

NEW ENGLAND PEDIATRIC CARE

78 Boston Road

North Billerica, MA 01862

Employee Manual

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INTRODUCTION

WELCOME TO NEW ENGLAND PEDIATRIC CARE

We are very happy to welcome you to N.E.P.C. Thank you for joining us! We want you to feel that your association with this facility will be a mutually beneficial and pleasant one.

N.E.P.C. is committed, first and above all, to quality resident care and treatment. The sole purpose for our relationship is to take care of the needs of our residents. You have joined an organization that has established an outstanding reputation for quality services to ITS residents. Credit for this goes to every one of our employees. We hope you, too, will find satisfaction and take pride in your work here and share in our commitment to care about those whom we serve.

Caring for our residents may be one of the most worthwhile endeavors you have ever set out to accomplish. It is a job that will demand the best of you; your understanding, patience and respect. These are the basic “tools of the trade”, and they are the strengths that will both sustain and bring happiness to the people so deserving of your attention.

Like you, everyone else here was a new employee at one time. We understand the problems you may encounter and we will go out of our way to teach you the procedures and routines you need to know. Now you are part of a team which is as dependent on you as you are on them, and in order to provide the highest level of resident care, we must all work together.

This Handbook provides answers to most of the questions you may have about the N.E.P.C. policies and procedures we abide by; our responsibilities to you and your responsibilities to us. If anything is unclear, please discuss the matter with your supervisor or the Administrator. You are responsible for reading and understanding this Employee Handbook. In addition to clarifying responsibilities, we hope the Employee Handbook gives you an indication of our interest in the welfare of all who work here.

Compensation and the personal satisfaction gained from doing a job well are but two of the reasons most people work. Most likely, many other factors count among your reasons for working: pleasant relationships and working conditions, career development and promotion opportunities, and health benefits are just a few. We are committed to doing our part to assure you of a satisfying work experience.

INTRODUCTION AND PURPOSE

We hope you will enjoy being with us and that you find your employment rewarding and challenging. We believe that an organization is best served by a shared understanding of each other’s roles, responsibilities and relationships. This handbook outlines the policies and practices that guide our daily work together. The facility has developed this handbook for the use and benefit of all company employees.

It is vital that each employee understands all the material included in this handbook. Our success depends on you, and your success depends, in part, upon your cooperation in following these

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policies. Please read them carefully; they are intended to help you make the most of your job. If you have any questions, please ask your Supervisor. Also, please confirm your receipt and understanding of this employee manual by *signing and returning the acknowledgment page at the end of this handbook.*

This facility employee handbook contains current policies and procedures in effect at the time of publication. This book takes the place of any previously issued handbooks. All policies, benefits or memoranda inconsistent with this book are superseded.

From time to time, the facility may modify company policies and practices as part of our commitment to continuous improvement in everything we do. We will promptly inform employees of any revised or updated policies and procedures. Please keep this handbook until it is replaced with a newer version.

We appreciate your support of and compliance with our written policies and procedures. They are designed to make your work experience at the facility rewarding and successful.

We are proud to have you as part of our team. We hope you will share with us the sense of pride in our organization and the service we provide.

EMPLOYMENT

EQUAL OPPORTUNITY EMPLOYER

N.E.P.C. is committed to providing equal employment opportunity to all employees and applicants for employment without unlawful regard to race, color, religion, sex, sexual orientation, marital status, age, national origin, veteran status, or disability. In addition, we comply with applicable state and local laws governing nondiscrimination in employment. This policy applies to all terms and conditions of employment including, but not limited to, hiring, placement, promotion, termination, layoff, re-hire, transfer, leaves of absence, compensation, and training.

N.E.P.C. believes that providing a work environment free from discrimination and harassment of any kind is essential to each employee's ability to contribute and succeed. Each member of management is responsible for creating an atmosphere free of discrimination and harassment, racial, sexual or otherwise. Furthermore, employees are responsible for respecting the rights of their co-workers.

REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES

N.E.P.C. is committed to employing all individuals on the basis of ability rather than disability, and complies with the Americans with Disabilities Act and applicable state and local laws prohibiting discrimination in employment against qualified individuals with disabilities. Reasonable accommodation for such individuals will be provided in accordance with these laws.

Qualified individuals with disabilities may make requests for reasonable accommodation to their Supervisor and/or the Executive Director. A reasonable accommodation may include any action which enables an individual with a disability to perform the essential function of his or her position,

but which does not result in an undue hardship to the business. Management will determine the feasibility of the requested accommodation, and the accommodation's impact on the operation of the business, including the impact on the ability of other employees to perform their duties, and on the facility's ability to conduct business.

EMPLOYMENT

Employees will be selected on the basis of their qualifications in meeting the required standards of the specific job for which they are applying. Employment will also be contingent upon:

- Being at least 16 years of age.
- Truthful and accurate completion of the application and employment interview.
- Passing a pre-employment medical exam as well as a test for TB.
- The understanding and agreement that he or she will not be assigned to a specific unit or shift, or that he or she will work on weekends and holidays when needed and may rotate shifts. Occasionally, floating of staff from units may become necessary as staffing patterns are designed to meet our residents' needs.
- Receipt of satisfactory references, which are done by the hiring manager.
- Proof of certification, licensure, registration, or eligibility for registration whenever applicable.
- All employees are employees at will. Either the employee or N.E.P.C. may end the employment relationship with or without cause, at any time.

In addition, Federal Law requires that all new employees provide documentation of their citizenship status and identity.

CRIMINAL BACKGROUND CHECK

All new employees will be subject to a check of the Criminal Offender Record Information (CORI) and through the Nurse Aide Registry as part of the employment process. Existence of negative information will not necessarily disqualify a person from employment. However, misrepresentation on the employment application is grounds for immediate termination.

New employees, volunteers, interns and transportation providers whose responsibilities bring them into direct and unmonitored contact with students are required to have a Criminal History Record Information (CHRI) background check. Upon hire or prior to unmonitored contact with students a business office representative will meet with the staff member, volunteer, interns or transportation provider and assist the individual with setting an appointment to have the CHRI done. The individual will not have any unmonitored contact with the student until the results are received and it is determined that they are acceptable.

IMMIGRATION REFORM AND CONTROL ACT

Our policy, as an equal opportunity employer, is to employ persons legally entitled to work in the United States without regard to citizenship, ethnic background, or place of national origin. However, our policy, in conformity with Immigration Reform and Control Act of 1986 (IRCA), is to hire only those who are eligible to work in the United States.

