

# South Fork Physical Therapy

and Rehab, PLLC.

## Employee Handbook

Adopted September 2004

Revised and reviewed as noted:

9/10/06  
2/19/08  
10/12/09  
5/20/10  
5/3/12  
2/1/13  
8/9/14  
10/7/15  
10/10/16  
12/22/17  
11/20/18  
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10/2/20  
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## **DISCLAIMER**

This employee handbook is for informational purposes. It neither directly nor indirectly constitutes an employee contract between South Fork Physical Therapy and the employee. The contents of this handbook are not the company's personnel policies themselves, but an explanation of our policies.

The contents of this handbook are subject to change at any time at the discretion of the administrator.

# **WELCOME**

The officers and employees at South Fork Physical Therapy extend a warm welcome to you as you begin working with us.

South Fork Physical Therapy begins each day with two goals: **To provide the highest quality of care and to provide superior service.**

We want you to enjoy working at South Fork Physical Therapy and do well in your new position. Although each of us has his/her responsibilities to attain these goals, no single employee - therapist or non-therapist - is more important than any other in achieving those goals. We hope you will find your responsibilities challenging and rewarding.

Please read this manual carefully. We believe the manual will answer most of your questions about personnel policies and working relationships with the rest of us. Of equal importance, the manual describes the basic philosophy of South Fork Physical Therapy. We want you to become an important part of this philosophy.

If you have any questions after reading this manual, be certain you gain those answers by conferring with the administrator or your clinic director.



## **EQUAL EMPLOYMENT OPPORTUNITY**

The policy of South Fork Physical Therapy is to provide equal opportunity for employment to individuals regardless of race, color, religion, sex, national origin, age or disability. Such policy is related to and includes, but is not limited to, actions such as recruitment, hiring, job assignment, training, discipline, compensation, benefits, professional opportunities and use of clinic facilities. Applicants are considered for employment and/or promotion based on their education, training, experience, skill, aptitude, and any other pertinent job requirement as stated in the job description. Accommodations to policies and job descriptions can be modified by management for qualifying ADA disabled employees on a “case by case” basis. It is the employee’s responsibility to notify management if/when they qualify as an ADA disabled employee.

# **INTRODUCTION TO THE COMPANY**

South Fork Physical Therapy is a limited liability corporation whose members are the administrators/co-owners. The company was organized to practice the highest quality of physical therapy.

We are all employed to assist the professionals, and each other, in supplying medical services to the patients in the most efficient and economical manner possible. To do this, we must all anticipate the needs of other members of the staff. We must be willing and able to perform the various details, professional or administrative, that enable our professionals to spend the maximum time with their patients.

To a large extent, you and all other employees are responsible for the success of the group. Individually, our appearance, personality, ability and attitude toward our work help make a favorable impression on the patients and add to the pleasant atmosphere. With everyone pleasantly doing their jobs to the best of their abilities, the working environment can be happy for everyone.

# **GOALS AND OBJECTIVES**

As a rehabilitation practice, our basic mission rests on the two unequivocal goals of providing the highest quality of care and providing superior service.

So, if you are ever asked about our clinic and our goals as an organization, your response can be very simple:

## **PROVIDING THE HIGHEST QUALITY OF CARE and PROVIDING SUPERIOR SERVICE**

Our quest to achieve these goals pervades every aspect of our organization. From the quality of the therapy services our professionals and technicians provide, to the quality appearance of progress notes, memos, letters, and other documents sent, the theme of unexcelled quality dominates. We must work hard at it, we must consistently seek it, we must be demanding of it at all times.

The second, but no less important, theme of superior service is an uncompromised principle of our organization. **Our “customers” are our patients, referring physicians, referring rehabilitation nurses and managed care organizations, attorneys, and employers.** To these groups we must provide the feeling that the people of South Fork Physical Therapy are absolutely the most caring and best they have encountered. Superior service is a must, and we continuously and enthusiastically deliver it.

Our philosophy is to:

Provide quality healthcare services that are effective, well documented, defensible, and cost effective.

Be accountable to our referral sources and cognizant of their needs.

Prepare documentation on patient records in a suitable and timely fashion.

Maintain adequate records and accounting procedures so that we are fully aware of our financial standing.

Provide patients with pleasant surroundings and state-of-the-art equipment.

Anticipate national trends in the delivery of healthcare and respond to those trends.

Provide a secure future for all employees and make all short- and long-term plans accordingly.

Remain ethical, responsible, and contributing members of the community.

# **PATIENT RELATIONS STATEMENT**

Employees deal with patients, referring entities and payers, either personally or via the telephone. Patients must be treated with understanding, respect and genuine friendliness. We are here to provide them with service. Please keep that in mind at all times.

A patient's favorable impression of South Fork Physical Therapy is extremely important and is the primary step of forming the patient's confidence in us. Conversely, an unfavorable impression leads to a lack of confidence, and excellent professional care is more difficult to deliver later. Although many patients visiting South Fork Physical Therapy are under stress, most people respond favorably to courtesy and consideration. Treatment can be more effective, and our jobs made easier, by maintaining a friendly relationship at all times.

The patient's medical record is confidential and should not be read or discussed by any employee unless it pertains to his/her specific job responsibility. When discussion is necessary, it should be done in a quiet, confidential manner and apart from any public contact area.

Transmission of patient records is necessary from time to time. When requested to do so, we must each keep in mind the patient's right to confidentiality and assure that proper releases have been obtained for the transmission of that information. We must also take steps to insure that information so transmitted is done accurately and that the information does not fall into inappropriate hands.

Everyone should be conscious of noise and the employee's part in it. Unnecessary talking and inappropriate noise levels are distracting, both to co-workers and to our patients. Please avoid loud talking in conversations with fellow workers. If you must discuss a patient's history or account in the presence of other patients, do so in a discreet and confidential manner. Also, please avoid congregating in patient contact areas, especially the reception areas.

You are encouraged to use the patient's name often, either in person or via the telephone, and to answer the telephone giving both the name of the clinic and your name. People want to identify with a person, not a voice.



**Remember, it takes months to cultivate a customer, but only seconds to lose one.**

## **CLASSES OF EMPLOYEES**

Employees at South Fork Physical Therapy are classified in one of these categories:

**Full Time** – An employee who works a regular schedule of 35 hours or more. Full time employees qualify for all applicable benefits.

