



# Employee Handbook

Revised: May 2021

## **FOR YOUR INFORMATION**

The contents of this handbook and the policies and procedures described in it are presented as a matter of information and general guidance only. The manual is intended to provide guidelines for managers and employees of Southwick Village. While Southwick Village now endorses the policies and procedures described herein, they are not conditions of employment. The language used in this handbook is not intended to constitute a contract between Southwick Village and any of its employees.

Personnel policies, procedures, and benefits by their nature are constantly under review since they may be affected by changes in applicable law, regulation, economic conditions, and the way Southwick Village conducts its activities. Southwick Village necessarily reserves the right to modify, revoke, suspend, terminate, or change any and all policies, procedures, and benefits set forth herein as it sees fit, with or without notice, at any time. In addition, Southwick Village reserves the right to decide not to apply any particular policy or procedure set forth herein in any given situation if, in its discretion, it should determine that to do so would better serve its interests.



# EMPLOYEE HANDBOOK

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## **INTRODUCTION**

### **YOUR HANDBOOK**

You may have heard the expression, "The whole is only as good as the sum of its parts." This holds true for business as well as any other circumstance because the day to day and eventual year to year existence of an organization depends upon the performance of all employees.

In order for all of us to do our best, you need to be knowledgeable about Southwick Village and be aware of the advantages it has to offer. The Southwick Village Employee Handbook brings together information about the history and philosophy of Southwick Village, employment policies and procedures, and employee benefits. The handbook is not, however, intended to be a complete and absolute statement of all aspects of your employment.

Please read this entire handbook carefully and review it periodically. It will serve as your guide throughout your employment. You signed a statement that you have received a copy of the handbook and that you will read and understand it. This signed statement will become a part of your personnel file. In some cases, this handbook is supplemented by insurance plans and legal documents, which are the first authority should questions arise.

From time to time it will be necessary to supplement and revise the provisions of this handbook. All supplements and revisions will be distributed by the Administrator and will have the same effect as the original provisions of the handbook.

This handbook supersedes any previous information on these topics. The contents of the handbook apply to all employees of Southwick Village and are effective as of January 1999.

Please feel free to ask your department head questions about anything in this handbook or about your duties as an employee of Southwick Village. If you misplace this handbook, please ask your department head for another copy.

We wish you a challenging and pleasant association with Southwick Village.

## **MISSION STATEMENT**

Our purpose is to provide high quality housing, and support services while fostering an environment which ensures freedom, dignity, independence, and security for all residents.

## **HISTORY**

This community is owned and operated by Southwick Village, LLC, a Massachusetts for-profit corporation which is qualified to do business in the State of Massachusetts.

Southwick Village is developed on 40 acres in Southwick, Massachusetts. The Community includes 129 cottages, and the Dublin House which includes 38 apartments and 18 assisted living apartments called Woodbridge. In addition to the apartments the Dublin House includes a formal dining room, private dining room, lounges, cafe, guest suites, library, billiards room, arts and crafts studio, beauty/barber shop, a pool and a fitness room.

## **PHILOSOPHY**

The TEAM of employees at Southwick Village provides SERVICE and QUALITY care to our residents. The three keys to our operating philosophy are: TEAM, SERVICE, and QUALITY.

A TEAM is a group of individuals working together to accomplish a common goal. Our mutual goal is to provide service and quality care to our residents.

Our residents will receive better service and higher quality care with teamwork. You are a very important part of the team. Your consistent, cheerful, and honest dedication to the performance of your job will build a more pleasant and rewarding relationship with your team members.

SERVICE is one of the oldest acts of hospitality and is the foundation of the life care concept. Service represents something very special to our residents. The level of service Southwick Village provides is important to building and maintaining its reputation as the "best." It is therefore important for all team members to nurture a service and hospitality oriented environment.

QUALITY is a degree of excellence, a level of superior service. Southwick Village is known and respected for the excellent quality care provided to residents. Our goal is to maintain this level of superiority by providing the highest quality care possible. Meeting this goal requires a commitment to excellence, a desire to improve, and a willingness to go above and beyond.

We encourage you to share our philosophy and our mutual goals of TEAM, SERVICE, and QUALITY.

## ORGANIZATION DESCRIPTION

Note the organizational chart which follows. The Executive Director (ED) has full responsibility and authority over all departments and functions. The ED directs the day-to-day operations of Southwick Village, including matters related to residents and employees. Listed below are brief descriptions of the main departments so you will know where you fit in and how the various departments relate.

**Marketing Services:** This department is responsible for developing and implementing Southwick Village's marketing and public relations program. You play a significant role in the promotion of this program. Any inquiries you may receive concerning Southwick Village from members of the public or press should be referred to Marketing where questions will be courteously and fully answered.

**Plant Services:** This department is responsible for the efficient and safe operation of heating, air conditioning, electrical, and plumbing needs of Southwick Village as well as the security, maintenance, and attractiveness of the buildings, grounds, roads, and sidewalks. Requests for repairs by residents and staff are placed on work order requests. This department also includes housekeeping, laundry, infection control and waste management. The housekeeping staff is responsible for the general cleanliness of the interior of Southwick Village; this includes regular cleaning of resident apartments, common areas, and assisted living. The laundry staff provides laundry service to apartment residents, to assisted living residents, and to the dining room.

**Food & Beverage Services:** This department prepares and serves two meals a day in the dining room and three meals in assisted living. They make every effort to accommodate residents who desire meals served for special occasions, and they participate with Resident Care Services in preparing special diets.

**Resident Care Services:** This department delivers services in assisted living. Services include nursing services, assistance in living, social/recreational activities, and certain contracted services. In addition, this department is responsible for the wellness of the entire community.

**Activity Services:** This department prepares the recreation and social activities for the residents of the community.

## II. EMPLOYMENT INFORMATION

### RELATIONSHIP TO RESIDENTS

As an employee, your duties will bring you into frequent and close contact with residents. Please keep in mind Southwick Village's mission . . . "to provide high quality housing, and support services while fostering an environment which ensures freedom, dignity, independence, and security for all residents."

Please be familiar with basic information about Southwick Village's programs so that you can answer general questions and direct residents and visitors to various locations within Southwick Village. However, do not advise residents about Southwick Village's policies or procedures unless you are specifically directed to do so. Policy decisions are made by Southwick Village's Owners and are implemented by the ED.

The opinions and attitudes that Residents have toward Southwick Village may be determined for a long period of time by the actions of one employee. It is sometimes easy to take a Resident for granted, but when we do, we run the risk of losing not only that Resident, but his/her associates, friends, or family, who may also be Residents or prospective Residents. Each employee must be sensitive to the importance of providing courteous treatment in all working relationships.

Your duties may often take you into the living quarters of residents. These quarters are their private homes and you are asked to respect and protect the right of residents to personal privacy at all times. Any information obtained through this contact is to be treated as strictly confidential. Your privilege to enter their homes is for the purpose of performing your job. This privilege carries with it responsibility on your part not to do anything which would bring into question your honesty and trustworthiness.

While performing your duties at Southwick Village, you may overhear statements made by doctors and others about residents. Such information is also confidential and should not be discussed outside the scope of your work responsibilities. Confidential information includes, but is not limited to, compensation, resident information, community policies, or business methods. Also, you are not to make statements to the news media or press. The Administrator is the only spokesperson permitted to make statements to the news media or press.

As with any situation where a person is involved with a number of people, you may find that you are more compatible with some residents than others. Be careful to avoid appearing to favor one resident over another. All residents must feel they are being treated with equal courtesy, respect, and dignity.

It is important to remember that the direction for a resident's medical care is the responsibility of the physician. Do not offer cures, remedies, or information which may be interpreted as medical advice. Requests and inquiries should be referred to your department head.



## **II. EMPLOYMENT INFORMATION, continued**

Assisted Living staff must request approval from the Resident Services Director or Administrator to witness legal documents for residents or members of their families.

### **RESIDENT BILL OF RIGHTS**

Southwick Village is very sensitive to high quality care delivered in a consistent and respectful manner to cottage residents, apartment residents and assisted living residents. Therefore, the State Resident Bill of Rights, which are written documents explaining the care to which an assisted living resident is entitled, are taken seriously. The State Resident Bill of Rights change from time to time. Periodically, you will receive an updated copy of the Resident Bill of Rights.

### **DRUG FREE WORK PLACE STATEMENT OF POLICY**

Southwick Village acknowledges the problem of substance abuse (including alcohol) in our society. Furthermore, we see substance abuse as a serious threat to the safety of our employees, other individuals doing business with Southwick Village, and our guests. It also adversely affects the service and dependability that our residents expect and general levels of job performance. We are addressing this problem by introducing a substance abuse policy to ensure that Southwick Village will have a drug-free work force.