Therefore, we have adopted the following policies and procedures:

- No job applicant may be asked about, or categorized according to, citizenship or resident status. Hiring decisions will be made without considering such questions.
- Applicants offered jobs will be advised, for the purpose of complying with IRCA, that they will be required to produce satisfactory legal evidence of eligibility to work in the United States and that such proof will be a condition of employment.
- At the time of hiring, all new employees will be asked to provide actual documents verifying eligibility to work legally in the United States and to complete INS Form I-9 within three (3) working days of the commencement of employment.

LICENSURE AND REGISTRATION

Those employees whose positions require Licensure by the Commonwealth of Massachusetts, certification or registration by a professional society are responsible for keeping such licenses, certifications or registrations current and in effect. It is the responsibility of the employee to provide an original current license, certification or registration, which will be verified by the department manager or designee.

Employees who fail to pass required license, certification or registration examinations or who fail to keep licenses, certifications or registrations current may be terminated, suspended or demoted.

MEDICAL EXAMINATIONS

As part of our employment procedures, all staff members are required to undergo a pre-placement medical examination and tuberculosis screening.

Any offer of employment that an applicant receives from N.E.P.C. is contingent upon satisfactory completion of this examination. The examiner may determine that further testing is necessary to determine if the applicant is capable of performing the essential functions of the position. If, however, you have had an examination within six (6) months of employment, you may provide this information on the N.E.P.C. physical form and not have to be re-tested.

As a condition of continued employment, staff members are required to undergo a medical examination every two (2) years, consistent with business necessity, as well as an annual TB test.

WORKING HOURS AND SCHEDULES

Work schedules are determined based on the job responsibility and departmental function. Work schedules may vary from department to department and employee to employee. Full-time hourly employees are expected to work 40 hours a week and full-time salaried employees are expected to work at least 40 hours a week.

Requests to change (increase or decrease) hours, change shifts or change regularly scheduled time must be made in writing to the Department Head. All staff should be aware that changes in hours might directly affect their benefits. For example, an employee who requests a reduction in hours to 24 from 40 will have his or her benefits reduced accordingly. Failure to work the number of hours for which you are scheduled may result in a corresponding reduction in benefits (i.e. vacation and sick time accrual, health insurance, etc.) and disciplinary action.

It is sometimes necessary, because of the nature of our work, to schedule hours in excess of your normal workweek. You may be required to work overtime based on the staffing needs of the facility. Your Supervisor must authorize all overtime.

Work schedules are generally posted at least two (2) weeks in advance. In case of emergency, the shift supervisor or Executive Director may change the schedule and will notify the employee affected. However, employees should, as a matter of practice, check the schedule regularly for unexpected but necessary changes.

Employees are not permitted to exchange “off days” or change the work schedule without the prior permission of their supervisor. Special requests for days off must be in writing and given to your supervisor prior to the posting of the work schedule, including the day(s) off you desire. Exchange requests must be signed by both employees and given to your supervisor for approval. Exchange in days off will not be approved if it results in an overtime situation.

BREAK AND MEAL PERIODS

One fifteen (15) minute paid break period is provided during each full 8-hour shift. Your supervisor schedules this period and it should be limited to the time allotted. A thirty (30) minute unpaid meal is provided for those employees whose scheduled hours include a meal period. As with breaks, this mealtime is scheduled by your supervisor in order to assure adequate coverage within your department.

Employees may not work through their meal breaks without the express permission of their supervisor; in addition, their supervisor must initial the individual’s time sheet.

LENGTH OF SERVICE

Length of service is based on (1) an employee’s length of uninterrupted service in his or her position and (2) an employee’s uninterrupted length of service with N.E.P.C. from the most recent date of hire. Length of service, as well as position, may play a part in granting a vacation or holiday requests when several employees request time off at the same time. It may also be a determining factor should a position(s) need to be eliminated. On call or per diem employees do not accrue seniority.

BRIDGING OF EMPLOYMENT SERVICE

For purposes of determining seniority and benefit eligibility, N.E.P.C. will credit employees for their prior continuous service with the company if they leave the company and are rehired within six months. The break in service will not be credited.

EMPLOYMENT OF RELATIVES

Some employees working at the facility are related to each other, and we are delighted to have them. However, to avoid conflicts of interest and minimize work/family conflicts, employees who are relatives may not be involved in a direct supervisory relationship with each other. Relatives include spouses/domestic partners, children, parents, in-laws and step-relatives. Employees who marry while working at the facility must also observe these guidelines. No resident's relatives will be employed at N.E.P.C.

PERSONAL DATA CHANGES

In order to insure accurate and up-to-date personnel records, please report promptly any changes in personal information to your supervisor and the Business Office. Changes in marital status, name, address or telephone number, number of dependents or change in beneficiary need to be reported. This information is necessary to reflect your current status with respect to State and Federal taxes and any of the insurance plans in which you may be enrolled.

CONFIDENTIALITY OF EMPLOYEE FILES

The Business Office has the sole responsibility for maintaining the employee's personnel file. All employee files are in locked cabinets and information contained therein is held strictly confidential. Access by employees of the organization is limited to Business Office staff, the employee's immediate supervisor, or a department head.

Employees have the right to examine their own personnel file. In order to do so, an appointment should be made with a representative of the Business Office or Department Manager.

To receive a copy of a personnel file you must submit your request in writing with at least twenty-four (24) hour notice.

PERFORMANCE & CAREER DEVELOPMENT

ORIENTATION PROCESS

All new employees must attend an orientation program to acquaint themselves with the facility's philosophy, policies, benefits, and safety procedures of N.E.P.C. Each supervisor will orient the new employee to departmental practices and structure. Questions that you might have concerning these issues should be directed to your supervisor.

INTRODUCTORY PERIOD

Upon hire, each employee is required to complete an introductory orientation period of ninety (90) calendar days. The purpose of the introductory period is to orient you to your job and the work environment of N.E.P.C. During this period your supervisor will work with you to help you gain the expected skills of your job. If, however, either you or your supervisor is dissatisfied at any time during this period, employment may be terminated without notice or prior disciplinary action.

Employees returning from an extended leave or employees transferred from one department to another may be required to serve a 90-day orientation period to assess their ability to meet the requirements of the job.

Completion of one introductory period does not create substantive rights and does not change the employment-at-will status of an employee. Moreover, change in employment status from introductory to regular occurs only after the supervisor completes a satisfactory performance evaluation.

Introductory periods may be extended by N.E.P.C. when additional assessment would be helpful or when continued orientation is warranted.