**Regular Part Time** – An employee who works a regular schedule of at least 24 and up to 35 hours per week. Regular part time employees receive PTO based on his/her scheduled weekly hours.

**PRN** – An employee who works a (PRN) schedule of generally less than 24 hours per week. PRN employees do not qualify for benefits.

**Temporary**- An employee hired for a specific period of time to complete a project not to exceed four (4) months.

**Contract** – An employee who is contracted to perform certain work, usually at hours and times as they schedule on or off premises. These employees are not eligible for any company benefits.

The administrators may classify an employee other than by hours worked, except that no contract employee may be otherwise classified.



## **INITIAL PERIOD OF EMPLOYMENT**

All new and re-employees, if returning to work 30 or more days after resigning, work an initial period of employment. Effective Sept.1, 2004, the initial period of employment shall be 6 months. This "getting acquainted" period gives the supervisor the opportunity to determine the ability with which the employee performs his/her job. It also provides the employee with the opportunity to decide if he/she is satisfied with the position. South Fork Physical Therapy reserves the right to extend the duration of this period when such an extension is deemed appropriate by the employer.

Upon completion of this period, a performance evaluation (verbal or written) may be conducted to ascertain the advisability of continued employment on a regular basis. South Fork Physical Therapy specifically reserves the right to terminate any employee with or without cause, and with or without notice, at any time. Further, no employee, manager or supervisor at South Fork Physical Therapy, other than the Administrator or the President, has the authority to enter into an agreement contrary to the foregoing. In no event is this employee handbook or explanations of policies herein to be construed as or determined to create contract by implication.

After 30 days of employment per plan details, employees are eligible to be enrolled in Health, Vision, or Dental benefits per our benefit package. This coverage will be decided upon in March of each year and any full-time employee that has been employed for longer than 30 days is eligible to participate. SFPT will pay half of the monthly premium for each employee up to 400\$ per month. Anything over this amount will be the responsibility of the employee. The employee's portion of the premium will be withheld from their paycheck and divided between each pay period (bi-weekly).

After 6 months of employment, each full-time or regular part time employee is eligible for PTO. As appropriate per plan details, they are also eligible to enroll in our 401k program. Please see the PTO section for further details.

The 401k program (>21 years old) is available at a matching rate of 4%. The employee may contribute any amount they desire.

## **HOURS OF WORK**

Our clinic is open from 8:00 a.m. to 6:00 p.m. Monday through Friday. Your specific hours may vary somewhat to provide overlapping coverage throughout the business day and in accordance to current patient census and availability of other equivalent staff. Work schedules will be established by the supervisor and typically consist of five, 8 hour days or four, 10 hour days. We ask you to remain flexible if changes in the normal work schedule are required, such as evening shifts. You should arrive about 5 minutes prior to your scheduled time, clock in (if hourly) and then be ready to begin work at your scheduled time. If you are unable to arrive at work as scheduled, you must directly advise your supervisor as soon as possible. Habitual tardiness or absence is a matter for disciplinary action. Overtime must be approved by the administrator or the clinical director. Overtime constitutes more than 40 hours worked in one week, Monday through the following Friday.

All hourly employees are entitled to a one-hour lunch. Effort is made to grant salary employees a one-hour lunch. However, salary employees' lunch time is dictated by the patient load. The clinic does not close for lunch, and employees' lunch times are staggered from 12:00-2:00.

Payday is every other Friday. The pay period ends Friday evening. Time sheets are collected Monday morning and calculated for the pay to be issued the following Friday. Checks are normally distributed via direct deposit by 12:00 noon Friday but occasionally complicating factors may prevent completion of the payroll before late afternoon. If the payday is a holiday, checks will be distributed the last business day prior to the holiday.

Please refer to the Policy and Procedures Manual Section 5.04 for more details on this subject.



## **OUTSIDE EMPLOYMENT**

A common practice today is for a person employed full-time by one organization to hold a part-time job with another employer outside of regular working hours. Within reasonable limits consistent with the requirements of a person's primary employment, this practice of outside employment (moonlighting) is acceptable. We, as primary employer, expect such activities to not detract from the individual's competence or alertness on the job, reflect adversely on either the employees or the employer, or represent a conflict of interest with South Fork Physical Therapy. All full-time employees are expected to consider South Fork Physical Therapy their primary employer. Outside employment (moonlighting) is acceptable as long as it does not interfere with the employee's primary commitment to the duties, responsibilities and requirement of his/her position. Moonlighting must be restricted if it conflicts with the legitimate interests of South Fork Physical Therapy or interferes with efficiency or job performance. The Administrator should assure that an employee's outside activities do not present a conflict of interest that detracts from the clinic's primary goals and objectives, causes job performance to deteriorate, or reflects negatively on South Fork Physical Therapy.

Remember that employees moonlighting in allied health fields carry this clinic's reputation for excellence and thus bear the responsibility to demonstrate that excellence in their outside job performance. While South Fork Physical Therapy has no responsibility in any way relating to a person's outside employment, such work must be done in an ethical manner and in accordance with the high standards of South Fork Physical Therapy.

Services provided at a particular location by a moonlighting employee should be in response to a need not fulfilled by our practice. Such services should not present a conflict of interest, which detracts from South Fork Physical Therapy's primary mission of patient care.

Regardless of the type of job or the nature of outside employment activities, each person should recognize that only one position can be the primary employment and that his/her primary time, attention, interest and energy must be devoted to that primary position.

## **PAY COMPUTATION**

The Administrator is responsible for establishing and maintaining a uniform salary structure. Pay ranges for jobs within the clinic are established by the following:

1. Appraisal of the duties and responsibilities that constitute the job;
2. Ability, skill, education and experience requirements of the job;
3. Internal relationship of one job to another; and
4. Influence on wages paid for comparable job by other employers.

Your pay rate will be reviewed at least annually against parameters set by the Administrators. A salary review or an increase in salary is not tied to your anniversary date. For example: An employee performing at an outstanding level might receive a raise after nine months of service since their last raise. Pay increase is determined by numerous factors including job description, performance level, compliance with company policies, and company budget constraints.

The salaries, rates of pay and exact or amount of salary increase of all employees is strictly confidential.

Please refer to the Policy and Procedure Manual Section 5.05 for details.