Drug and alcohol addiction is a complex, yet treatable disease. Our substance abuse program is targeted at alleviating the problem at all levels. Our pledge to eradicate substance abuse in the workplace reflects our firm belief that by building this commitment, we will be strengthening our community.

While Southwick Village understands employees and applicants under a physician's care are required to use prescription and non-prescription drugs, abuse of such medications will be dealt with in the same manner as the abuse of illegal drugs.

The ultimate goal of this Policy is to balance our respect for individual privacy with our need to keep a safe, productive, drug-free environment. Our intention is to prevent substance abuse and to help and encourage those who use drugs or abuse alcohol to seek help in overcoming their problem.

No applicant for employment who is currently alcohol and drug free will be denied employment or otherwise discriminated against solely because of such individual's prior abuse of alcohol or drugs, prior treatment of alcohol or drug abuse, or status as a recovering alcoholic or drug addict. It is the current abuse of drugs or alcohol which prevents employees from properly performing their jobs that Southwick Village will not tolerate. Any applicant who refuses to

undergo testing will not be employed by Southwick Village and may not reapply for at least 180 days.

Any applicant who tests positive may contest or explain the results. Refer to the Positive Drug Test Results section of this Policy, in this handbook, for additional information.

## **II. ACTIVE EMPLOYEE SUBSTANCE ABUSE TESTING POLICY**

- A. Employees may be required to submit to drug and/or alcohol testing at a collection facility chosen by Southwick Village.

Drug testing may occur under the following circumstances: Preplacement, Reasonable Cause, Random, Return to Work, and Follow Up. Anyone holding a CDL must be tested annually. Circumstances that could be indicators of a substance abuse problem and considered reasonable cause are:

1. Observed alcohol or drug abuse during work hours on Community premises.
2. Apparent physical state of impairment.
3. Incoherent mental state.
4. Marked changes in personal behavior that are otherwise unexplainable.
5. Deteriorating work performance that is not attributable to other factors.
6. Accidents caused or contributed to by the employee, or other actions that provide reasonable cause to believe that an employee may be impaired.
7. Abnormal conduct or erratic behavior while at work.
8. A report of drug use, provided by a reliable source, which has been independently corroborated.
9. Evidence that a drug test has been tampered with.
10. Evidence that an employee has possessed, sold, solicited, or transferred illegal drugs while working or while on Community premises, or while operating Community vehicles, machinery, or equipment.

- B. Routine Fitness for Duty.

Employees may be required to submit to a drug and/or alcohol test if the test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination that is part of

Southwick Village's established policy or that is scheduled routinely for all members of a job classification or group.

If a driver/employee is found to have an alcohol concentration level of 0.02 or greater but less than 0.04 he/she shall not continue to perform safety-sensitive functions for a minimum of 24 hours following administration of the test. Results over .04 are considered positive and may be cause for termination or removal from the job and referral to a State Assistance Program for evaluation.

### **III. DEFINITIONS**

- A. "Legal Drug" includes prescribed drugs and over-the-counter drugs, which have been legally obtained and are being used solely for the purpose for which they were prescribed or manufactured.
- B. "Drug" means alcohol, including a distilled spirit, wine, a malt beverage, or an intoxicating liquor; an amphetamine, a cannabinoid; cocaine; phencyclidine (PCP); a hallucinogen; methaqualone, an opiate, a barbiturate; a benzodiazepine; a synthetic narcotic; a designer drug; or a metabolite of any of the substances listed in this paragraph.
- C. "Reasonable suspicion drug testing" means drug testing based on a belief that an employee is using or has used drugs in violation of the employer's policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience.
- D. "Medical Review Officer or MRO" means a licensed physician, employed with, or contracted with an employer, who has knowledge of substance abuse disorders, laboratory testing procedures, and chain of custody collection procedures; who verifies positive, confirmed test results, and has the necessary medical training to interpret and evaluate an employee's positive test result in relation to the employee's medical history and any other relevant biomedical information.
- E. "Specimen" means tissue, hair, or a product of the human body capable of revealing the presence of drugs or their metabolites, as approved by the United States Food and Drug Administration or the Agency of Health Care Administration.

### **IV. POLICY AND WORK RULE**

Southwick Village's policy is to employ a work force free from improper use of drugs and abuse of alcohol, either on or off the job. Any employee determined to be in violation of this Policy is subject to disciplinary action, which may include termination, even for the first offense.

## **V. USE OF PRESCRIPTION AND NON-PRESCRIPTION MEDICATIONS**

Each tested applicant or employee will report, on a confidential basis to the Medical Review Officer, the use of prescription or non-prescription medications both before and after being tested.

## **VI. DRUG TESTING INFORMATION**

- A. Southwick Village will test for any or all of the following drugs: Alcohol, Amphetamines, Cannabinoids, Cocaine, Phencyclidine, Methaqualone, Opiates, Barbiturates, Benzodiazepines, Methadone, and Propoxyphene.
- B. Each applicant or employee has the right to consult the laboratory for technical information regarding prescription and non-prescription medications.
- C. Southwick Village may require the employee to submit to a test for the presence of drugs or alcohol, and if a drug or alcohol is found to be present in the employee's system at a level prescribed by Massachusetts Law, the employee may be terminated and forfeits eligibility for medical and indemnity benefits. However, a drug-free workplace program must require Southwick Village to notify all employees that it is a condition of employment for an employee to refrain from reporting to work or working with the presence of drugs or alcohol in his or her body and, if an injured DRUG FREE WORKPLACE, employee refuses to submit to a test for drugs or alcohol, the employee forfeits eligibility for medical and indemnity benefits.
- D. If an injured worker refuses to submit to a drug test, it shall be presumed in the absence of clear and convincing evidence to the contrary that the injury was occasioned primarily by the influence of drugs.

## **VII. POSITIVE DRUG TEST RESULTS**

During the Medical Review Officer (MRO) process, an employee will have an opportunity to explain to the physician why the lab result was positive. At that time, the Medical Review Officer (MRO) will make the determination as to positive or negative for the results. If an explanation or challenge is accepted as satisfactory, Southwick Village reserves the right to unlimited testing without giving advance notice for a period of two years.

If an employee voluntarily requests assistance prior to any drug test, he/she will be eligible for a leave of absence. The employee is responsible for paying for his/her own rehabilitation.

If an employee tests positive after voluntary rehabilitation, or if a second positive offense occurs, the employee will be immediately terminated.

## **VIII. GROUNDS FOR TERMINATION OR DISCIPLINE**

### **A. Illegal Drug Use**

An employee bringing onto Southwick Village's premises or property, including parking lots, having possession of, being under the influence of or, possessing in the employee's body, blood or urine in any detectable amount, or using, consuming, transferring, manufacturing, selling or attempting to sell or transfer any form of illegal drug as defined above while on community business or at any time during the hours between the beginning and ending of the employee's work day, whether on duty or not, and whether on Community or customer business, property or not, is subject to discipline including discharge or suspension without pay from employment, even for the first offense. Failure to submit to required medical or physical examinations or tests is grounds for discharge or suspension without pay from employment.

### **B. Alcohol Abuse**

An employee who is under the influence of alcoholic beverages at any time while on community business or at any time during the hours between the beginning and ending of the employee's workday, whether on duty or not, and whether on community or customer business, property or not, is subject to discipline including discharge or suspension without pay from employment, even for the first offense.

An employee shall be determined to be under the influence of alcohol if:

1. The employee's normal faculties are impaired due to consumption of alcohol,  
Or
2. The employee has a blood alcohol level of .05 or higher.

Failure to submit to required medical or physical examinations or tests is grounds for discharge or suspension without pay from employment.

Any questions or concerns regarding the above drug policy, should be directed to the Administrator at (413) 569-1945.

## **OUR PUBLIC IMAGE**

Your appearance, attitude, actions, and behavior significantly affect the impression others have of Southwick Village.

Our community is known for its immaculate appearance, inside and out. Clean, sanitary conditions contribute to quality resident care. Precise professional procedures are followed as a matter of routine. Please note the following:

1. All employees are expected to assist in maintaining a safe and clean community.

2. Housekeeping and grounds personnel do excellent work . . . but they cannot do it all!
3. It is each employee's responsibility to pick up and properly dispose of trash wherever it is found.
4. Matches, lighted cigars, cigarettes, and other flammables must be discarded in proper depositories.
5. Set a good example for others by doing your part in keeping the staff lounge clean at all times.

### **Telephone Courtesy**

Telephone courtesy establishes good public relations. A telephone conversation may be the only contact a person has with Southwick Village; therefore, we want to ensure it will be a pleasant experience. Good telephone courtesy expresses a feeling of genuine interest in serving the caller. A pleasant, businesslike tone of voice, as well as an efficient and cooperative attitude, is complimentary to you and to Southwick Village.

