desks, chairs, or where they can easily be taken. All Corporation monies must be turned into the Accounting Department as soon as possible, and not stored in desk drawers, etc. All losses must be reported to the Executive Director immediately.*

The use of agency equipment policy from the Rehabilitation Center of Sheboygan, Inc., states:

*Staff may borrow available Agency equipment for personal use if prior approval is received from the Program Director and the staff member responsible for the equipment.*

OUTSIDE EMPLOYMENT

The final area to be discussed pertains to the outside employment of facility employees. Some employees may find that they need to earn income additional to that which the facility pays. What an employee does during nonwork hours is his/her own business; however, when outside employment interferes with or adversely affects the employment responsibilities of the facility, the facility must take action. Such a policy statement from the Rehabilitation Center of Sheboygan, Inc., states:

*All full-time staff are required to notify their Program Director and the Executive Director of any outside employment, which although permitted, may not interfere with or adversely affect employment responsibilities of the Agency.*

The facility may have other items it believes important enough to develop a policy--it should do so. When feelings, beliefs, or concerns are placed in writing, they tend to take on more credence with the individuals affected by the policies.

# SUMMARY

The purpose of this publication has been to provide rehabilitation facilities with personnel policies and procedures used by fellow facilities, so that those wishing to update manuals will have realistic examples to follow and possibly adapt for use. The Materials Development Center does not maintain that facilities use the examples provided; rather, the intent has been to recognize what some facilities have developed. Each facility must determine for itself if the examples provided have merit for inclusion within its own personnel manual.

The personnel manual is the primary tool of the personnel director, and should be used daily to assist in the correct handling of personnel problems or procedures. Updating the manual regularly and informing staff and employees of changes which have been made will be of considerable benefit to the facility. Policies and procedures will be better understood, and misinterpretations will lessen with an updated manual.

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