# **EMPLOYEE CONDUCT**

## **DRESS**

Employees in our clinics are professionals in a medical setting and are expected to look and act professionally. Employees should be always clean and well-groomed and dress in a manner appropriate for their job demands. Clinical Directors and Supervisors have the responsibilities of enforcing and helping to establish appropriate dress standards for their area, considering the nature of the work, public contact, etc. Employees may be requested to go home and change if dress is inappropriate. Continued abuse of the dress code will result in that employee being placed into the Disciplinary Pathway that is included in the company Policy and Procedure Manual.

The company nametag will be always worn, especially when you are in contact with patients.

Shorts may not be worn at any time. Capri pants are acceptable if they are mid-calf length. Skirts below the knee are also permitted. Jeans may be worn on Fridays. Jeans must not fit tightly and must be free of holes. No v-neck or low-cut shirts, and all shirts must always touch the top of the pants when working with patients or in the office. T-shirts with large logos and hooded sweatshirts are also not permitted. Scrub pants are not acceptable.

Thongs, flip-flops, and sandals are not acceptable. Casual dress shoes, tennis shoes, and loafers are acceptable with pants.

Excessive jewelry should not be worn as it may cause a safety issue or get in the way of patient care. Examples are large loop earrings, long hanging necklaces, and excessive bracelets. **Piercings should be limited to ears only. Other piercings should be removed during work hours.**

No offensive or mature themed tattoos should be visible during the workday. It is recommended that tattoos be covered by clothing or coverings when possible.

Use of strong-smelling perfumes or colognes is discouraged.

## **PERSONAL HYGIENE**

Patient confidence in the clinic is significantly enhanced by good physical hygiene demonstrated by employees. Personal cleanliness and care of hair, fingernails, hands, body and breath odor are particularly noticeable. Should a supervisor call a personal hygiene problem to your attention, please recognize the matter in the spirit of constructive criticism. Hands must be washed after every use of the bathroom and before each patient contact.

## **CELL PHONE USE**

**Cell phone use is prohibited during working hours.** This includes phone calls, text messaging, or e-mail use via your phone. Cell phones are not to be seen or heard inside the facility. If an employee feels the need to bring his/her cell phone into the clinic, it should be left in a purse/bag or employee closet area and should be turned off. **Placing it on silent or vibrate or keeping it in one's pant pocket is not acceptable, as this is still a distraction during the workday.** Watches are also subject to this policy if they are noted to interfere in employee's ability to provide proper to supervision to the patient or interrupts patient care activities.

Exceptions to this rule will be made on a case-by-case basis, by the clinic director, if it is deemed a necessity and the only way that a person can contact the employee on a given day/time frame. Permission to use the cell phone in these instances needs to be obtained before the incident takes place. Ignoring this policy, or not following it consistently will lead to disciplinary action by the clinic director or administrator as follows: 1<sup>st</sup> time the cell phone is seen or heard, the employee will receive a verbal reminder of the policy; 2<sup>nd</sup> time the phone is seen or heard, you will be asked to leave for the remainder of the workday without pay; 3<sup>rd</sup> time the phone is seen or heard, it will be at the discretion of the management to suspend without pay for a designated amount of time or terminate employment.

This policy should be upheld out of basic respect for our patients, co-workers, and your employer. Family members of employees can contact employees on the clinic land line as needed, so long as these personal calls are kept concise and to a minimum.

#### EATING AND DRINKING

Due to the negative impression, it may create with patients, and to help keep the facilities clean, eating and drinking beverages are not desirable in areas with significant patient contact. They are specifically prohibited in rooms where patients are or will be treated, or where visible to the patients.

Where these activities are permitted, we ask that you be discreet in your eating and drinking and restore the area to a state of proper cleanliness.

#### ALCOHOL AND DRUGS

Employees may not use alcohol or non-prescribed drugs on duty or at lunch, as it will have a negative influence on their ability to perform effectively. Employees using prescribed drugs are responsible for ascertaining and informing their supervisors of any expected effects on their ability to perform effectively on the job. **We strongly encourage employees not to wear SFPT embroidered items when socially engaging in these activities in public.**

#### SOLICITATION

Solicitations within the clinics for charitable, business or political organizations are not permitted in person, writing or by telephone without prior approval of the Clinical Director. When you find unauthorized solicitors within the clinic, please notify the Clinical Director so that appropriate action can be taken to remove the solicitors from the premises. Employees may solicit for family members, i.e., school functions, children's fund raisers, if done discreetly, out of patient areas, and does not affect patient care, and only after approval by the Clinical Director.

## **DISCIPLINARY PATHWAY**

The pathway is intended to give a clear and concise protocol to follow for any disciplinary actions that may be necessary for failure to adhere to the Behavioral Policies of South Fork Physical Therapy or for incidents in which patients, physicians, employees, or visitors report inappropriate behavior by a South Fork Physical Therapy employee, with inappropriate behavior being defined as behaviors that contradict acceptable behaviors from the personnel handbook. The Disciplinary Pathway may also be implemented by supervisory personnel for any reported incident related to company policies and procedures, performance, attitude, or behavior towards other employees, physicians, patients or visitors.

The Disciplinary Pathway can be implemented without regard to validation of said incident. The intent is not to adjudicate the incident, but to provide disincentive for incidents that would lead to such reports. The language of this policy is particularly important. The terms “reported offense” and “reported incident” are used throughout. These phrases do not address the validity of any incident. The relative merits of a reported incident are not weighed with regard to the Disciplinary Pathway.

The Disciplinary Pathway involves a stepped progression of action.

1. Verbal warning – On the first reported offense, the employee will be given a verbal warning of the reason for the notification, like an incident report. The employee will be asked to acknowledge this warning and given opportunity to give a rebuttal. Any action needed to remedy the situation may be implemented immediately.
2. Written warning (with or without probation) – For any reported incident which is the second such report in any six-month period, the employee will be issued a written notice and **may** be placed on a six (6) month probation period. During this probation, any reported offense will result in automatic termination.
3. Termination – Termination may occur for repeated violations after both verbal and written warning or immediate termination depending on the seriousness of the offense. Those of extreme seriousness may warrant termination without going through the disciplinary pathway protocol.