### **Waste Prevention**

Waste of time, materials, equipment, and utilities are costly to Southwick Village and to you. You can help save money by the amount of time you save, as well as the quality of service you provide. Make every minute count and eliminate waste whenever possible. In the long run, you will benefit by helping to reduce operating costs.

## **CRIMINAL BACKGROUND CHECK**

It is important to our community, fellow employees, and residents, that we employ the best available candidates for positions in our community. All applicants hired by Southwick Village may be subject to a criminal background check.

## **EMPLOYMENT PHYSICAL EXAMINATION**

Your offer of employment is conditional upon a successful physical examination. This examination will assure that you are free from a communicable disease or any other health condition which would endanger the health and welfare of the residents or your fellow employees. This physical examination will be performed according to Federal and/or State guidelines, including the Americans with Disabilities Act.

After the initial employment physical examination, you may be required to have additional physical examinations as a condition of continued employment every 2 years.

All Employees are required to be vaccinated annually with seasonal influenza vaccine, Inactive or live, or an attenuated influenza vaccine including a seasonal influenza vaccine unless the employees decline the vaccine in a written statement. Staff will be provided with information about the risks and benefits of influenza vaccine. All forms shall be kept in the employee's personal file by the Business Manager.

All employees are required to be vaccinated against other novel pandemic or novel influenza virus(es) in accordance with guidelines issued by the Commissioner of Department of Public Health unless the employees decline the vaccine in a written statement. All forms shall be kept in the employee's personnel file by the Business Manager.

State regulations may prohibit certain employment at Southwick Village if you have a communicable disease. If you feel you have contracted a communicable disease, you need to report that information to your department head immediately. A doctor's certificate documenting that you are free of communicable disease will be required in order to report back to work.

## **STAFF DEVELOPMENT**

Newly hired employees begin their employment with an orientation session. A record of the content of the orientation will be maintained in the Administrative Office.

Educational classes will be conducted according to current state and federal regulations. Additional ongoing educational programs are presented to assist you in developing and improving skills; to increase your knowledge related to providing care and services for the aged, ill, and disabled; and to enable you to provide excellent care for all residents.

Your participation is required in a certain number of programs as determined by your department head. Check with your department head for specific information on the topics and numbers of classes. Your participation becomes a part of your personnel file.

## **SAFETY AND EMERGENCY PROGRAM**

Safe work practices are necessary to avoid personal injuries and property damage. Safety can only be achieved through teamwork at Southwick Village. Each employee, supervisor, and Department Head must practice safety awareness by thinking defensively, anticipating unsafe situations, and reporting unsafe conditions immediately.

You are required to use all safety equipment and protective clothing which is furnished for your particular job situation. You must follow safe work practices to help create safe working conditions for you, your co-workers, residents, and visitors.

If an employee is injured during working hours, the first action is to care for the injured person. The second step is to report the injury. The injured employee is to report the accident to the department head immediately and complete an Incident Report. An Incident Report must be filled out for all incidents that cause a personal injury or result in damage or breakage to property belonging to Southwick Village residents, or employees. Also, if an employee is injured, the employee's department head completes an Investigation Report. Incident Reports and

Investigation Reports should be forwarded to the Accounting Director to ensure timely completion of the First Report of Injury.

If the injured employee is unable to report the accident due to the extent of injuries, the employee or employees who discover or observe the accident are to notify the injured employee's department head (or department heads, if more than one employee is involved).

We all need to share concern for the safety and welfare of the residents, guests, and other employees at Southwick Village. Please report any condition you observe about the general health or welfare of a resident who appears to have, or may have, an injurious effect on the health or welfare of that resident. If you observe a resident or guest who has been injured in any way or who is in a state of serious physical distress, first contact the emergency personnel, then notify your department head.

Educational programs will teach you the procedures to use in emergency situations such as fire and hurricane. Information will also be available in each department which further describes necessary emergency procedures.

In the course of your employment at Southwick Village, you may work with products covered under the Hazard Communication Standard, or "Right to Know" law. These products can include cleaning supplies, laundry detergents, paints, and lubricants, to name a few. For those products, a Material Safety Data Sheet (MSDS) is on file which identifies the hazards associated with the products and any personal protective equipment recommended while using them. The MSDS also provides first aid and emergency spill information.



During your orientation, and on an annual basis, you will receive training on the "Right to Know" law and on the products with which you work. If you have questions about the "Right to Know" law or about the products you use while at work, contact your department head.

### **EMPLOYMENT OF FAMILY MEMBERS**

Relatives of present employees are normally not hired. However, in a unique situation, a relative may be hired but that person may not report to the relative and may not be employed in the general and administrative services department. If a marriage of existing employees would cause violation of this rule, the ED will implement a solution that would satisfy this policy.

### **COMMUNICATION OF WRITTEN INFORMATION**

Every effort will be made to keep you informed by posting or releasing information as described below. All written notices are subject to approval by the ED.

Bulletin Board: Provided for the use of management. Notices should be dated and approved by the Administrator or a designee; they will be removed after a reasonable length of time.

Pay Envelopes: Occasionally information will be included with your paycheck envelope.

### **NON-HARASSMENT POLICY**

It is our policy to provide a work environment free from any form of harassment, whether based on sex, race, age, religion, national origin, disability, veteran status, or sexual orientation. Such harassment by department heads, co-employees, or residents will not be tolerated.

Specific to sexual harassment, Southwick Village emphasizes that it prohibits any employee, male or female, to harass another employee by: (a) making unwelcome sexual advances or requests for sexual favors, or other verbal or physical conduct of a sexual nature a condition of an employee's continued employment; or (b) making submission to or rejection of such conduct the basis for employment decisions affecting the employee; or (c) creating an intimidating, hostile, or offensive working environment by such conduct. Refer to the Sexual Harassment Policy section in this handbook for additional information.

No department head, co-employee, or resident shall threaten or suggest that an employee's refusal to submit to sexual advances will adversely affect the employee's employment, wages, advancement, assigned duties, shifts, or any other condition of employment.

Other types of prohibited conduct by department heads, co-employees, or residents include sexual advances, propositions, verbal abuse of a sexual nature, suggestive touching, suggestive gestures and comments, graphic verbal description of an individual's body, and the display in the workplace of sexually suggestive objects or pictures.

An employee who believes he/she has been the subject of any type of harassment should immediately notify the ED in writing. An investigation of any complaint will be undertaken, and appropriate corrective measures will be taken if the allegations warrant such action. Any department head, agent or other employee who is found after appropriate investigation to have engaged in intimidation or harassment of another employee will be subject to appropriate discipline depending on the circumstances, from a warning in the personnel file up to and including termination.

Employees are assured that this procedure has been established for their benefit and to allow them freedom to express their feelings and/or complaints. Employees need not fear that they will be penalized for registering a harassment complaint.

Harassment by outsiders: While not directly controlled by this policy, Southwick Village does not condone harassment of its employees by others (visitors, vendors, subcontractors, etc.). Please notify your supervisor if this is happening. It will be investigated and, if possible, appropriate action will be taken.

The following agencies can assist employees who feel they have been harassed.

Massachusetts Comm. Against Discrimination  
One Ashburton Place, Boston, MA 02108  
(617) 727-3990

Equal Employment Opportunity Comm.  
One Congress Street, Boston, MA 02114  
(617) 565-3200

## **SEXUAL HARASSMENT POLICY**

### **INTRODUCTION**

It is the goal of Southwick Village is to promote a workplace that is free of sexual harassment. Sexual harassment of employees occurring in the workplace or in other settings in which employees find themselves in connection with their employment is unlawful and will not be tolerated by this organization. Further, any retaliation against an individual who has complained about sexual harassment or retaliation against individuals for cooperating with an investigation of a sexual harassment complaint is similarly unlawful and will not be tolerated. To achieve our goal of providing a workplace free from sexual harassment, the conduct that is described in this policy will not be tolerated and we have provided a procedure by which inappropriate conduct will be dealt with if encountered by employees.

Because Southwick Village takes allegations of sexual harassment seriously, we will respond promptly to complaints of sexual harassment and where it is determined that such

inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such effective action as is necessary, including disciplinary action where appropriate.

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

### **DEFINITION OF SEXUAL HARASSMENT**

In Massachusetts, the legal definition for sexual harassment is this:

Sexual harassment means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when submission to or rejection of such advances, requests or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions.

(b) such advances, requests or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating or sexually offensive work environment.

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

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

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

Unwelcome sexual advances – whether they involve physical touching or not.

Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess.

Displaying sexually suggestive objects, pictures, cartoons.

Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments.

Inquiries into one's sexual experiences; and

Discussion of one's sexual activities.

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

### **COMPLAINTS OF SEXUAL HARASSMENT**

If any of our employees believes that he or she has been subjected to sexual harassment, the employee has the right to file a complaint with our organization. This may be done in writing or orally.