After successfully completing the orientation period, as documented with a written evaluation, employees are classified as "regular" employees and will be eligible for benefits and credited with leave time retroactive to the date of hire. Employees are also classified as follows:

FULL-TIME EMPLOYEE: An employee who is assigned to an established position with a workweek of at least forty (40) hours. A full-time employee is eligible for all employee benefits.

REGULAR PART-TIME EMPLOYEE: An employee who is assigned to an established position with a regular workweek of at least 32, but less than 40, hours per week. A regular part-time employee is eligible for prorated employee benefits, based on the number of hours he or she is regularly scheduled to work each week.

LIMITED PART-TIME EMPLOYEE: An employee who is assigned to an established position with a regular schedule of less than 32 hours per week. Limited part-time employees are not entitled to health benefits. But do receive prorated vacation and holiday between 20 and 31 hours.

PER DIEM: Per Diem employees receive an hourly rate of pay and are not eligible for paid time off or employee benefits.

PERFORMANCE EVALUATION

Performance evaluations offer an opportunity for a periodic review of your performance. This evaluation assesses your performance in relation to previously agreed objectives and identifies areas for improvement. In addition, this process enables you and your supervisor to develop goals and objectives for the next review period and identifies ways to enhance performance and value in the future.

The performance evaluation process at the facility is based on the following:

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- Performance goal-setting and evaluation are two-way processes, involving both the employee and the supervisor.
- Employee performance is evaluated on objective, job-related criteria, developed with your supervisor and communicated in advance to the employee.
- Setting objectives for future performance and growth is as important as evaluating past performance.
- The objectives of the performance evaluation process are:
 - To let the employee know how he/she is doing on the job.
 - To encourage communication and two-way feedback on the expectations and goals of both the employee and the organization.
 - To document performance in ways that will help determine appropriate personnel actions.
 - To be a tool for coaching, and professional development.

During the evaluation, objectives for the following evaluation period are established. Your comments are a critical part of this process and should be added in writing during the performance evaluation. Both you and your supervisor should sign the performance evaluation form. Remember, your signature does not necessarily mean agreement with the ratings, but rather a confirmation that the appraisal discussion has occurred. You are welcome to add to your manager's assessment your own view of how well you have done in meeting performance objectives. The completed evaluation is placed in your personnel file. You and your supervisor should keep a copy of the completed performance evaluation.

Performance evaluations are done on an as-needed basis:

The evaluation process helps employees in their performance of their job responsibilities. Performance appraisals are meant to be an ongoing process and should not be confined to the formal review process. Employer or employee, as needed, can initiate informal job discussions at any time. We believe it is important that employees know exactly how well they are doing in relation to the standards of performance established by them and their supervisors.

POSTING OF OPEN POSITIONS

Whenever practical, when a position vacancy occurs, the Job Title, Department and a brief description of the hours and qualifications will be posted on a designated bulletin board.

Employees interested in applying for a posted position are encouraged to make inquiries as stated on the posting. Interested applicants should submit a letter of intent and forward it to the hiring manager. The applicant must also advise his/her current manager of their interest. The manager must allow the employee the chance to explore the job opportunity.

PROMOTION AND TRANSFER

It is the policy of N.E.P.C. to provide our employees with the opportunity to make the fullest possible use of their skills, interests and potential. We encourage growth and development and, consequently, in filling vacancies, we try to transfer or promote qualified employees from within whenever it makes business sense to do so. Employees must have been employed for at least six (6) months to be eligible to transfer to another department. If an employee seeks a transfer within the same department, the waiting period may be waived at the discretion of the supervisor.

Whenever possible, vacant positions are posted on designated bulletin boards. Posted positions are actively recruited for, internally and externally. Therefore, it is very important that if you are interested in a posted position, you contact the Hiring Supervisor immediately. Although your initial inquiry will be held in confidence, it will be your responsibility to notify your supervisor of your interest in the transfer or promotion before an interview will be scheduled with the employing department. Should you accept a promotion, your base rate of pay will be increased accordingly and your next performance review date will be based upon the date of your promotion. Accepting a lower position may also result in a pay adjustment.

If, at any time, you want to know more about possible opportunities within the company, contact the Business Office. Information and counseling regarding job and career movement are always available on a confidential basis.

MANDATORY MEETING AND IN-SERVICE TRAINING

Staff meetings and in-service training classes are scheduled during the year. Attendance at some meetings and classes is voluntary; for others, your attendance is mandatory. Mandatory meetings and classes are held to meet regulatory requirements and/or to communicate essential information to you.

You are paid for the time you attend mandatory meetings and classes and because attendance at mandatory meetings and classes is a condition of your employment, any absence or tardiness will be subject to disciplinary action.

COMPENSATION

COMPENSATION PROGRAM

It is the policy of the facility to pay wages, which maintain equity within the organization and are competitive with comparable positions in our industry throughout the area, to the best of our ability. Your position has a pay range with minimum and maximum rates. Your pay range is based on such factors as job knowledge, accountability, problem solving, interpersonal skills and working conditions.

At least annually, it is our intent to review wages through periodic job/position evaluations as well as on-going market surveys.

CHANGES IN COMPENSATION

We intend to pay all employees a fair wage. Salary reviews may take place annually as part of each employee's performance evaluation. Any salary increase will be based on guidelines established by the wage and salary policy in effect at the time. Promotions and raises are neither automatic nor based on seniority. They are determined by key performance factors. The aspects of performance that are considered include: meeting or exceeding job objectives, technical experience, creativity, effectiveness, ability to work constructively and cooperatively with other employees, loyalty, positive attitude, and good attendance.

In addition to these individual performance factors, other factors, which will be considered, are the company's financial and competitive position, changes in the cost of living, and overall company productivity.

PAYROLL DEDUCTIONS

All payroll deductions are summarized on the stub of your paycheck. As stipulated by law, the facility deducts applicable amounts for Federal and State withholding taxes as well as Social Security (F.I.C.A.) taxes. Both the employee and N.E.P.C. contribute to Social Security. You may change the number of exemptions for your Federal and State taxes at any time by completing a new W-4 form in the Business Office.

You may request, if eligible, that other payroll deductions be made for available benefit programs. Please refer to the Employee Benefits Handbook for additional information on each of these topics.

OVERTIME PAY

EXEMPT AND NON-EXEMPT EMPLOYEES. All positions at N.E.P.C. are classified as "exempt" or "non-exempt" with respect to eligibility for overtime pay.

An exempt employee is one who holds a salaried professional, administrative or executive position as defined by FLSA. Exempt employees are not eligible for overtime pay. Employees who do not fall into one of the exempt categories, are classified as non-exempt. Non-exempt employees are eligible for overtime pay.