## **EMPLOYEE BEHAVIOR**

1. Patients are to be treated with understanding, respect, and genuine friendliness. There are no exceptions to this. Our ability to truly embody these tenets is never truer than when we can extend them to difficult patients.
2. Favorable impressions about all aspects of South Fork Physical Therapy are extremely important. Treatment can be more effective, and our job made easier by always maintaining a friendly relationship.
3. The presence of any patient in our clinics is a matter of complete confidentiality. Because of that, it is necessary that no discussions of patients that involve their condition, their status, or their prognosis take place in areas where anyone other than South Fork Physical Therapy employees has any possibility of overhearing those conversations. As an extension of that, charts or listings of patients being treated or scheduled should not be readily apparent to any other patient. Discussions of the patient's account in the presence of other patients or office visitors should be avoided, but, when necessary, should be conducted in a discreet manner.
4. Inappropriate noise levels should be always avoided.
5. The phone should be answered with a "smile" in your voice.
6. Our goal is for the patient to be pleased with our services from the first contact until the bill is paid to the point that they will recommend us to others.
7. Our contact with all others in the community, especially potential referral sources, should be cordial and productive. The caveat is that everyone is a referral source.
8. Conversations in which criticism is to be offered will be attended by a third person.

# **TELEPHONE PROCEDURES**

Our telephone manners are often the first impression a patient or referral source has of us and continued poor experiences with our telephone etiquette can sour even the best relationship. Remember, it takes months to find a customer, but only a moment to lose one.

## **INCOMING CALLS**

Incoming calls should be answered by the third ring. If the primary (front desk) and secondary responders can't get the call by then, you should take the call if at all possible. Simply be aware of ringing telephones.

## **ANSWERING**

Answer in a calm, friendly, carefully modulated (not loud) voice. (If you want to know what you sound like on the phone, call an answering machine and play back the message you leave. You may be surprised!)

## **IDENTIFY YOURSELF**

We all like to know whom we are talking with. Answer the phone call with "South Fork Physical Therapy, this is 'Your First Name', may I help you."

## **IDENTIFY THE CALLER**

Identify who is calling and the purpose of the call. "May I tell her what this is regarding?" We are all busy, and blind calls are often frustrating and useless.

## **GETTING THE MESSAGE**

If the person being called is available, advise them of the call with the name of the caller and the purpose of the call. They may elect to defer the call.

If the person being called is not available or elects to defer the call, an appropriate response is "He is not available right now, may I take a message?" Complete a telephone message slip with the name, number, and subject of the call. Except for family, please do not assume, or let the caller assume, that "He has my number."

If the call is from a physician calling a therapist, determine what patient the call regards, promptly notify the therapist of the call and the subject even if he or she is with a patient. If possible, locate and deliver the patient's file to the therapist.

## **PERSONAL TELEPHONE CALLS**

Because our telephones are busy with business calls during working hours and our incoming lines are limited, personal calls must be restricted to those which are urgent. Employees receiving non-urgent personal calls should offer to return the call during lunch hour or when off duty. Employees are

expected to avoid making non-urgent personal calls from company telephones during working hours. If you must take a personal call, make sure to do so away from patient areas.

None of the above should be construed as a prohibition from checking in with your family during the business day. We are a family-oriented company, and we realize that most of us have children and spouses with whom we must coordinate schedules; however, it is expected that such personal telephone calls be brief and kept to a minimum. Those calls should also be made away from contact areas.

Each employee is responsible for protecting our corporate philosophy of concern for the patient and responsive communication with our referral source.



## **USE OF TOBACCO/VAPING DEVICES**

We are a health care clinic, and as such it is our policy that our clinics shall be tobacco-free and vape-free offices. No use of tobacco products or vaping products of any kind will be permitted in the clinic offices by the employees, patients or visitors. This is a no tolerance policy and is terms for immediate dismissal for staff.

## **SEXUAL HARASSMENT**

South Fork Physical Therapy is committed to providing a working environment in which its working employees are treated with courtesy, respect and dignity. South Fork Physical Therapy does not tolerate or condone any actions by any people, which constitute sexual harassment of an employee.

Sexual harassment is defined as unwelcome sexual advance, requests for sexual favors, and other verbal, written or physical conduct of a sexual nature by employees or supervisors where such conduct is either made an explicit or implicit term or condition of employment; it is used as the basis for employment decisions affecting employees; or has the purpose or effect of substantially interfering with an employee's work by creating an intimidating, hostile or offensive working environment.

Deliberate, repeated and unsolicited comments with sexual overtones, sexual jokes or ridicule, physical gestures or actions of a sexual nature, and solicitations for sexual favors are examples of violations of this policy and subject the offender to discipline, including discharge. A complaint of sexual harassment should be directed to the administrator, who promptly and fully investigates the complaint to ensure compliance with this policy. Confidentiality is maintained to the maximum extent possible, consistent with the need to investigate the complaint.

## **JURY LEAVE**

Jury duty is an important civic responsibility. Full time and regular part time employees who are summoned to serve on a jury, or to serve as a witness or a party in a court hearing or trial, or by a government hearing concerned with group business, is permitted compensated time for such duty.

The company pays the difference between the amount received as a juror or a witness and the amount, which would have been earned for the period, excluding overtime, etc.

When the court appearance does not take an entire day, the employee is expected to return to work.

Employees are allowed required time off without pay for:

Attending court or a coroner's inquest as a witness; and

Civic duties that are voluntary in nature, providing no disruption to company service.

## **BEREAVEMENT LEAVE**

Full time and regular part time employees shall be entitled to three days off with pay to attend the funeral of a deceased relative. The deceased must be one of the following relationships: parent, grandparent, grandchild, spouse, son, daughter, brother or sister. Time off shall also be allowed for the death of a spouse's relative as listed above.

## **MATERNITY LEAVE**

Maternity leave starts when a physician recommends a person stop work or when labor begins. Maternity leave ends when the physician releases the employee to return to work. The employee has the option of continuing maternity leave. However, maternity leave cannot exceed four months. The time can be taken as leave with pay by using accumulated sick leave and vacation time and other paid time off days, followed by leave without pay when all PTO is exhausted.

## **PARENTAL LEAVE**

Parental leave is granted to full time and regular part time employees who have been employed for at least 12 months. This leave of absence must begin not more than six weeks after the birth of the child, and the length of the leave may not exceed 12 weeks unless authorized by the employee's supervisor. The time can be taken as leave with pay using accumulating sick leave and vacation time, followed by leave without pay when all PTO is exhausted.