If you would like to file a complaint you may do so by contacting Southwick Village ED. Southwick Village's Administrator is also available to discuss any concerns you may have and to provide information to you about our policy on sexual harassment and our complaint process.

### **SEXUAL HARASSMENT INVESTIGATION**

When we receive the complaint, we will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed sexual harassment. When we have completed our investigation, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where appropriate we will also impose disciplinary action.

### **DISCIPLINARY ACTION**

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

## **VI. STATE AND FEDERAL REMEDIES**

In addition to the above, if you believe you have been subjected to sexual harassment, you may file a formal complaint with either or both the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC - 180 days: MCAD - 6 months).

The United States Equal Employment Opportunity commission (EEOC)  
One Congress Street -10th Floor  
Boston MA 02114  
617-565-3200

The Massachusetts Commission against Discrimination (MCAD)  
Boston Office:  
One Ashburton Place, Room 601, Boston, MA 02108  
617-727-3990

Springfield Office:  
424 Dwight Street, Room 220, Springfield, MA 01103  
413-739-2145

### **AIDS/BLOODBORNE PATHOGEN POLICY**

Southwick Village is committed to providing a safe and healthful environment for employees and residents. Because of this commitment, Southwick Village will not unlawfully discriminate against any individual applicant, employee, or resident because he/she may have AIDS (Acquired Immune Deficiency Syndrome) or an AIDS-related condition or may have tested positive for the HIV/AIDS virus. This policy is consistent with federal and state handicap discrimination laws applicable to services to and employment opportunities of handicapped individuals.

No employee or resident shall be required to submit to any test to determine whether he/she is infected with HIV/AIDS, as a condition of initial or continued employment or residency, except where it has been determined in accordance with federal or state laws that a person with an AIDS-related condition poses a significant risk of transmitting the virus in a specific occupation. We recognize that employees who test positive for HIV, or who have AIDS or an AIDS-related condition, may wish to continue working. As long as the employee's health or medical condition does not constitute a direct threat to the health or safety of the employee or to others, and the employee is able to perform his/her job, the employee shall not be denied continued employment solely because of his/her medical condition. All such determinations shall be made on a case-by-case basis.

For purposes of all employee benefits, (i.e., leave, insurance coverage, workers' compensation, unemployment benefits, etc.) AIDS and other bloodborne diseases will be treated as any other

serious or life-threatening illness. This is not to be interpreted as a guarantee of full benefit coverage; benefit coverage or rights to benefits will be determined exclusively by the terms of our employee benefit contracts and health care provider agreements.

Under the OSHA standard on bloodborne pathogens, the following precautions are taken to minimize the risk of exposure by employees to HIV/AIDS or Hepatitis B (HBV):

1. Adherence to universal precautions is required in all areas where employees are at risk to exposure.
2. The determination of risk of exposure to bloodborne pathogens by job classification and by specific job duties is reviewed on an annual basis.
3. Where risk of exposure is determined, voluntary vaccination for Hepatitis B is offered at no cost to employees.

The exposure control plan is reviewed and updated annually. It is available for review. Educational and training programs are provided annually for employees who are at risk of exposure.

6. Appropriate personal protective equipment is provided for those who are at risk.
7. Housekeeping procedures are monitored regularly to ensure risk of exposure is minimized.
8. Records of HBV vaccination, training, exposure incidents, and exposure follow-up are maintained, as required by the standard.

Employees who believe they may have been occupationally exposed to the HBV or to the HIV/AIDS virus may contact their department head. All needle sticks and mucous membrane exposures to the blood and body fluids of any resident, whether known to be infected with the HBV or HIV/AIDS virus or not, should be promptly reported to the employee's department head and an Incident Report completed. A post-exposure medical evaluation and follow-up will be provided at no cost to the employee, under the supervision of a licensed physician or other licensed health care professional. A confidential written opinion of the outcome of the evaluation will be given to the tested employee.

Employees who refuse without medical justification to care for a resident with HBV or HIV/AIDS, or who refuse to work with or who harass or otherwise discriminate against HBV or HIV/AIDS affected employees or residents, will be subject to disciplinary action.

Within the community, information on a person's HBV or HIV/AIDS status will be made available only to those employees or medical practitioners directly involved in the person's care or management who need the information to assist the person and shall not be disclosed or reported to any other persons within or outside Southwick Village, except as may be required

or permitted by the ED or by law. Disciplinary action, up to and including discharge, will be taken against any employee who inappropriately discloses medical information about any resident or employee.

### **EQUAL EMPLOYMENT OPPORTUNITY POLICY**

It is the policy of Southwick Village not to discriminate against any employee or applicant for employment because of race, color, religion, sex, age, national origin, physical or mental disability, veteran status, or sexual orientation.

We are committed to equal employment opportunity in all aspects of employment including, but not limited to, hiring, promotion, salary, benefits and other terms and conditions of employment, and discharge.

### **AMERICANS WITH DISABILITIES ACT POLICY**

It is the policy of Southwick Village to provide a work environment free from discrimination against qualified individuals with disabilities.

We adhere to applicable Federal, State, and local laws to offer equal employment opportunities to qualified individuals with disabilities. Further, reasonable accommodation will be provided for qualified individuals with disabilities who are employees or applicants, unless that accommodation produces an undue hardship.

III. YOUR JOB AT Southwick Village.

### **EMPLOYEE CLASSIFICATIONS**

Southwick Village has four (4) employee classifications:

A. Hourly Full-Time Employee (eligible for overtime): A full-time employee is regularly scheduled for and works 32 hours or more in a work week. The rate of pay is stated in an hourly rate.

B. Hourly Part-Time Employee (eligible for overtime): A part-time employee is employed on a regular basis in an established job and works less than 32 hours in the work week. The rate of pay is stated in an hourly rate.

C. Salaried Employee (not eligible for overtime): A salaried employee is generally scheduled for and works 40 hours in the work week. The compensation is stated per pay period.

D. Temporary Employee: A temporary employee is hired as supplementary help to fill a temporary need or for a special, limited project to be completed within a reasonable time. A temporary employee is not intended to continue employment after the temporary need or

special project has ended. Someone who is employed on an on-call basis only is classified as a temporary employee. The rate of pay is stated in an hourly rate. Temporary employees are eligible for only mandatory benefits--FICA, Unemployment Compensation, and Workers' Compensation.

By classifying an employee as full-time or part-time, Southwick Village is neither guaranteeing an individual will be assigned a certain number of hours, nor limiting its authority to assign someone to a given number of hours per period.

If your employee classification changes from temporary or part-time to full-time, the effective date of the full-time employee benefit package is based on the change in classification date and not your original employment date. It is on this classification date that the waiting periods for benefits begin.

If your employee classification changes from full-time to either part-time or temporary, you will no longer be eligible for the full-time employee benefit package; however, you will be eligible for benefits offered to part-time or temporary employees. Full-time employee benefits will end on the date of your classification change except medical/dental and life insurance which will continue according to the terms of the contract. At that time, you will be eligible to continue medical and dental coverage according to the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA).

### **CURRENT EMPLOYMENT DATE**

Your last date of hire determines the service date for purposes of calculating your continuous service. In other words, continuous service is defined as your uninterrupted employment with Southwick Village. This service is broken in the following situations:

1. Termination of employment, whether by Southwick Village or by you.
2. A layoff lasting more than three consecutive months (90 days).
3. Leave of absence (except as defined in the Leave of Absence Policy).

### **WORK SCHEDULE/BREAKS**

On your first day at work, report to your department head who will begin orientation and training for your new position. Your department head should always be your first contact for guidance in case of any questions, problems, or concerns.

The normal work period for full-time employees is five workdays in a work week. The work week begins on Saturday with the 11:00 p.m. to 7:00 a.m. Sunday shift and ends the following



Saturday with the 3:00 p.m. to 11:00 p.m. shift. A normal workday for full-time employees is eight (8) work hours.

The services provided by Southwick Village require 24-hour attendance of some positions, seven days per week, 365 days per year. Therefore, a shift basis of working hours is necessary in some departments.

Employees working a normal workday are allowed one-half hour without pay for a meal break for each six continuous hours worked and one 15-minute paid break for each four consecutive hours worked. If employees are required to work overtime, additional breaks are provided. Meals and rest breaks are scheduled by your department head.

You are encouraged to remain on the premises and eat in designated areas during your breaks. If you leave the premises, you must sign out before you leave and sign in upon your return.

### **SCHEDULE POSTING**

Your work schedule is determined by your department head. Every effort will be made to post the work schedule at least one week in advance of the normal work period. Scheduling is done according to the needs and requirements of the particular departments. From time to time your schedule may require changes to meet special needs. Exchanging shift schedules needs prior department head approval.

### **PAYROLL INFORMATION**

#### **Payday:**

A pay period consists of 14 consecutive days and the work week is Sunday through Saturday. Payday is every other Friday. You are paid current as of the end of the preceding work week.