Occasionally, employees may be required to work a reasonable amount of overtime. All overtime work, including an early start or a late finish, must be authorized in advance by your supervisor.

Non-exempt employees receive overtime pay for all hours actually worked in excess of forty (40) hours in one payroll week. Overtime pay is calculated at one and one-half times the employee's regular hourly rate of pay.

TIME RECORDS

N.E.P.C. has established some strict rules about recording hours worked. These rules are necessary to comply with the law, and to ensure that time records are accurate for pay, accounting and audit purposes.

The record kept by the employee time clock is official documentation of the hours that you work. Your pay will be based on this record.

It is imperative that you arrive for work on time. If you are required to work before the normal beginning or end of a shift, your supervisor must approve the work in advance. You are responsible for the accuracy of time recorded on the employee time clock and you should report any errors to your supervisor *immediately*.

The following rules apply to the use of the time clock and time cards:

- Cards must be punched “in” at the start of the scheduled work shift and “out” at the end of the shift.
- Under no circumstances should you ever punch in or out for another employee or allow another employee to punch in or out for you.
- Cards must be handled carefully.
- Employees are expected not to punch in until ready to work and to punch out promptly at the end of their shift.
- You should not be in the building for more than fifteen (15) minutes before or after your scheduled workday without authorization from your supervisor.

Violation of any of the above rules may result in disciplinary action, up to and including dismissal.

Check your time card and paycheck for accuracy. Occasionally, inadvertent errors are made. Any errors on your time card should be reported immediately to your supervisor, who will promptly make any correction.

RESIDENT RELATIONS

RESIDENT RIGHTS

N.E.P.C. promotes the preservation of human rights, dignity and safety to the individuals it serves. Every resident is entitled to the same rights as all people and law protects these rights.

At the time of admission, each resident and/or representative is provided with a detailed copy of resident rights and the policies of the organization.

These resident rights ensure quality of care and include but are not limited to:

- **CONFIDENTIALITY:** No information pertaining to personal and clinical records, mail, visits, and phone calls may be shared with anyone without a signed consent.
- **DIGNITY & RESPECT:** Residents are to be treated with respect and all efforts must be maintained to enhance their quality of life.

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- **PRIVACY:** Residents are entitled to privacy in treatment, personal care, visits, and communication.
- **FREEDOM FROM ABUSE & NEGLECT:** Verbal, physical or mental mistreatment are violations of resident rights.
- **FREEDOM FROM RESTRAINTS:** A restraint is a physical or chemical measure to keep a person from independent mobility or movement. Restraints may only be used for medically necessary reasons, and then only when strict guidelines are followed.
- **FREEDOM OF CHOICE:** Residents are free to make their own decisions including accepting or refusing treatment, choice of physician, and participation in care planning.
- **PROTECTION OF PROPERTY, MONEY AND MISAPPROPRIATION OF FUNDS:** Residents have the right to manage their own financial affairs or to have our assistance in managing personal funds in a separate, interest bearing account. They also have a right to have a locked box at the bedside to secure their own personal property (i.e. money, jewelry).
- **ACTIVITIES:** Residents have the right to participate or not in organizations and activities of their choice.

N.E.P.C. has a commitment to provide the highest quality of care to our residents. If you witness or have reason to suspect a resident is being abused, mistreated, or neglected, immediately notify your supervisor or the Director of Nursing Services or the Executive Director. Any employee may do so without fear of reprisal. Prompt notification of any event that has harmed a resident will enable a full and confidential investigation of the event to occur.

State law requires that suspected instances of abuse, mistreatment, neglect and misappropriation of funds be reported to the Department of Public Health immediately upon suspicion.

RESIDENT ABUSE

N.E.P.C. exists to serve its residents. We are depended upon to care for the residents, respect their feelings and emotions, to understand their needs and to respond to them in a friendly, courteous, kind, gentle and attentive manner. We must accept the fact that they are adults, even if dependent upon others for help, and treat them with dignity.

Abuse, mistreatment or neglect of a resident will not be tolerated. Harmful or rough physical contact, verbal abuse, threats or retaliation against a resident are violations of policy and law and will be dealt with through disciplinary action, up to and including termination of employment.

ABUSE: Inappropriate physical contact with a resident -- including any rough handling, striking, hitting, pushing, twisting, prodding, poking or sticking with sharp objects - that may injure, harm or demean a resident will not be tolerated. Force-feeding will also not be tolerated.

Abuse includes, but is not limited to, verbal abuse, such as ridicule, a loud and discourteous manner of speaking with a resident, the use of foul language or vulgarity in the presence of a resident, or scolding of the resident. Sexually motivated contact is also abuse and will not be tolerated.

MISTREATMENT: Medications, isolation techniques or restraints must be used in a manner which will not result in harm to residents. Acceptable standards of medical, nursing and professional practice are to be observed at all times. The use of medications, isolation or restraints as methods of punishment is unacceptable at N.E.P.C.. The use of discipline, retaliation, locked confinement, taping of mouth or other unreasonable restrictions on the resident's ability to move or engage in normal life functions are also forbidden.

Medications are administered only with a doctor's order. No excessive dosages will be given nor will medications be withheld or continued to be administered when a patient is experiencing side effects which may endanger health or safety. The resident may refuse medical treatment unless declared mentally incompetent by a court, in which case a legal guardian must give informed consent.

Taking financial advantage of a resident is forbidden. Stealing from a resident is a criminal offense.

NEGLECT: This facility and its staff provide treatments and services which are necessary to maintain residents' health and safety and that prevent, to as great an extent as possible, the deterioration of physical, mental or emotional condition of the resident. Medical, dental, nursing, podiatry, dietary, physical and other restorative therapies, recreation, pharmacy, psychological services and other treatments, as needed, are also provided to maintain health and safety.

Physician orders for treatment, therapy, diagnostic testing, distribution of medications and nursing treatments must be carried out in a timely manner.

In case of an incident or accident involving a resident, or in the event of a significant change in the resident's physical, mental or emotional condition, the attending physician and/or the responsible person must be notified promptly.

An adequate number of nutritionally balanced, properly prepared and medically appropriate meals are to be provided. N.E.P.C. employees assigned to this task must supervise residents' whereabouts and activities. Such employees are expected to take precautionary measures (as documented in the resident's care plan) when necessary to protect the health and safety of the residents. Failure to provide these services would constitute neglect.

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PROCEDURE FOR REPORTING SUSPECTED ABUSE MISTREATMENT OR NEGLECT

- The law requires the following individuals to report abuse, mistreatment or neglect.