An employee returning from maternity or parental leave of absence returns to work at the same rate of pay the employee was receiving when the leave commenced. The employee retains accrued and unused pre-leave benefits of employment as if no interruption in service had occurred. An employee, by agreement with the employer, may return to work part-time during the leave period without forfeiting the right to return to his/her employment at the end of the leave period.

## **Unplanned Time Off (Sick Time)**

Unplanned Time Off (Sick Time) with pay is provided to protect a full-time and regular part time employee's income during any personal illness or disability, which forces him/her to remain away from work. The sick leave policy of the clinic is a privilege, not a right, and it is designed for an employee to recover from an illness or disability. Paid leave is not available to employees during their initial period of employment. Sick leave must be recorded as such by the employee on his/her time sheet. Individual consideration is given in special circumstances and problems as they arise. Sick leave is considered a fringe benefit for the employee who truly needs it.

Please see Policy and Procedure Manual for sick days information and details (Section 5, page 9).

Medical absences will be payable PTO so long as the employee calls in by 7:30 a.m. to give notice of absence and a "treatment slip" or "doctor's excuse" should be returned to the administrator verifying the duration of that care. The slip is readily obtainable from your treating physician, dentist, etc. For illness related to COVID-19, please ensure a "return to work" date is provided.

Unplanned Time Off (sick time) can be carried over from year to year up to a maximum of 96 hours.

Examples of Unplanned Time Off: personal illness, sick child, inability to get to work the day of (car trouble, personal emergency)

If you have a medical condition or qualifying ADA disability that may require additional time off or special consideration/accommodation, please notify your supervisor and the Administrator immediately so that appropriate paperwork and conversation can be had establishing expectations and needs for both parties. It is the responsibility of the employee to notify Supervisor and Administrator of specific needs or disability. Medical treatment slips or Doctor's Excuses will continue to be needed for qualifying circumstances.

## **LEAVE OF ABSENCE**

After one year of continuous service as a full-time or part-time employee, a leave of absence may be granted for personal reasons, family illness, maternity leave, or other situations not qualifying as time off with pay or sick leave. A leave of absence for proper cause may be granted, provided it does not seriously affect our operations and has no impact on the quality of care provided to the patients. A request for leave of absence must be presented to the administrator in writing. The Company requires employees to use all available PTO before entering unpaid status while on personal leave. For qualified ADA disabled employees, modifications can be made at any time during employment with proper discussion and documentation given to administrator. The administrator will decide if the requested leave is to be granted. In considering a leave of absence, due regard is given to the reasons for your request, recognition of satisfactory attendance, favorable work record, length of service, duration of absence and staffing of the department of which you are assigned. During the time an employee is on leave, no additional benefits are accrued.

For leave of absence extending over 30 days, you will not be guaranteed your former position; however, the company will advise you of suitable openings upon your desire to return to employment. If no need exists within the organization at the time you are ready to return, the company will advise you of further appropriate openings so that you may return to your employment status.

Employees are not allowed to work for any other employer while on a personal leave of absence without written authorization from the Company. An employee may be terminated with forfeiture of all accrued PTO for failure to comply with this requirement.

Employees may request from one (1) to four (4) weeks of unpaid leave by completing the Request for Personal Leave form. Employees not ready to return for active employment by the expiration of the leave must make a written request for an extension. Failure to either return to work or make written request for and be granted an extension of the leave prior to the end of the leave will result in dismissal. The maximum time an employee may be granted a personal leave of absence is six (6) months, except for qualified ADA disabled employees. For ADA disabled employees, personal leaves of absences related to qualifying disability will be determined on a "case by case" basis with management. This includes employees employed less than 12 months. All employees should notify management as soon as possible when they are determined to qualify for ADA exemptions or modifications.

## **Planned Time Off (Vacation Time)**

Planned Time Off (vacation time) is granted to, not earned by, full-time and regular part time employees in appreciation of past service and to provide those employees with a period of rest and relaxation. Your vacation will be arranged as nearly as possible to the time you desire but will be subject to the best interest of the practice. Regular part-time employees scheduled to work at least 24 hours per week will be granted vacation based on the number of hours scheduled to work per week. PRN employees and contract employees are not eligible for vacation pay. Vacation time/planned time off does not carry over from year to year.

Medical or Dental appointments are considered planned time off and should be documented as vacation time and placed on the schedule as soon as possible so that staffing needs can be changed accordingly.

Pay in lieu of vacation will be granted and paid out in December of each year as determined possible by administrators. Employees will be notified of this option during the 4<sup>th</sup> quarter of each year.

**Employees are asked to schedule their vacations four weeks in advance. A vacation request form must be submitted to the Administrator for approval for any planned time off exceeding 1 day. PTO requested for a Holiday work week (ie, 3 or 4 days) will be assessed at a rated of 1.5x a normal week.** When two employees request vacation for the same date, the Administrator will decide if both employees may be absent simultaneously. If one of the employees is to be denied the vacation request, the Administrator will base the decision on employees' length of service, the order in which the requests were made, and the importance of each employee taking the vacation at that time.

Vacation for New Employees: Vacation time cannot be used within the first six months of employment. After the initial 6 months of employment, the employee's available vacation time will be determined by the following formula: 2 weeks of scheduled work time x [(# of months that will be worked in the first year - 6) / 12].

Vacation for Full-Time Employees:

2-3 years of service: Granted 96 hours/12 days at the beginning of each full year of employment.

4-5 years of service: Granted 112 hours/14 days.

6+ years of service: Granted 136 hours/17 days.

Vacation for Regular Part-Time Employees:

Vacation time will be granted only to regular part-time employees scheduled to work 24-35 hours per week. At the beginning of each full year of employment, the employee will be granted the equivalent of 2 work week hours of vacation (eg. if an employee is scheduled to work 3 eight-hour days/24 hours per week, then he/she will be granted 6 eight-hour days/48 hours of vacation).

Unused vacation pay may be paid to an employee at the date of resignation as deemed appropriate by administrators.

Unused vacation pay will not be paid to an employee in the case of termination.