You may pick up your paycheck on payday, or you may direct the accounting department to mail your paycheck to your home address. It is your responsibility to provide the accounting department with your proper home address.

When you receive your paycheck, you should note carefully all information including the required Federal and State withholding and other deductions. If you have any questions about the information on the paycheck, ask your department head. Payroll advances or loans are not made.

#### **Overtime Pay:**

Employees in positions eligible for overtime will receive overtime compensation in accordance with Federal and State laws and regulations. Every effort will be made to carefully plan so there is not excessive overtime.

1. Overtime will be paid for all "actual hours worked" performing your job in excess of 40 hours in a work week. Paid leave, e.g., vacation and sick leave, are not "actual hours worked."
2. Overtime will be paid at the rate of one-and-one-half times your regular hourly rate. Time at educational sessions required by the community will count toward overtime.
3. All overtime hours must be approved by your department head prior to the hours being worked.
4. Overtime will not be approved to enable you to clean up work areas or to complete duties which you are required to do during your regular shift, unless it is shown that your duties made it impossible for you to complete these tasks during the regular shift.
5. Salaried employees meet the exemption qualifications of the Fair Labor Standards Act and are not paid overtime.

**Holiday Pay:**

For information on holiday pay, see the Holiday section in "Additional Benefits for Full- and Part-time Employees."

**Daylight Savings Time - Night Shift:**

Employees who are scheduled and work the night shift when the clock is turned back in the Fall will be paid for eight (8) regular hours and one (1) overtime hour.

Employees who are scheduled and work the night shift when the clock is turned ahead in the Spring will be paid for seven (7) regular hours.

**On-Call Time:**

Employees may be asked to remain in an "on-call" status during their time away from work, such as after working hours or during days off. Typically, these employees will not be restricted to their homes during this time and are, therefore, free to come and go as they so desire. They will be compensated if they report to work, or are asked to remain at home, thereby having their own free time restricted to the extent that they are unable to leave their own premises.

## **PERFORMANCE INFORMATION**

### **Introductory Period**

Your employment will begin with a 90-day introductory period. During this period your behavior, attendance, and work performance are under special scrutiny. You can also use this period to consider how satisfied you are with your position. You may not have access to the grievance procedure or all benefits described in this handbook during this time. Satisfactory completion of an introductory period does not change the nature of your at-will employment or the expectation that you will maintain proper conduct and performance.

If you are promoted or transferred to a new position, you must complete another 90-day introductory period. However, your benefit accrual will continue, and you will have access to the grievance procedure.

### **Performance Appraisal:**

Your performance is important to Southwick Village. Performance appraisals are conducted for the purpose of providing an objective evaluation of your past job performance and planning for the future. You will be evaluated on meeting job performance standards and established goals. During this appraisal process, your strengths, weaknesses, potential, and work quality will be identified.

You may receive a performance review after completing the 90-day introductory period and then approximately once a year on your anniversary date of hire. If you have been on a leave of absence, the review period may be extended.

This appraisal may or may not include a wage/salary increase, but it will provide you with an opportunity to discuss your status with your department head.

### **Wage and Salary Review:**

Southwick Village maintains a wage and salary structure. This salary structure is reviewed at least annually to maintain a competitive and equitable program. New employees (and transfers) are normally hired at the entry rates of their positions.

As a result of your performance appraisal, you may, at Southwick Village's discretion, subject to available funding, be eligible for a wage/salary increase after the completion of the 90-day introductory period. Additional wage/salary increases may be given on an annual basis. Your department head can outline the salary review structure for your particular position.

### **Promotions/Transfers:**

We believe that career advancement is rewarding for both you and Southwick Village. We attempt to fill most vacancies including new positions with employees from within the organization. Every effort will be made to post notices of job openings on the bulletin board(s).

When considering employees for promotions and transfers, the most important criteria are your qualifications, including skills, knowledge and abilities, and your past experience as they relate to the vacant position.

Benefits will remain in effect as of your current employment date and performance appraisals will be conducted after 90 days and annually based on your change of status date.

An employee who is transferred or promoted to a new position must complete another 90-day introductory period.

### **JOB POLICIES WITH DISCIPLINARY CONSEQUENCES**

The following terms and conditions are not all-inclusive and are not intended to change the nature of your at-will employment.

#### **Personal Attire and Personal Belongings:**

Appropriate attire is important for your position. Employees are expected to maintain the highest standard of personal cleanliness and present a neat, clean, and professional appearance at all times. A dress code may be in effect and you are expected to comply with it. Facial hair must be kept clean and trimmed. Facial jewelry is not to be worn by any employee while on duty. Other personal attire standards will be determined by your department head with safety being a major consideration. You will be provided a name identification badge which is to be worn while working.

Southwick Village cannot be responsible for loss of money or personal belongings. Lockers may be available for your use. Ask your department head for a locker assignment and the rules regarding locker use. All lockers are the property of Southwick Village and may be subject to inspection and cleaning at the discretion of Southwick Village Management.

Personal belongings, including packages carried to and from Southwick Village by an employee, are to be made available for inspection upon request.

Failure to comply with inspections of lockers and personal belongings may result in disciplinary action.

**Uniform Policy:**

Each front-line employee receives two sets of uniform (shirt or polo depending on the department); employees are welcome to purchase additional sets if they wish.

Southwick Village Uniform consists of a top only, the employees are free to wear a bottom of their own choosing, so long as they maintain a professional appearance.

- Clothing must be free from holes, rips
- Must not be distracting, revealing, provocative, or offensive
- Dress down Fridays: Must wear uniform top, but can wear Jeans

Employees must maintain cleanliness of their uniform.

Uniforms are expected to last for a period of one year.

- Uniforms must be replaced after the period of one year with a new set at no cost to employee.
- If an employee is terminated in less than 12 months, he or she has the option of purchasing and keeping the uniform(\$25/shirt) or returning it to your supervisor. (if not returned before payroll it will automatically be taken out of check)
- Lightly used uniforms would be issued to a new employee (if the sizes match) to use up the two-year useful life of the uniform; a used uniform would be replaced by a new set in one year;

Ordering and inventory management of uniforms is done by administrative department.

**Personal Telephone Use:**

Personal telephone calls can be made from personal cell phones during rest breaks or meal breaks. You are not to use the telephones of apartment or assisted living residents for personal calls.

**Loitering:**

Please do not remain on the premises during off-duty hours.

Upon completing the workday or shift, please clock out and leave immediately in order to facilitate the transfer of shifts and to avoid delays in the work schedules. Please do not congregate in corridors, nursing stations, resident lounges, or other work areas at any time. You may not have visitors in work areas, in the buildings, or on the grounds during the workday unless authorized by your department head.

**Solicitation/Distribution:**

Southwick Village does not permit employees to solicit, buy from, or sell to other employees for any purpose whatsoever while on the community premises. Also, employees are not to solicit, buy from, or sell to any guest or visitor while on the community premises. Employee distribution of literature, including handbills, is prohibited on the community premises. Violation of this provision is cause for immediate discharge.

**Solicitations and Buying From or Selling to Residents:**

Employees are not to solicit, buy from, or sell to residents, except as authorized by the Administrator or through Resident Association-sponsored activities. The only relationship between an employee and a resident shall be in connection with performing duties as an employee of this community. Violation of this provision is cause for immediate discharge.

**Dishonesty and Theft:**

If an employee engages in a dishonest act or is caught stealing or using without authorization community property or the property of a resident or employee, the employee will be immediately discharged.

If an employee is aware of an act of dishonesty, theft, or unauthorized use of property and does not report it, the employee may be discharged.

**Employee Records:**

Up-to-date personnel records are important. It is your responsibility to keep your department head and the accounting office informed of changes in your home address, marital status, emergency names and numbers, etc.

Employees found willfully falsifying any information on personnel records will be immediately discharged.

Employee medical records will be maintained separately from personnel files and will be considered confidential. Employees may request access to their medical records with the Administrator.

Employees who submit a written request may review or copy their personnel record on community premises and during normal business hours. Removal or correction of any information in the record may be done by mutual agreement. If no agreement is reached, you may submit a written explanation to be part of the record.

**Time Records:**

You are required to maintain an accurate record of all time that is worked. Southwick Village utilizes an automated time clock. Please clock in and out for shifts as well as 30 min breaks. Falsifying timecards will result in immediate termination.

The procedures for recording your work time will be reviewed during your orientation. All overtime worked must be approved by your department head.

You may not record another employee's work time, or in any way tamper with, or make any notation or cause any notation to be made on another employee's time record. Violation of this policy will be grounds for disciplinary action. You are not to clock in more than seven minutes prior to, or clock out more than seven minutes after, your scheduled hours of work unless you have obtained prior approval from your department head.