Physicians	Podiatrist
Registered Nurses	Physical Therapist
Licensed Practical Nurses	Occupational Therapist
Certified Nurse Aides	Speech Therapist
Orderlies	Social Workers
Dentist	Dietician
Dental Hygienist	Pharmacist

As well as any other person employed at N.E.P.C..

- How do we report suspected abuse, mistreatment or neglect?

If you have witnessed an instance of abuse, mistreatment or neglect of a resident, you must report this immediately to your supervisor so that an investigation of the incident can be conducted. An oral report is made to the Department of Public Health, Division of Health Care Quality, followed by a written report within forty-eight (48) hours. The report is usually investigated within twenty-four (24) hours of receiving a complaint if there is imminent danger to residents' health and safety. In all other cases, an investigation is generally conducted within seven (7) days. An investigatory report is usually issued within thirty (30) days.

- What information must be provided in the report?

Name, sex and age of resident. Name and address of facility. Name and address of reporting individual with information- when he/she can be contacted. Information about the nature, extent, cause and persons responsible for the alleged abuse, mistreatment or neglect. Circumstances under which the reporting individual became aware of the alleged abuse, mistreatment, or neglect. Information about any corrective action taken or treatment given to the resident in question.

You must also immediately notify the Executive Director or Director of Nursing, who will then conduct an in-house investigation and will take appropriate action on the resident's behalf. (If the supervisor does not carry out a prompt investigation of the suspected incident, you should report this to the department head or Executive Director).

SUSPENSION DURING AN INVESTIGATION

It is N.E.P.C. policy that any employee who is under investigation because of alleged abuse or neglect may be suspended throughout this investigation, with or without pay at N.E.P.C.'s discretion -- whether the investigation is conducted by N.E.P.C., the Department of Public Health, the Attorney General's office or other governmental or regulatory agencies. N.E.P.C. retains sole discretion as to whether to suspend, terminate or return the employee to work.

CONFIDENTIAL INFORMATION

Information concerning any resident should be held in strict confidence. A resident's condition should never be discussed with employees not directly involved with the resident's care and

treatment. If a friend or relative questions you about a resident, refer them to your immediate supervisor. If you have access to confidential information concerning N.E.P.C., its plans, records or employees, you are not permitted to discuss this with unauthorized personnel. Do not leave records unattended.

The right to privacy is not only respectful of human dignity and independence, it is the law. We feel most strongly about this. If any unauthorized person offers any information about a resident, he or she will be subject to disciplinary action up to and including termination.

You are not permitted to make public statements to the press or other news media which in any way involves, its residents or its employees, without the express consent of the Executive Director, resident and resident's family and/or employee.

LEGAL DOCUMENTS

Employees are strictly prohibited from signing, witnessing or handling in any way legal documents for residents such as wills, powers of attorney, checks, etc.

All such resident or family requests must be referred to the Executive Director.

SAFETY FIRST

SAFETY RULES

Safety is everybody's business. Safety is to be given primary importance in every aspect of planning and in the performance of all activities. We want to protect you and the residents against injury and illness.

Please report all injuries (*no matter how slight*) to your supervisor immediately, as well as anything that needs repair or is a safety hazard. Below is some general safety rules. Your department head may post other safety procedures in your department or work area:

- Ask for assistance when lifting residents or moving heavy objects.
- Avoid overloading electrical outlets with too many appliances or machines.
- Do not use extension cords.
- Proceed with caution when using flammable items, such as cleaning fluids.
- Walk. Don't run.
- Use stairs one at a time.
- Report to your supervisor if you, a co-worker, or resident, becomes ill or is injured.
- Smoke only in designated outside smoking areas.

EMPLOYEE MANUAL

- Keep cabinet doors and file and desk drawers closed when not in use.
- Wear or use appropriate safety clothing and equipment as required in your work.
- Avoid “horseplay” or practical jokes.
- Watch out for the safety of fellow employees.
- Observe standard precautions.

Remember, failure to adhere to these rules will be considered serious infractions of safety rules and will result in disciplinary action, which may result in your termination of your employment.

ACCIDENTS

Any accident that occurs in the facility or on its grounds must be promptly and properly reported, whether or not there is an obvious injury.

Oftentimes injuries, especially to our elderly residents, are not immediately obvious. Therefore, it is important that any fall, bruise, or other event that may have caused an injury be reported promptly.

If you are involved in an accident, or if you witness an event involving an employee, a resident, or a visitor, you must report it to your supervisor. He/she will assist you in filling out an “Incident/Accident Report” form. Reports must be completed on every event that occurs within twenty-four (24) hours of the event.

FIRE SAFETY

All employees will be instructed about the fire plan during their initial orientation. Employees will be notified of established fire exit routes at their new hire orientation. Please be sure to familiarize yourself with these plans for your safety as well as the safety of our residents.

WORKERS' COMPENSATION INSURANCE

All employees are protected by Workers' Compensation Insurance for occupational illness or injury. To be sure you will receive all the benefits to which you are entitled, it is essential that you report at once to your supervisor any injury you incur on the job, no matter how minor it seems.

Accident reports must be filed by the facility with the Massachusetts Department of Industrial Accidents and the insurance carrier within five (5) days after receipt of notice or knowledge of injury resulting in five (5) or more day's loss of work for an employee. Failure to report an accident could jeopardize your entitlement to benefits.

TRANSITIONAL DUTY AND RETURN TO WORK

N.E.P.C. is committed to expediting the safe and effective return to work for any employee who has experienced a workers' compensation accident.

As medical conditions or restrictions may prevent the employee from a full return to work, the facility will attempt to provide accommodations for modified duty, as is medically necessary, with the intent that the employee ultimately will return to his or her former work schedule.

RIGHT-TO-KNOW LAW

In November 1983, OSHA established the Hazard Communication Standard. In September 1984, the Massachusetts legislature passed a Right-To-Know law that provides certain rights to employees about information on substances in the workplace. We are complying with the OSHA Hazard Communication Standard, Title 28 Code of Federal Regulations 1910.1200, by compiling a hazardous chemical list by using Material Safety Data Sheets (MSDSs), by ensuring that containers are labeled and by providing you with training.

The list of hazardous chemicals and related work practices for handling these chemicals is located in the main office and on each nursing unit. A separate list must be posted in each department. MSDSs are available for every chemical listed and can be found in the section following the list of chemicals. A master list of MSDSs is available from the nursing office. Labels and other forms of warning are required for all containers. The labels must have the chemical identity, appropriate hazard warnings, the name and address of the manufacturer and the receiver of the product. If you see a container that is not properly labeled, notify your supervisor immediately.