## **HOLIDAYS**

The company grants paid holiday time to full time employees and regular part-time employees (scheduled to work 24 or more hours per week) on these holidays:

New Year's Day (January 1)  
Good Friday  
Memorial Day (last Monday in May)  
Independence Day (July 4)  
Labor Day (first Monday in September)  
Thanksgiving Day (fourth Thursday in November)  
Friday following Thanksgiving  
Christmas Eve (December 24)  
Christmas Day (December 25)

If any of the above holidays fall on a Saturday, the company will close the Friday before the holiday, and if the holiday falls on a Sunday, the company will close on the following Monday. Since Monday and Friday are normally very busy days in our practice, any exceptions must be approved well in advance.

Full time employees who normally work more or less than eight hours on the day a holiday falls will receive holiday pay for their regular hours, more or less than eight hours. Employees will be paid as though they had worked their normally scheduled hours on the above listed holidays, as long as payment for the holiday does not raise the total hours worked for the week beyond 40.

On a weekday New Year's Eve we will close at 3:00 p.m. and employees will be paid to the earlier of their regular departure time or 5:00 p.m.

Any change in the holiday scheduled will be posted well in advance.

Regular part-time personnel will be paid for a holiday if the holiday falls on his/her regular workday. Holiday pay will be based on his/her normal, or scheduled, hours worked. For example, if he/she normally is scheduled to work four hours on Monday, and Monday is a holiday, he/she will be paid four hours holiday pay for that day.

PRN employees do not receive holiday pay.

## **INCLEMENT WEATHER**

In the case of inclement weather, the clinics will normally open at the regular hour if possible. The Administrator or Clinic Director will notify all employees as quickly as possible if the clinics are to close or run on an altered schedule. A decision may be made to close the office for the morning sessions and open at a later hour. If the clinics open and the employee is unable to come to work or the clinics are closed, he/she may use PTO for payment of hours.

## **AIDS**

The objective of our policy is to ensure a medically safe environment for employees, patients and visitors. This includes preventing the transmission of human immunodeficiency virus (HIV) by protecting employees and patients from exposure to the virus.

Health care workers (HCWs) who are aware that they have been diagnosed as having AIDS, AIDS-related complex (ARC), or a positive test for HIV should report this to the Administrator. All such communication is kept in strictest confidence and is only disclosed on a need-to-know basis.

The administrator will meet with the affected employee and his/her physician to appraise the employee's current health status. At that time, the duties of the employee, in relation to the risk of infection posed to HCWs, patients, and other co-workers, will be assessed. The employee will be counseled by his/her personal physician concerning applicable precautions for the area where the employee works.

Individuals suffering from any HIV-related condition may require special consideration. Additional precautions, restrictions or modifications of duties may be required depending on the facts of the particular situation. For example, HCWs with HIV/AIDS may be restricted from performing invasive procedures, working with patients having open wounds, etc. HCWs with HIV/AIDS who do not perform invasive procedures generally will not be restricted from their duties.

HCWs who are HIV positive will be permitted to work only once the clinic, in consultation with the administrator, employee and his/her physician determines that the employee is:

Free from any other infection or illness for which restrictions are indicated; and  
Not unduly susceptible to infections he/she might be exposed to while performing duties.

The employee's work duties, in relation to their health status, will be re-evaluated periodically.

Guidelines for employees with HIV/AIDS patients or co-workers include the following:

Employees who refuse to perform their assigned work duties involving the care of HIV/AIDS individuals, or those who are suspected of having HIV/AIDS, are subject to discipline; and  
Employees who refuse to work with another employee that is (or suspected to be) HIV positive are subject to discipline.

Employees who have sustained exposure to blood or body fluids must follow the established procedure for such exposure, including notifying the administrator. There is a manual available in the clinic addressing these issues.

## **INFECTIOUS CONTROL PROGRAM**

There is a manual on infectious control in each clinic that every employee is required to read. The employee is also required to sign a sheet that they have done so. The manual will be maintained as current as possible. Employees will be notified when changes or revisions are made to the manual.

There is also a training program for universal precautions for potential exposure to blood-borne pathogens and other biohazards, i.e., chemicals or solutions within the workplace. Each employee is required to attend the training sessions.

As a healthcare facility, we require all employees who have patient contact to have a Tuberculosis (TB) Skin Test (or chest x-ray where applicable) upon initial employment. South Fork Physical Therapy will pay for that test. If exposure or threat of exposure is revealed at anytime during employment, a follow-up TB skin test will be required.

We also require all patient contact employees, employees handling laundry and certain other employees to receive the series of Hepatitis B vaccine or to sign a waiver refusing the vaccine. There is some risk associated with receiving the vaccine. South Fork Physical Therapy will pay for the vaccination for those employees required to receive it.

# **CORPORATE COMPLIANCE POLICY**

## Policy Statement

It is the policy of South Fork Physical Therapy and Rehab to follow both the letter and the intent of all legal and ethical standards that apply to the corporation, its employees and in all its operations. All its employees will treat the practice's patients and conduct its business in the highest ethical standards and meet each and all of its legal obligations. The corporation and its employees will act with integrity in all its business. The practice will utilize only the best medical standards. The corporation will cooperate with all appropriate authorities in fulfilling these obligations. This commitment is an integral part of the organization's mission, and all employees are expected to support the organization in this commitment.

## Purpose

The purpose of this plan is to state the corporation's commitment to fully comply with all governmental rules, regulations, laws, statutes, and directives.

Many of the regulations the employees must deal with each day revolve around reimbursements for services from Medicare, TennCare, and other public and private health care benefit programs. Therefore, much of the focus of this plan is to ensure that our employees do not violate any of these statutes and regulations. We wish to insure that in the course of their work none of our employees make false statements or false representations of any material facts in making claims for payments including claims for excessive charges or unnecessary services. Our employees are to provide and disclose accurate information requested by federal and state health care agencies. Of particular interest to this plan will be the proper documentation and coding for all billed services.

No employee of SFPT will knowingly and willfully offer, pay, solicit, or receive remuneration in order to induce business reimbursement under the Medicare or state health care programs. The types of remuneration specifically covered include kickbacks, bribes, and rebates made directly or indirectly, overtly or covertly, in cash or in kind. In addition, our employees are prohibited from receiving any remuneration to induce referral of patients or to induce the purchasing, leasing, ordering, or arranging for any good, facility, service, or item paid for by Medicare or a state health care program.