**Smoking, Use of Alcohol or Drugs:**

Employees are prohibited from smoking in the buildings, and Southwick Village will comply with any federal and state laws regarding clean air. Employees may smoke in the outdoor area(s) designated as such. Smokers are required to keep the smoking area neat and to use cigarette depositories at all times.

Consuming any alcoholic beverage while on duty or reporting to work while under the influence of alcohol is prohibited and will be grounds for immediate discharge.

Using any illegal drug while on duty or reporting to work while under the influence of an illegal drug is prohibited and is grounds for immediate discharge. This policy does not apply to drugs or medications which have been prescribed for you by a physician. However, an employee using a prescription medication is to report the medication to the department head. A determination will be made as to whether or not the employee will be permitted to work. The policy will be administered in accordance with the ADA.

**Tardiness and Absenteeism:**

Tardiness and absenteeism are not characteristics of an effective employee. Both characteristics lead to undue hardships for coworkers. Therefore, it is necessary for you to be present every day when scheduled.

You are considered tardy if you are late to work more than 5 minutes and did not notify your department head. Excessive tardiness is defined as more than two (2) times per month and will be grounds for disciplinary action up to and including discharge.

You are considered absent when you are not at work on a previously scheduled day or if you are late by more than an hour. Excessive absence is defined as more than one unscheduled occurrence per month and will be grounds for disciplinary action up to and including discharge.

If you must be absent, notify your department head at least two hours before your scheduled start time. If you are unable to contact your department head, call the administrative office to report your absence or tardiness. You are required to call your department head each day that you are absent and to notify him/her of your expected date of return.

Your department head may require a doctor's certificate when absent more than 2 days. Failing to call to report your absence two hours prior to shift change, clocking in late by more than five minutes, and/or failing to be at your workstation at starting time without a reasonable explanation will result in disciplinary action. Refer to the Disciplinary Policy section in this handbook for additional information.

Severe weather is to be expected during the winter months. At times driving may be difficult. However, when caution is exercised, the roads are normally passable. Southwick Village is a retirement facility, and employees are expected to make reasonable attempts to perform their work even during severe weather.

Full-time employees are eligible for sick/personal days as accumulated. If you are absent for any reason, the absence will be subtracted from these sick/personal days. Any absence in excess of available sick/personal days will be cause for disciplinary action. For an absence in excess of the available sick/personal days, an employee may request a leave of absence as outlined in the leave policy section of this handbook.

### **Sleeping During Work Hours:**

You are expected to be alert at all times while on duty. It is particularly important that employees on the night shift be alert for any emergency that might arise. Employees found sleeping on duty will be subject to immediate discharge.

### **Use of Keys:**

Being entrusted with community keys is a serious responsibility. Outside your specific job duties, you should only use Southwick Village's keys to enter a resident's apartment in an emergency or when authorized by the ED. Violating this provision may result in immediate discharge. If you lose your Southwick Village keys, report the loss immediately to your department head.

Upon termination of employment, Southwick Village keys must be returned before you receive your last paycheck.



**Parking:**

Free parking is available to employees. You may park in approved parking areas only. Your department head will advise you of these areas. Please do not park in a designated resident area, on the grass, or on a sidewalk. Repeated violations will be grounds for disciplinary action.

**Acceptance of Gifts and Tipping:**

Gifts are defined as material items and non-cash presents. Tips are defined as gratuities or presents of cash from residents, families, or estates.

While it may not be apparent at the time, nor even contemplated by an employee, receiving gifts from a resident may adversely affect the employee's judgment in dealing with the resident.

Therefore, no gifts or tips may be accepted by an employee. However, food gifts maybe accepted if they are shared with other employees in the department or in the employee lounge.

Discarded, non-perishable, valuable items are considered to be property of Southwick Village and are not to be removed by employees. Such items should be brought to the department head and will be awarded during an employee-sponsored event. Violation of this policy will result in disciplinary action.

No tips shall be accepted by an employee regardless of the employee's position or the nature of the service provided by the employee. Accepting a tip shall be cause for immediate discharge. The Resident Association may at its discretion have an employee appreciation fund.

**Working Privately For Residents:**

You are not to become employed by residents or perform any services for residents outside of your assigned work duties for compensation or reward. Violating this policy will be cause for immediate discharge.

**DISCIPLINARY POLICY**

While at work, various rules of behavior are necessary for the effective operation of Southwick Village. It is important for you to know and understand the standards of conduct which are expected during employment. Please read and remember these rules. The following lists are not intended to be inclusive lists and are not intended to change the nature of your at-will employment.

Southwick Village generally follows a 4-step disciplinary process for those occasions when rules of conduct are not observed. This procedure is designed to provide employees fair, effective,

and consistent treatment when behavior is not in accordance with expected conduct. These four (4) steps include: 1) verbal warning; 2) first written warning; 3) second written warning; 4) termination of employment.

A verbal warning is the step wherein the employee and supervisor recognize the problem, determine ways to solve the problem, set goals for behavioral changes, and establish a date when they will meet again to ensure that progress is being made in resolution of the problem. The verbal warning will be documented in the employee's personnel file.

B. The first and second written warnings are generally issued for serious rule violations or continued occurrences of violations for which verbal warnings have been issued. A written warning will become a part of the employee's personnel file. The issuance of a second written warning means your continued employment is in serious jeopardy and the next violation will result in termination.

C. Immediate termination may occur for many reasons including poor work performance and/or violation of Southwick Village's rules. While it is usually the culminating step of the progressive discipline process, termination may be the immediate result of a very serious violation of rules.

The following list of rule violations will result in progressive disciplinary action up to and including termination. This list is not intended to be all-inclusive, rather it is a representative indication of unacceptable behavior at work.

- Failing to call in two (2) hours prior to shift change if absence or tardiness is anticipated (unless beyond the employee's control).
- Acting in a disrespectful or rude manner.
- Leaving your department during work hours without department head's permission.
- Making personal telephone calls during work hours.
- Personal use of a resident's telephone.
- Failure to properly record time worked.
- Failure to comply with the dress code.
- Failure to report a personal injury or resident injury to your department head.
- Inability to perform job duties.

- Failure to attend mandatory in-service programs as assigned by your department head.
- Unauthorized communication with a resident or with the media; violation of confidentiality.
- Stopping work before the specified time.
- Loitering or loafing during work hours.
- Allowing friends or family members to loiter on the property.
- Creating or contributing to unsanitary conditions.
- Ignoring safety and security rules and practices.
- Mishandling machines and equipment.
- Participating in horseplay or general misconduct.
- Gambling on premises.
- Clocking in more than 7 minutes before work or clocking out more than 7 minutes after work without permission of the department head.
- Smoking or chewing tobacco in a resident's apartment, in public areas on the grounds or non-designated areas while on duty.
- Excessive tardiness or absenteeism.
- Removing, defacing notices or signs, writing on bulletin boards, or posting unauthorized notices.
- Being absent from workstation at starting time.
- Parking in unauthorized areas.
- Leaving the community for personal business while still on the time clock.
- The following rule violations will result in immediate termination or suspension without pay while investigating the violation. This is not all-inclusive.
- Possession, use, or sale of illegal drugs on community property.

- Engaging in deliberate destruction or damage of Southwick Village property, tools, machines, equipment, or property of others.
- Falsifying or altering any employee records, including timecards, applications and resumes.
- Physically or verbally threatening, coercing, abusing, intimidating, or fighting with others
- Stealing property or unauthorized use of property.
- Immoral conduct or indecency on the premises.
- Possessing weapons, explosives, and dangerous substances on the premises.
- Selling or transacting business with a resident.
- Refusing, neglecting, or avoiding duties: insubordination or disobedience
- Accepting compensation from another employer while on leave of absence from Southwick Village or receiving compensation while at the same time receiving Workers' Compensation or Unemployment Compensation.
- Soliciting or collecting contributions or donations from employees or residents
- Overstaying a leave of absence.
- Accepting cash tips in any amount or accepting other compensation or a material item without prior approval of the Administrator.
- Discussing confidential information with friends, co-workers, other residents, or family members unless required as part of the assigned job.
- Consuming illegal drugs or an alcoholic beverage while on duty or reporting to work while under the influence of illegal drugs or alcohol.
- Participating in sexual or discriminatory harassment.
- Allowing required professional or vocational licenses and certifications to expire.
- Sleeping during working hours.
- Working privately for a resident.

- Using a Southwick Village key to enter a resident's apartment without permission or authorization.
- Dishonesty.
- Violating the Residents' Bill of Rights.
- Any verbal or physical abuse to apartment residents or health center residents.
- Leaving the community during work hours without permission of your department head.
- Refusal to allow lockers/personal belongings to be inspected.
- Failure to report your absence for three (3) consecutive workdays.
- "Horseplay" resulting in injury.

