

POLICY

The Poverello Center, Inc. reserves the right under state law to terminate anyone for any reason or no reason at all at any time.

PROCEDURE

Voluntary Termination: occurs when an employee informs his/her supervisor or HR of the employee's resignation, failure to return from leave, retires or when an employee is absent from work for three consecutive workdays and fails to contact his/her supervisor (job abandonment). Employees who want to leave in good standing will give their supervisor at least two weeks' notice.

Involuntary Termination: An involuntary termination of employment, including layoffs of over 30 days, is a management-initiated dismissal. TPC follows the traditional "employment-at-will" doctrine, therefore is generally free to discharge an employee for any reason not expressly prohibited by law. Involuntary termination typically takes two forms. First, an TPC may have to undertake a reduction in force (RIF) and lay off employees, often with no realistic hope of recall. Second, the TPC may have to terminate employees from time to time because of poor performance or as a disciplinary measure.

Certain conduct is against TPC policies, it will lead to immediate discharge. Such conduct includes, but is not limited to:

- Reporting for work under the influence of alcohol or controlled substances.
- Possession, use, sale or distribution of controlled substances on TPC property.
- Theft.
- Engaging in harassing conduct.
- Fabrication of business documents, including resumes and expense reports.
- Excessive absenteeism or tardiness.
- Fighting on TPC premises.
- Abuse of equipment (including excessive personal use of office equipment).
- Insubordination.
- Gambling on TPC premises.

Disciplinary Termination: The inability of an employee to perform the essential functions of his or her job with or without a reasonable accommodation may also result in an involuntary termination. An employee may also be discharged for any legal reason, e.g., misconduct, tardiness, absenteeism, unsatisfactory performance or inability to perform.

In some cases, progressive discipline may be used, prior to termination, to correct a performance problem. However, certain types of employee misconduct are so severe that one incident of misconduct will result in immediate dismissal without prior use of progressive discipline. Unless the employee held an employment contract specifically stating otherwise, TPC could fire them for a good reason, a bad reason or no reason at all, with or without notice.

Eligibility for Rehire Policy: Supervisors are responsible for determining whether a staff member is eligible for rehire each time the staff member terminates employment, whether voluntarily or involuntarily, and if any conditions exist that would affect the rehire eligibility process. Staff or volunteer who leave TPC in good standing (break in service from a regular position due to resignation, layoff or, in some cases, discharge) and later want to return are eligible for consideration for rehire. Previous staff who are rehired will not be given credit for prior service for purposes of continuous service date, paid time off (including PTO, vacation, and sick leave) or eligibility and other pertinent benefits.

Consultation before Determining Not Eligible for Rehire or Not Recommended for Rehire: Supervisors must confer with the entity/department Human Resources Manager before determining a "Not Eligible for Rehire" or a "Not Recommended for Rehire" decision. Once agreement has been reached the supervisor must document and share the decision with the staff member.

Verification of Rehire Status: Human Resources will verify eligibility for rehire before activating the application. The HR Manager will be advised of the former staff member's eligibility for rehire and the requirement to check references, including contacting the previous TPC supervisor before extending an offer of rehire.

The tables below provide examples of reasons for leaving TPC and a corresponding classification of eligible for rehire, not recommended for rehire and not eligible for rehire. These reasons are not all inclusive.

Reason for Leaving TPC	Eligible for Rehire
Voluntary Resignation	Eligible
Retirement	Eligible
Faculty Appointment Ends	Eligible
Staff Assignment Ends	Eligible
Orientation and Evaluation Period termination: depending on circumstances	Eligible
End of Non-Comp Award	Eligible
Loss of required credential for performance or behavior	Eligible once credentials have been reestablished
Attendance Violation	Not Recommended
Poor Performance	Not Recommended
Sleeping on the Job: No Patient Care	Not Recommended
Unsafe Work Practices	Not Recommended
Job Abandonment (quit without notice) or ongoing documented attendance issues	Not Recommended
Orientation and Evaluation Period termination: depending on circumstances	Not Recommended
Resignation – in lieu of discharge	Not Recommended
Inappropriate Behavior	Ineligible
Felony Conviction	Ineligible
Failure of a test for controlled substances administered during the hiring, transfer or regular process	Ineligible for One Year
Negotiated Settlement	Ineligible
Falsification of credentials or application information	Ineligible
Theft	Ineligible
Sleeping on the Job	Ineligible
Weapons Possession	Ineligible
Acts of Workplace Violence	Ineligible
Loss of a required credential for criminal conviction	Ineligible
Breach of Confidentiality	Ineligible
Commission of Crime	Ineligible

Approvals:

Signature: _____ Date: _____

Tania Taveras, MBA HRM
Volunteer/HR Manager

Signature: _____ Date: 6/14/19

Thomas S. Pietrogallo, MSW/LCSW, MBA
Chief Executive Officer

BOD Approved Date: Pending

Date Established: 06.11.2019

Date Reviewed: N/A