Additionally, the corporation will make every effort to comply with all antitrust laws, tax laws, the Clinical Laboratory Improvement Act (CLIA), the Occupational Safety and Health Act (OSHA), the American with Disabilities Act (ADA), the Health Insurance Portability and Accountability Act (HIPAA), the Age Discrimination in Employment Act, the Civil Rights Act, the Consolidated Omnibus Budget

Reconciliation Act (COBRA), the Family Medical Leave Act (FMLA), Employment Discrimination Laws including Title VII, Employee Retirement Income Security Act (ERISA), and all other workplace laws and drug prescribing controls.

It is the policy of this corporation that the violation of any law by any employee or agent of the company will be considered a violation of this compliance policy.

### Compliance Officer

The Compliance Officer is responsible for the implementation of this plan, for its maintenance, and for reporting any actual or potential compliance violations or problems to the Board of Directors. The Compliance Officer is also responsible for training all practice personnel and keeping all practice personnel informed of and up to date on compliance issues, in conjunction with the legal counsel to the practice. The Compliance Officer will be appointed by the administrators.

### Scope and Training

All practice personnel, including the stockholders and any non-employees who may be working in the practice, are subject to this policy. There are no exceptions. All parties will participate in a training program on the scope of this program, the provisions of the Compliance Plan and an overview of the laws and regulations to which it pertains. All new employees will be trained within 30 days of their date of hire. All employees are required to read and sign a copy of the Compliance Plan.

### Compliance Standards

This Compliance Plan is very broad in scope covering the wide spectrum of many government statutes and regulations that affect this company. As stated earlier, compliance with issues related to reimbursement are of particular interest.

#### 1. Reimbursement Standards

- Coding – All coding used for reimbursements will be based on the medical service and/or procedure performed, and the supplies and/or medications utilized. The persons doing the coding will utilize the most current version of reference material which will be provided by the company. In most instances the coder will use as reference Current Procedural Terminology (CPT), International Classification of Diseases (ICD), and HCFA's Health Care Procedure Coding System (HCPCS). Utilization of codes will follow the direction of the Medicare carrier for Medicare claims, Medicaid for Medicaid claims, and those of any other payer, both public and private, with which the practice may file claims.
- Documentation – Each provider is personally responsible for properly documenting the service he/she provides, for insuring that documentation supports the coding utilized, and for documenting medical necessity. Documentation for office and

consultation services must conform to the most recent version of the Documentation Guidelines for Evaluation and Management Services published by the Health Care Finance Administration (HCFA) and the American Medical Association (AMA).

- Charges and Billing – All billing activities will be done in accordance with instructions provided by Medicare and other public and private payers. All billings will be based on the practice's fee schedule, contracted fees with other payers, or the Medicare fee schedule as appropriate. Any deviations from the normal fee schedules must be approved by the provider of the service and will be reported to the Compliance Officer. The practice will attempt to collect deductibles and co-insurance as required by Medicare or by the contracts with other payers. The practice will write off any portion of the charges that exceed the Medicare approved amounts or those contracted fees from other payers. Patients will not be required to pay amounts which are the responsibility of the payer or must be contractually discounted. Any over payment will be promptly refunded to the party making the payment. All patients will be subject to the same collection policies and procedures which will comply with local, state and federal law.
- Referrals and Kickbacks – Seeking or accepting compensation of any kind, or the payment of any kind to induce or reward referrals is prohibited. Any violation of this section will result in immediate disciplinary action, up to and including termination and reporting the violator to the appropriate law enforcement authorities.
- False Claims – Knowingly making, or causing to be made, any false statement in any application for any benefit or payment under either Medicare or Medicaid; or concealing any fact which would affect a payment in an amount greater than due or where no benefit would be authorized, is prohibited. Any violation of this section will result in immediate disciplinary action, up to and including termination and reporting the violator to the appropriate law enforcement authorities.

#### 1. Reporting Procedure

- Each provider, employee or agent of the corporation is responsible for reporting compliance violations and/or potential compliance violations to the administrator and/or to the Compliance Officer. Reports to the Compliance Officer can be by telephone or by placing a written report in a sealed envelope and presenting it to the Administrator. All reports of potential compliance violations will be immediately investigated by the Compliance Officer and/or legal counsel, and immediate actions will be taken to remedy the violation and ensure that future violations do not occur. All reports of actual or suspected violations will remain confidential, and any individual who reports a violation or suspected violation in good faith will not be subjected to retribution or retaliation. Violation of the prohibition against retribution/retaliation is punishable by disciplinary action according to the established disciplinary pathway.

#### 1. Compliance Monitoring

- Coding, billing, reimbursement and documentation will be reviewed at least annually. The review will cover the medical records, billing records, Explanation of Benefits, and other pertinent records for a sample of at least 10 patients per provider.

Compliance deficiencies, problems and potential problems will be reported to the Board and the Compliance Officer. Random checks for deficiencies, problems and potential problems may be performed at any time.

Each separately identified deficiency or problem will be monitored monthly until the monitoring shows that the deficiency or problem has been corrected or resolved. After a deficiency or problem has been corrected or resolved, it will continue to be monitored until at least the next annual review.

#### 1. Outside Reviews or Audits

- In the event the corporation is targeted by a public or private payer for a review of specific claims, or of its coding/billing practices, it will seek the advice and assistance of legal counsel and/or independent consultant before complying with the demands of the payer concerned. The corporation will comply fully with all legal and reasonable requirements.

If the corporation is to be audited, legal counsel will be advised beforehand, and will be present in the practice at the time of the audit. The purpose of the attendance will be to assist in any way possible, and to advise the auditors of the existence and operation of the compliance program.

#### 1. Penalties For Violations

- The standards and procedures spelled out in this plan will be consistently and uniformly enforced. Violations, including failure to detect a compliance problem that should have been detected, and failure to report known or suspected violations, will be cause for disciplinary action. Discipline will be case specific and appropriate to the gravity of the offense, according to the established disciplinary pathway.

# **HEALTH INSURANCE PORTABILITY ACCOUNTABILITY ACT (HIPAA)**

Health Information is any information collected, whether oral or recorded, in any form or medium created and/or received by this facility as a health care provider, regarding past, present, or future physical conditions of an individual and the past, present, or future payment for the provision of health care to an individual.

Protected Health Information (PHI) pertains to individually identifiable health information of any individual. This information may be:

1. Transmitted by electronic media
2. Maintained in any electronic media
3. Transmitted or maintained in any other form or medium

Confidentiality Policy of South Fork Physical Therapy:

It is the policy of South Fork Physical Therapy to treat any form of patient information whether oral, written, or recorded with the utmost of confidentiality and care. Information pertaining to an individual's health condition, treatment, or payment for services shall be used solely to facilitate the patient's health care experience in our office.