COMMUNICABLE DISEASES

Employees who become aware of the potential or presence of a communicable disease or open skin lesions must see their supervisor. Each situation will be reviewed to determine what, if any, health risks are posed to other employees and residents. Where a health risk exists, an employee's continued work will be evaluated. Treatment may be required before resuming work.

BODY FLUID PRECAUTIONS

Standard precautions are designed to protect you from the risk of occupational exposure to blood borne pathogens and other infectious diseases. Because even one occupational exposure can present a significant health risk, standard precautions require treating all blood and body fluids in the workplace as potentially infectious. Work place controls must be used to reduce the likelihood of exposure. You will learn more about standard precautions during your orientation. During the course of your employment, if you are not sure whether standard precautions apply, seek immediate advice from your supervisor. Learn the location of safety supplies used for this purpose and always use the personal safety equipment provided.

HEPATITIS B VACCINE (HBV) IMMUNIZATION

According to guidelines published by OSHA, some employees are considered at high risk for Hepatitis B. Employees may contact their own physician for HBV immunization if they so desire, the cost of which should be covered by health insurance. The employee, if he or she so desires, may request immunization from the organization.

In order to protect our employees from infection caused by exposure to HBV, in accordance with regulations put forth by OSHA, we will offer a vaccination program to all employees within ten

(10) working days of their initial assignment, if they are considered Class I risks (high risk). During orientation, you will be notified of your classification and made aware of your options under the regulations.

If you do not desire to participate in the vaccination program, you will be asked to sign a waiver indicating your wishes at this time. If you choose to be vaccinated, you will be required to obtain written permission from your physician. Should you change your mind at any time in the course of your employment, you must notify the Staff Development Coordinator in order to obtain the vaccination program.

Should any employee be exposed to Hepatitis B in the course of work, it must be immediately reported to the supervisor so that appropriate preventative action may be taken.

THE BLOOD BORNE PATHOGENS STANDARD

In December 1991, the Occupational Safety and Health Administration, issued comprehensive new regulations designed to minimize the transmission of HIV, Hepatitis B (HBV) and other potentially infectious diseases in the workplace. The regulations cover all employees in physician offices, hospitals, medical labs and other health and human service facilities where workers could be “reasonably anticipated, as a result of performing their job, to come into contact with blood or other potentially infectious materials”. OSHA has created a standard that provides you and the organization a method of working together to substantially reduce the risk of contracting a blood borne disease on the job.

As a long-term care professional, you need to be aware of the potential danger of blood borne pathogens. Not every staff person is occupationally exposed to while performing his or her job. However, it is important for everyone to understand the dangers of infection and safe procedures to minimize risk.

N.E.P.C. has in place, policies and practices to minimize the risks to its employees while performing duties related to their job which could result in potential exposure to blood borne pathogens. All employees involved in potential at-risk activities will be trained in Standard Precautions, with particular emphasis in regard to HIV and HBV exposure. Hepatitis B Vaccine is made available free-of-charge to those employees at risk of exposure to blood borne pathogens. This policy and the procedural/factual material is contained in the Infection Control Program Policy and Procedure Manual which is available to all staff at their request.

PROFESSIONAL STANDARDS & PRACTICES

EMPLOYEE CONDUCT

N.E.P.C. is committed to supporting high standards of ethics in every aspect of its operations. We embrace the following values as guidelines for how we do business: honesty, compassion, fairness, respect for others, promise-keeping and integrity.

We recognize that people work best when they know what is expected of them. We have developed a set of employee conduct guidelines to help clarify what types of behavior and actions are expected in this organization.

The following are examples of behaviors and actions that are expected from any employee:

- Fulfill job duties and responsibilities and complete any work assigned that is within the scope of the employee's skills or capabilities.
- Be at the work place, and ready to work, at the established starting time.
- Be respectful of the need to work during work time. (Avoid conducting personal business during scheduled work time.)
- Contribute to the maintenance of a harassment-free, violence-free work environment. The company has zero tolerance for physical or verbal abuse or harassment of any employee or resident.
- Inform management, and cooperate in any investigation, of work-place misconduct or violation of facility policy.
- Provide truthful information on all documents, forms and applications. Falsification of forms, reports or records, including time cards is strictly prohibited.
- Responsibly utilize and handle company property placed in employee custody.
- Leave facility property, equipment, records, or other materials on the premises unless given proper authorization to remove them.
- Follow legitimate (legal, ethical, safe, etc.) directions or instructions given by a supervisor.
- Adhere to all workplace rules with regard to safety and health.
- Maintain high standards with regard to conflicts, or potential conflicts, of interest (i.e., soliciting or accepting goods and/or services from customers or suppliers free or at reduced rates; indicating that favorable consideration can or will be given if goods and/or services are provided free or at a reduced rate).
- Remain completely free from the influence of alcohol, drugs or intoxicants of any type while on the premises. Use of alcohol or drugs or being under the influence of alcohol, drugs, or intoxicants of any type while at work is strictly prohibited. Any employee on prescription or over-the-counter medication that may affect performance is expected to notify his or her supervisor *prior* to beginning the work shift.

This list is not all-inclusive, but is intended to serve as a general guideline for appropriate conduct. Employees are expected to conduct themselves according to generally accepted standards of behavior. Management retains the right to determine the appropriate form of corrective or disciplinary action to address inappropriate employee conduct.

CUSTOMER RELATIONS

As an N.E.P.C. employee it is important to understand that the customer comes first; is the primary source of the organization's income, and is, therefore, the ultimate source of each employee's job security and income. We all have an obligation to represent N.E.P.C. in a positive fashion and to make customers feel as comfortable as possible in dealing with the organization.

Our customers include the residents or patients, families, visitors and each other.

Employees with customer contact are expected to know the services available at N.E.P.C. and to learn the wants and needs of customers. It's important to be particularly courteous and thoughtful when using the telephone. A positive telephone contact with a customer can enhance goodwill, while a negative experience can destroy a valuable relationship.

RULES GOVERNING CONDUCT AND WORK PERFORMANCE

We have rules that must be followed for the well-being of our staff and residents. Your supervisor will explain these rules to you as part of your orientation. We encourage you and your supervisor to discuss issues and problems before they become too severe in order that open and productive relationships can be sustained. Employee discipline generally will be in the form of counseling, written warnings, suspension or, at the facility's discretion, termination. *The type of discipline imposed will depend upon the nature and severity of the offense.* Each case will be dealt with individually and nothing in this handbook should be construed as a promise of specific employment in a given situation.