## **TERMINATION**

Upon termination, all Southwick Village property must be returned. Ex-employees are prohibited from being on the property unless prior approval is given by the Administrator. The final paycheck will be issued according to Federal and State laws. You should notify Southwick Village if your address changes during the calendar year in which termination occurs in order that your tax information will be sent to the correct address.

### **Voluntary:**

Salaried employees are requested to provide a 30-day termination notice, and full- and part-time hourly employees are requested to give two (2) weeks' notice. Vacation time may not be used during this termination period.

An employee voluntarily terminating employment is eligible for accrued but unused vacation pay if proper notice is given and the regular work schedule is maintained during the termination period. Personal days accrued but unused are not paid upon termination.

**Involuntary:**

Southwick Village reserves the right to terminate an employee at any time for any reason. A terminated employee is eligible for payment of accrued but unused vacation time. Personal days accrued but unused are not paid upon termination. Southwick Village will give you two (2) weeks' notice if your position is being eliminated for lack of work.

**GRIEVANCE PROCEDURE**

You may express a grievance or complaint at any time to your department head without fear of reprisal, harassment, or intimidation. The procedure described here can benefit you and Southwick Village only if you make use of it. You are encouraged to bring differences and complaints to your department head so that a complete and fair understanding can be reached among all persons.

If you have a complaint, grievance, dispute, or difference about any matter relating to your employment, an honest effort will be made to settle the matter according to this procedure.

1. Notify your department head or his/her designee in writing within three (3) days from the date the grievance occurred. You will receive a written response within three (3) working days.
2. If the disagreement is unresolved, you may appeal the grievance to the ED or an individual or committee designated by the ED. The written appeal must be filed within three (3) working days of the department head's response. You will receive a written response within five (5) working days.
3. If a disagreement is unresolved, the employee is entitled to appeal the grievance to the immediate supervisor of the Administrator. The written appeal must be filed within three (3) working days. The immediate supervisor of the Administrator will respond in writing within ten (10) working days. The decision is binding on the employee and on the community.

If Southwick Village does not respond to you within the specified times, the grievance will be considered denied, and you may appeal to the next step.

If you do not appeal to the next step within the specified times, the last Southwick Village response will be considered accepted.

The time limits in the grievance procedure may be extended by mutual agreement of the employee and Southwick Village.

#### **IV. YOUR BENEFITS AT Southwick Village**

In addition to your wages, you will receive a number of benefits of significant value, depending on your employee classification. These benefits are additional compensation to you but do not appear on your paycheck. The following terms and conditions are not all inclusive and are not intended as a contract. If you have questions about your benefits, contact your department head. The following is an outline of the benefits provided. In some cases, information is supplemented by insurance contracts or legal plan documents.

Full-time hourly and salaried employees participate in all benefit programs. Part-time and temporary employees participate only in those programs specifically indicated.

#### **BENEFITS FOR ALL EMPLOYEES**

##### **FICA - Federal Insurance Contributions Act**

FICA, which includes Social Security and Medicare, is a Federal program which is funded through deductions from your paychecks and through contributions by Southwick Village. As a general rule, Southwick Village matches the deduction from your paychecks. FICA provides a number of benefits including retirement, disability, and medical care. Participation in FICA is mandatory.

##### **Unemployment Compensation:**

Southwick Village contributes to the State Unemployment Compensation Fund in your name. When you leave employment here, you may be eligible to receive unemployment compensation, subject to the provisions of Federal and State laws.

##### **Workers' Compensation:**

Workers' Compensation is a type of insurance protection required by State law which covers all employees. In general, this protection covers you if you are injured or disabled as a result of performing your job. Medical bills are usually covered, and you receive a portion of your wages lost due to the injury, usually after a required waiting period of seven (7) days. Benefits are usually provided for permanent injuries, also. If you have an accident or injury while you are working, follow the provisions of the Safety and Emergency Program discussed in the Employment Information section of this handbook. Although employees who are injured on the job do not accumulate vacation time and personal days for time missed, they do retain vacation time earned before the injury. Employees cannot be paid for vacation or personal days while receiving Workers' Compensation or Disability Benefits. Contact your Department Head for additional information. In compliance with State law, Southwick Village will pay the medical, dental, and life insurance premiums for an injured employee while the employee is eligible for or receiving Worker's Compensation payments. After that time, the employee will be eligible to

continue group health and dental insurance coverage according to the provisions of the Consolidated Omnibus Budget Reconciliation Act (COBRA).

**Meal Service:**

An employee lounge/vending area is available for your use during meal breaks. All employees are responsible for cleaning up after their break. The employee lounge is a non-smoking area.

Snacks and beverages are available in the vending machines located in the Employee Lounge.

**ADDITIONAL BENEFITS FOR ALL EMPLOYEES**

**Full-Time:**

**Holidays:**

After the 90-day introductory period, you are entitled to eight (8) paid holidays as indicated below:

**Paid Holidays:**

1. New Year's Day
2. President's Day
3. Memorial Day
4. Independence Day
5. Labor Day
6. Thanksgiving Day
7. Christmas Day
8. Veteran's Day

\*If you normally work Monday through Friday, and if a holiday falls on a Saturday, you will observe the holiday on the preceding Friday. Likewise, if a holiday falls on a Sunday, you will observe the holiday the following Monday.

**Holiday Pay:** The Holiday is defined as the shift beginning the eve of the holiday. Example: 11pm (December 24<sup>th</sup>) to 7am, 7am (December 25<sup>th</sup>) to 3pm, and 3pm to 11pm on December 25<sup>th</sup>. Double time will be earned for those employees that work the following holidays: New Year's Day, Christmas Day, Thanksgiving Day. Time and a half is earned for all other holiday's worked.

- Salaried Employees: If a salaried employee is scheduled to work on a holiday, the employee will be entitled to receive a day off within 30 days of the date of the holiday.
- Paid Holidays OFF are only granted to full time employees.

**To be eligible for holiday pay, you must work your scheduled hours on the last day you are scheduled before the actual holiday. You must also work your scheduled hours on the first day you are scheduled to work after the holiday.**



**Sick/personal time:**

- Existing full-time employees will begin with 40 hours lump sum in their bank on January 1<sup>st</sup> of each year. This time is to be used in one (1) calendar year, and unused time does not roll over.
- Part time/per diem employees will earn one (1) hour of sick time for every 30 hours worked.
- New full-time employees will receive 40 hours lump sum of personal/sick time on their hire date. The time does not become available for use until a ninety (90) day vesting period is completed.
- Sick/personal days accrued under this plan are not intended to be used for vacations or other like absences. They may be used for illness or for personal business such as appointments with doctors, dentists, lawyers, etc. If you have an appointment, give your department head as much notice as possible since staffing needs must be met. Misuse or abuse of sick/personal days may result in disciplinary action. Unused sick/personal days are not paid upon termination.

**Vacation:**

Vacation time is given to **full time** employees only (32- or 40-hour work weeks.)

- 1-7 years: 2 weeks
- 7-Indefinitely: 3 weeks

Employees will accrue vacation time beginning on their anniversary date. The accrued time may be used during the same calendar year it is accrued.

Accrual rate is as per PAY PERIOD and is as follows:

	2 weeks	3 weeks
64 Hours	2.47	3.7
80 Hours	3.08	4.65

**Military Leave:**

You will be granted military leave without pay if you serve in the U.S. Armed Forces, as required by applicable State and Federal laws. If you desire to return to the cottages at Southwick, you must give your department head a 30-day written notice of your intention to return.

If you are called for reserve duty as a member of any of the Armed Forces or a National Guard Reserve Unit, you will be granted time off without pay. You may elect to take this time as vacation if you are eligible for it. Please notify your department head in writing at least two (2) weeks in advance when possible.

**Jury and Witness Duty Leave:**

If you are notified of jury or witness duty, and are a full-time employee, notify your department head immediately. When you serve on a jury, you will be compensated at your regular rate of pay less any court compensation you receive.

Southwick Village will comply with state laws regarding your compensation while you are appearing as a witness at a trial.

**Bereavement Leave:**

A full-time employee of Southwick Village will be paid for scheduled work time lost due to a death in your family on the following basis:

- Up to three (3) days for death in your immediate family. Immediate family includes spouse, child, stepchild, parent, stepparent, brother, sister, brother or sister-in-law, daughter or son-in-law, and parent-in-law.
- Up to one (1) day leave with pay for grandparent, grandchild, grandparent-in-law, uncle, aunt, niece, and nephew.

\*The Executive Director may permit other paid or unpaid leave to attend funerals or for other personal purposes related to a death. You may be required to present the obituary upon request.

**Leaves of Absence:**

A leave of absence is an excused absence from work for more than one (1) pay period (2 weeks) and less than 90 days (3 months). A leave of absence is not automatic and will not be granted for the purpose of enabling you to extend a vacation or holiday.