HIPAA Officer

A HIPAA/Privacy Officer has been named to oversee formulation and implementation of measures necessary to comply with HIPAA standards on privacy. This officer will also be responsible for hearing charges of possible breaches in privacy and implementing appropriate actions if needed.

Training

Workforce training will be performed to educate personnel in HIPAA Privacy Rule standards. Specific facility safeguards will be introduced and discussed during training. Yearly training sessions will be held to refresh and update information on the standards.

New employees at South Fork Physical Therapy will be trained as part of “new employee orientation” within a reasonable period.

Documentation of employee training will be kept as proof of compliance with HIPAA rules.

#### Privacy Complaints

In the event that a complaint is made, the complaint is to be presented in written form. The complaint is reviewed by the designated Privacy Officer and, if needed, sanctions will be applied appropriately against members of the workplace who fail to comply with the privacy policies and procedures outlined. Sanctions will be determined after consideration and investigation by the HIPAA committee. Sanctions will not be considered against individuals who initiate actions which are covered by or meet the conditions of the HIPAA Privacy Rule.

#### Mitigation

It is the responsibility of this office to mitigate, within reasonable limits, any harmful effect that is caused due to use or disclosure of personal health information in violation of these policies and procedures. Mitigation is at the discretion of the assigned Privacy Officer and HIPAA committee.

#### Refraining from Retaliation

There will be no intimidation or retaliatory acts against any individual who:

1. Files a complaint against this office
2. Assists in an investigation of a complaint
3. Refuses to participate in an act that is believed to be in opposition to HIPAA Privacy Rule

#### Business Associates

Business associates to our facility are defined as someone who is not identified as a member of our workforce, but who does:

1. Perform or assist in performance of an activity involving use/disclosure of Protected Health Information, including administration, data analysis, QA, or billing.
2. Provides legal, accounting, consulting, data aggregation, management, or financial services to our office.

Disclosures of Protected Health Information to a business associate and allowing a business associate to create or receive PHI is permissible if satisfactory assurance that the business associate will appropriately safeguard the information.

Each business associate of South Fork Physical Therapy will be required to enter into a written agreement assuring that PHI will be dealt with appropriately.

#### Privacy Notice

Our patients have the right to adequate notice of the uses and disclosures of their PHI. A formal statement setting forth South Fork Physical Therapy’s policy and procedures to protect confidential

information has been placed in that Privacy Notice. Patients will be provided with a copy of our facility's Privacy Notice upon their initial visit.

The Privacy Notice will be posted in the patient waiting area in a clear and prominent location for people to see and read.

## **Substance Abuse Policy Statement**

South Fork Physical Therapy is committed to providing a safe work environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any South Fork Physical Therapy employee illegally uses drugs on or off the job, comes to work under their influence, possesses, distributes or sells drugs in the workplace, or abuses alcohol on the job. Therefore, South Fork Physical Therapy has established the following policy, pursuant to T.C.A. Section 50-9-100 et. seq.:

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

It is the responsibility of the company's supervisors to counsel employees whenever they see changes in performance or behavior that suggest an employee has a drug problem. Although it is not the

supervisor's job to diagnose personal problems, the supervisor should encourage such employees to seek help and advise them about available resources for getting help. Everyone shares responsibility for maintaining a safe work environment, and co-workers should encourage anyone who has a drug problem to seek help.

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

### **General Procedures**

Any employee reporting to work visibly impaired will be deemed unable to perform required duties and will not be allowed to work. The supervisor will consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred. If, in the opinion of the supervisor, the employee is considered impaired, the employee will be sent home or to a medical facility by taxi or other safe transportation alternative - depending on the determination of the observed impairment - and accompanied by the supervisor or another employee if necessary. A drug or alcohol test may be in order. An impaired employee will not be allowed to drive.

### **Opportunity to Contest or Explain Test Results**

Employees and job applicants who have a positive confirmed drug or alcohol test result may explain or contest the result to the administrator within five (5) working days after receiving written notification of the test result from the administrator; if an employee's or job applicant's explanation or challenge is unsatisfactory to the administrator, the administrator shall report a positive test result back to the company; a person may contest the drug test result pursuant to rules adopted by the Tennessee Department of Labor.

### **Confidentiality**

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

### **Employee Drug Testing**

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

1. When there is reasonable suspicion to believe that an employee is illegally using drugs or abusing alcohol. 'Reasonable suspicion' is based on a belief that an employee is using or has used drugs or alcohol in violation of the employer's policy drawn from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience.

Among other things, such facts and inferences may be based upon, but not limited to the following:

- a) Observable phenomena while at work such as direct observation of substance abuse or of the physical symptoms or manifestations of being impaired due to substance abuse;
  - b) Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
  - c) A report of substance abuse provided by a reliable and credible source;
  - d) Evidence that an individual has tampered with any substance abuse test during his or her employment with the current employer;
  - e) Information that an employee has caused or contributed to an accident while at work; or
  - f) Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.
1. When employees have caused or contributed to an on-the-job injury that resulted in a loss of work-time, which means any period of time during which an employee stops performing the normal duties of employment and leaves the place of employment to seek care from a licensed medical provider. An employer may send employees for a substance abuse test if they are involved in on-the-job accidents where personal injury or damage to company property occurs.
  1. As part of a follow-up program to treatment for drug abuse.
  1. Routine fitness-for-duty drug or alcohol testing. A covered employer must require an employee to submit to a drug or alcohol test if the test is conducted as part of a routinely scheduled employee fitness-for-duty medical examination where the examinations are required by; law, regulation, are part of the covered employer's established policy, or one that is scheduled routinely for all members of an employment classification group.

### **Alcohol Testing**

The consumption or possession of alcoholic beverages on this Company's premises is prohibited. An employee whose normal faculties are impaired due to alcoholic beverages, or whose blood alcohol level tests .08% by weight for non-safety sensitive positions, or .04% for safety sensitive positions, while on duty/company business shall be guilty of misconduct, and shall be subject to discipline up to and including termination.

### **Refusal to Submit**

Failure to submit to a required substance abuse test also is misconduct and also shall be subject to discipline up to and including termination.