PERFORMANCE COACHING

A supervisor and employee will meet periodically to mutually discuss job performance and job expectations. In instances where an employee's performance is unsatisfactory, it may be appropriate to have frequent meetings.

This counseling is of an oral nature and is not placed in your personnel file. Further counseling between you and your supervisor may not be necessary. Initially, this informal counseling is considered apart from the more formalized disciplinary program. Should your supervisor's concern continue, it might become necessary to formalize his or her performance recommendations as discussed in the next section.

PROGRESSIVE DISCIPLINE

It is essential that all employees accept personal responsibility for maintaining high standards of conduct and job performance, including the observance of the rules and policies of the organization. In dealing with deficiencies in conduct and work performance, N.E.P.C. tries to be fair and consistent in its treatment of employees and many factors are taken into consideration if it becomes necessary to discipline an employee.

In *general*, a supervisor may, but is not required to take the following actions when an employee's job performance does not meet expectations. Discipline is applied in progressive steps as follows:

- First Written Warning
- Second Written Warning
- Suspension
- Discharge

The nature of the offense and the particular circumstances determine whether or not all the steps in the above sequence are followed. Also, the purpose of disciplinary measures, short of termination, is intended to be corrective so as to encourage employees to improve their conduct or performance so that they may continue their employment with the facility. These corrective disciplinary measures will not apply in the event of an offense that, under the circumstances, warrants immediate termination of employment or in other circumstances when the facility determines that corrective measures would be futile or otherwise inappropriate.

- **WRITTEN WARNINGS:** If an employee is issued a written warning, the supervisor will meet with the employee to discuss the disciplinary action and the employee will be asked to sign the warning. The employee's signature is only an acknowledgment that he or she has been informed of the warning; it does not necessarily indicate agreement with the warning. Depending on the circumstances, a written warning may be repeated, or combined with a 1 - 5 day unpaid suspension from work.
- **REORIENTATION:** An employee may be required to undergo a period of retraining or orientation for unsatisfactory performance or conduct. An employee undergoing retraining will be given written notice of this, which generally provides an explanation of the reason for the action, the length of the training period and a plan of corrective action to be successfully completed during the period. The employee's supervisor will meet with the employee to discuss the terms of the retraining, and the employee will be asked to sign the notice of retraining as an acknowledgment that the employee has been informed of the action.

At the conclusion of the retraining period, the employee's supervisor will meet with the employee to review his or her progress. An employee on retraining who does not show satisfactory improvement is subject to further disciplinary action at any time, up to and including termination of employment.

It is not practical to list all behaviors for which an employee may or may not be subject to discipline or termination during his or her employment. All employees are expected to adhere to accepted standards of conduct and courtesy. Violation of these rules or any other form of misconduct may result in disciplinary action up to and including dismissal.

The following list is included for illustration purposes and is not to be considered all-inclusive:

- Neglect, abuse or mistreatment of residents.
- Failure to report immediately to the supervisor the discovery of neglect or abusive treatment of a resident.
- Fighting, physical violence, threatening to do harm, harassment or intimidation, or other disorderly conduct while on the premises or during work hours.

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- Deliberately destroying or damaging the organization's property, tools, machines or equipment, or the property of another.
- Insubordination, including resisting or failing to comply with a supervisor's instructions and work assignments in a civil and timely fashion, or rude and offensive treatment of a supervisor or manager.
- Reporting for work under the influence of alcohol, drugs or with apparent signs of alcohol or drug influence or possession, use or sale of drugs or alcohol on the facility's property or during works hours. This rule does not apply to drugs or medications which are being taken in accordance with instruction of a physician, provided that an employee using a drug or medication shall not report to work or continue to work if the drug or medication affects the employee so as to endanger the employee or other persons or so as to impair the employee's ability to perform his/her job.
- Theft or unauthorized use of the organization's or residents' funds, telephones, equipment or property. In addition to discharging the employee apprehended stealing or damaging property belonging to the organization, its residents or other employees, law enforcement agencies may be called.
- Violation of resident confidentiality.
- Soliciting tips or gifts from residents or visitors.
- Selling any item to or purchasing any item from a resident or entering into any business transaction with a resident.
- Sleeping while on duty.
- Possession of explosives, firearms or weapons of any kind on N.E.P.C. property.
- Failure to report injuries or resident injuries to the supervisor.
- Excessive absenteeism or tardiness.
- Engaging in horseplay or general misconduct.
- Inability to perform job duties.
- Failure to comply with the organization's personal appearance policy.
- Unauthorized communications with residents, the news media or others.
- Leaving N.E.P.C. during work hours without the permission of your supervisor.
- Dishonesty, including giving false information on the employment application, or falsifying time cards or other organization records or documents.
- Any other serious misconduct as determined by the Executive Director.

ATTENDANCE AND PUNCTUALITY

Our successful operation depends in large part upon the regular and punctual attendance of each of its staff members. You have an important job that fits into a pattern of quality health care. All absences, therefore, are undesirable because they affect your fellow employees and the residents.

If it is necessary to be absent, whether for illness or some other unavoidable cause, you must telephone the supervisor at least four (4) hours prior to the beginning of your shift. Failure to notify your supervisor or designated representative on your first absence will result in disciplinary action. When you call, be sure to tell the supervisor the reason for your absence, and when you think you will be able to return to work. It is our responsibility to provide uninterrupted service, 24 hours a day, 365 days a year. Unacceptable attendance may result in disciplinary action up to and including dismissal. Absences immediately before or after your scheduled days off or before or after holidays, may subject you to disciplinary action up to and including discharge. Your supervisor may require a doctor's note for any absence for medical reasons.

If you are scheduled to work and fail to report for two (2) consecutive days and fail to notify your department of the absence, you will be considered to have voluntarily resigned your position.

Being on time is essential. You are expected to be in your work area, ready for work, at your specified starting time. Since many of your activities are of a group nature, lateness of one person may seriously affect the work of an entire group. A record of excessive lateness may be cause for dismissal.

HARASSMENT-FREE WORKPLACE

N.E.P.C. is committed to providing a work environment where employees feel safe, secure and respected. As an organization, we will not tolerate conduct by any employee who harasses, disrupts, or interferes inappropriately with another employee's work performance or creates an intimidating or hostile environment.