When you are on leave of absence you are not entitled to pay during this period, and you will not accumulate benefits. Your vacation entitlement will be prorated to reflect the leave of absence time. When you are on leave of absence, your insurance continues until the end of the month. The portion of premium for medical insurance coverage paid by Southwick Village will continue to be paid for the duration of the leave of absence. However, any portion of the medical insurance premium for which you are responsible must be paid by the 1st of each month for insurance coverage to continue. If you elect to drop your coverage during the leave of absence, evidence of insurability may be required in order to reinstate your insurance upon return to work. Other insurance coverage will discontinue until you return to work.

**Requesting a Leave of Absence:** Submit a written request to your department head stating the reason for the leave and the expected time period. Your department head will make whatever investigation is necessary and will attach a written recommendation and forward the request to the ED. You will be informed as soon as possible whether the request has been approved or denied. If it is approved, the department head and the ED will sign it. If you comply with all provisions and conditions and at the discretion of Management, you will be reinstated to your original position or to a position of equivalent classification and pay upon returning to employment.

**Extending an Approved Leave of Absence:** If you have been authorized a leave of absence and you want to extend that leave, you must apply for an extension in writing to the department

head at least five (5) working days before the previously authorized leave expires. An extension may be granted in writing at the discretion of the department head/Administrator where good cause is shown for the extension. In determining whether to grant an extension, the department head/ED will consider not only your circumstances, but also the needs of Southwick Village. You need to reapply for leave of absence extensions when previous extensions expire. The department head/ED has the discretion to determine the number of extensions to be granted. If an employee wishes to extend the leave but does not apply in writing for an extension before an authorized leave expires and does not return to work, the employee will be deemed as having voluntarily resigned. Employees who will be off work for extended periods, even for legitimate reasons, may be replaced if business need dictates.

**Miscellaneous Leave:** You may request non-medical leave without pay. The ED, with input from your department head, will consider this request and determine if it is approved.

### **EMPLOYEE ASSISTANCE PROGRAM (EAP)**

Each of us faces a variety of problems in our daily lives. Usually, we can work them out ourselves. Sometimes, however, a problem comes along that becomes too much for us to handle. It affects our work, our personal happiness, or our family. When that happens, we often need professional help. To help employees with issues, Southwick Village maintains an Employee Assistance Program (EAP) which is a confidential counseling service providing professional help to employees and their family members for any type of personal problem including alcohol and drug problems. EAP services include initial assessment and referral. The EAP is staffed by licensed professional counselors who are experienced working with a wide range of personal problem. However, it is the responsibility of each employee to seek assistance from the EAP before alcohol and drug problems lead to disciplinary actions. Once a violation of this Policy occurs, subsequently using the EAP on a voluntary basis will not necessarily lessen disciplinary action and may, in fact, have no bearing on the determination of appropriate disciplinary action.

Using the EAP will not be a defense to the imposition of disciplinary action where facts providing a violation of this Policy are obtained outside of the EAP. Accordingly, the purpose and practices of this Policy, and the EAP are not in conflict but are distinctly separate in their applications.

Through the EAP, Southwick Village will provide appropriate counseling referral for employees to obtain treatment. Upon successful completion of the agreed upon appropriate treatment, the employee may again be considered for assignments of employment. In addition, if any employee, in the course of employment registers with an employee assistance program for drug-related problems, or a drug rehabilitation program, Southwick Village will require the employee to submit to a drug test as a follow-up to such program, unless the employee voluntarily entered the program. In those cases, Southwick Village has the option to not require follow-up testing. If follow-up testing is required, it must be conducted at least once a

year for a 2-year period after completion of the program. Advance notice of a follow-up testing date must not be given to the employee to be tested.

If an employee who has separated from Southwick Village is rehired, he/she must start as a new employee under the provisions of this vacation plan. In determining the amount of vacation, approved leaves of absence are not considered as a separation for purposes of this plan.

If your employment status changes from full-time to part-time, you will be paid for all your unused sick/personal days. As a part-time employee, you do not accrue any further sick/personal days following your change in status.

### **CONTINUATION OF GROUP HEALTH COVERAGE (COBRA)**

Federal law requires that your group plan allow qualified persons to continue group health coverage after it would otherwise end. For this purpose, "group health coverage" includes any medical, dental, vision care, and prescription drug coverages that are included in the group plan.

- A. Qualified Persons/Qualifying Events. The following persons will qualify for continuation by virtue of the qualifying events described:
  - 1. An employee (and any covered dependents), whose coverage would otherwise end due to: (a) termination of employment for a reason other than gross misconduct, or (b) a reduction in work hours; and
  - 2. An employee's former spouse (and any children), whose coverage would otherwise end due to divorce or legal separation; and
  - 3. An employee's former spouse and/or children, whose coverage would otherwise end due to the employee's death; and
  - 4. An employee's spouse and/or children, whose coverage would end due to the employee's entitlement to Medicare; and
  - 5. An employee's child, whose coverage would otherwise end due to ceasing to be a dependent child.

Exception: Continuation is not available to any person who is covered under Medicare or another group health plan except when the other group health plan has a pre-existing limitation (refer to C. (3)).

- B. Monthly Premium. A qualified person can be required to pay the entire cost of continued coverage. A 2% surcharge may be added to each premium to help defray the employer's administrative expenses. Except if the continuation period is extended up to

29 months due to a disability, the employer can charge a total of 150% for the 19th through 29th month of continuation coverage.

The qualified person is permitted to pay within 45 days of the initial election any premium owed for continued coverage. All other premiums are to be paid no later than 30 days (or the grace period) following the first day of each month of continued coverage.

C. Continuation Period. Continued coverage will end on the earliest of:

1. For qualified persons described in A. (1) above, the date coverage has been continued for 18 months (except that if any of the qualifying events described in A. (2), A. (3), and A. (5) above occur during this 18-month continuation period, such period will be extended for the affected dependents to 36 months, dating from the beginning of the original 18-month period).

If the qualifying event described in A. (4) should occur during the 18-month period, the dependents of this employee may continue COBRA coverage for a period of 36 months from the date the employee became entitled to Medicare benefits.

2. For all other qualified persons, the date coverage has been continued for 36 months.
3. With respect to each qualified person, the date that person becomes covered under another group health plan or under Medicare (except if coverage under the new group health plan contains a pre-existing condition limitation or exclusion. COBRA coverage may be continued for the period during which benefits will be denied or limited under the pre-existing condition clause, or until the occurrence of an event which would normally terminate COBRA continuation, whichever occurs first).
4. The end of the last premium period for which payment is made on a timely basis; or
5. The date the group health plan is terminated (the continuation period may be completed under a replacement plan, if any).
6. If the qualified person is determined to be disabled by Social Security at the time of the qualifying event, the continuation can be extended from 18 to 29 months. The coverage ends the earlier of 29 months or when the continued person is no longer disabled.

C. Acquired Dependents. Any qualified person may elect coverage for a dependent (spouse, newborn child, adopted child, etc.) acquired during a period of continuation. The acquired dependent must be a person who would have been an eligible dependent had he or she been acquired by an active employee enrolled under the normal terms of the plan. Qualified persons must apply for coverage of acquired dependents within the same time limits that pertain to enrollment of like dependents acquired by active employees.

Coverages provided an acquired dependent will end on the same dates as described for qualified persons in C. above--except that in no event will coverage be provided beyond the end of the continuation period in effect for the qualified person on the date the dependent is acquired. That is, if continuation is extended for a qualified person as described in C. (1) above, such extension will not apply to newly acquired dependents.

D. Individual Purchase (Conversion). If continued coverage ends because the maximum continuation period (18 or 36 months) expires, a qualified person may apply for Individual Purchase, if he/she is not then eligible for similar benefits which would result in over-insurance. Application and payment of initial premium must be made within 31 days after continued coverage ends.

E. Notice Requirements. If a dependent qualifies for continuation due to divorce, legal separation, or ceasing to be a dependent child, either the employee or the dependent must so notify the employer. This notice should be given before the qualifying event or as soon as possible thereafter (but not more than 60 days after the qualifying event).

Qualified persons who are determined by Social Security to be disabled as of the date they initially became eligible for COBRA are required to provide notice of the disability determination to the employer within 18 months of the COBRA eligibility date and no later than 60 days after the date of Social Security disability determination.

The employer must give qualified persons written notice of their continuation rights, obligations, and premium costs within 14 days after any other qualifying event (termination of employment, death of the employee, etc.) becomes known to the employer.

F. Election Requirements. The qualified person must make written election within 60 days after the later of (1) the date coverage would otherwise end, or (2) the date of the employer's notice. The election form must be returned to the employer within the 60-day period; otherwise, the continuation option expires. The qualified person is permitted to pay within 45 days of the initial election any premium owed for continued coverage. All other subsequent premiums are to be paid no later than 30 days (or the grace period) following the first day of each month of continued coverage.