Prohibited harassment includes, but is not limited to, the following behavior:

- **VERBAL CONDUCT** such as epithets, derogatory jokes or comments, slurs or unwanted sexual advances, invitations or comments;
- **VISUAL CONDUCT** such as derogatory and/or inappropriate sexually-oriented posters, photography, cartoons, drawings or gestures;
- **PHYSICAL CONDUCT** such as assault, unwanted touching, blocking normal movement or interfering with work because of sex, race or any other protected basis;
- **THREAT AND DEMANDS** to submit to sexual requests as a condition of continued employment, or to avoid some other loss, and offers of employment benefits in return for sexual favors; and
- **RETALIATION** for having reported or threatened to report harassment.

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Any employee who believes that the actions or words of any other employee constitute unwelcome harassment has a responsibility to report or complain as soon as possible to his or her supervisor, the next level of management or the Executive Director if the complaint involves the supervisor.

Managers and supervisors have a larger responsibility in ensuring a workplace free from harassment.

These responsibilities include:

- Knowing, communicating and enforcing the company policy on harassment;
- Setting a clear example of appropriate workplace behavior, and communicating zero tolerance for harassment;
- Being aware of what is going on in the workplace and actively monitoring for signs of harassment;
- Being knowledgeable of company procedures for reporting and investigating sexual harassment; and
- Reporting immediately any inappropriate actions of which they may become aware, which they believe may constitute harassment.

N.E.P.C. will immediately undertake a confidential, effective, thorough and objective investigation of any allegation of harassment.

If we determine that harassment has occurred, effective remedial action will be taken in accordance with the circumstances. Any employee determined to be responsible for harassment will be subject to appropriate disciplinary action, up to and including termination. In all cases, the employee will be advised of the finding and conclusion.

The initiation of a harassment complaint will not have any adverse impact on the complainant nor will it affect such person's future business dealings with this company, his or her employment, compensation or work assignments. Complaints of any retaliation will be promptly investigated and disciplinary action will be taken if warranted.

The Federal Equal Employment Opportunity Commission (EEOC) and Massachusetts Commission against Discrimination (MCAD) investigate and prosecute complaints of prohibited harassment in employment. If you think you have been retaliated against for resisting or complaining, you may file a complaint with the appropriate agency.

**MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION
ONE ASHBURTON PLACE, 6TH FLOOR
BOSTON, MASSACHUSETTS 02108
(617) 727-3990**

**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
ONE CONGRESS STREET, 10TH FLOOR
BOSTON, MASSACHUSETTS 02114-2023**

(617) 565-3200

DRUG-FREE WORKPLACE

N.E.P.C. cares about the health and well-being of all employees. The use of alcohol, illegal drugs or controlled substances as it affects our employees, residents and the workplace is very important to us. Use of these substances on the job may endanger the employee and is strictly prohibited. An individual's involvement with alcohol or illegal drugs - whether on or off the job - has an impact on the working environment and, consequently, the ability of others to perform their jobs safely and successfully. In addition, the use or possession of illegal drugs on the job exposes the facility to the risks of property loss or damage, or injury to other persons.

Most importantly, it is against the law.

If you are found to be distributing, using, selling or possessing narcotics, illegal drugs or any controlled substance while on the job, you may be terminated - even if it is a first offense. Also, any illegal drugs will be immediately turned over to the appropriate law enforcement agency. This means that you could be prosecuted for a criminal offense.

LEGAL OR PRESCRIPTION DRUGS

We recognize that staff members may be taking prescribed or over-the counter drugs that have been legally obtained and are being used within prescribed and precautionary limits. However, use of such drugs at work may pose a safety risk to the staff member and others. Therefore, staff members utilizing any type of medication that may present a safety risk or affect their performance or behavior, must tell their supervisor at the beginning of the shift.

PROFESSIONAL APPEARANCE

Dress, grooming, and personal cleanliness standards contribute to the morale of all employees and affect the image that we present to residents and visitors. During business hours, employees are expected to present a clean and neat appearance and to dress according to the requirements of their positions.

Staff members who appear for work inappropriately dressed or without the personal protective equipment necessary to perform their jobs will be sent home and directed to return to work in proper attire. Under such circumstances, staff members will not be compensated for the time away from work.

All personnel are to dress in a neat manner. Our dress should reflect a professional image, an important part of providing quality service. Consult your supervisor if you have questions as to what constitutes appropriate attire.

IDENTIFICATION

You will be issued an identification badge which you are required to wear in plain view, according to the dress code, at all times while on duty. A charge will be made for the replacement of lost

identification badges. You must immediately report the loss of your badge to your supervisor. Failure to wear an identification badge will result in disciplinary action.

PERSONAL AND N.E.P.C. PROPERTY

We recognize that employees may need to bring certain personal items to work. However, personal property that is not related to the employee's job performance may be disruptive to the workflow or pose a safety risk to other employees.

Employees are expected to exercise reasonable care to safeguard personal items brought to work. The facility is not responsible for the loss, damage, or theft of personal belongings, and you are advised not to carry unnecessary amounts of cash or other valuables with you when you come to work.

Each employee may be assigned a storage area for safekeeping small personal effects during working hours. In addition, closets in designated areas are available for the storage of outerwear. You are responsible for maintaining your area in a clean and sanitary manner. The facility will provide and retain keys for file cabinets, desks, and other workstations. Employees may not place their own locks on any storage facility.

Employees are asked to treat N.E.P.C. property as they would treat their own. Specifically, we ask that employees keep our property clean and well maintained and limit its use to work-related purposes. Employees must seek permission from their supervisor before removing any facility property from the premises and may not use facility stationery for personal use.

To maintain security and protect against theft, N.E.P.C. reserves the right to inspect the contents of lockers, storage areas, work stations, desks and file cabinets at any time and remove all facility property and other items which are in violation of our rules and policies. Should these actions be necessary, the employee may be present at the time. In other less common circumstances, we reserve the right to ask employees to present the contents of their packages, briefcase, backpack, purse or wallet for inspection.

SOLICITATION AND DISTRIBUTION

Solicitation is not permitted during working time or during working time of the employee solicited, or in areas where residents or guests may be present. Working time for which you are being paid, and resources of N.E.P.C. may not be used for non-work related activities. Working time does not include periods such as meals or breaks when an employee is scheduled to be at N.E.P.C. but is not scheduled to perform work tasks.

Distribution of literature or other materials is not permitted during the working time of either the employee distributing or the employee to whom distribution is made or any time in any working and/or resident-care areas.

Non-employees are not permitted to solicit or distribute literature at or on N.E.P.C. grounds at any time.

Definitions. For the purposes of these rules:

- **SOLICITING** includes approaching anyone for any of the following purposes; offering anything for sale, asking for donations, collecting funds, canvassing or seeking to promote, encourage or discourage (i) participation in or support of any organization, activity or event or (ii) membership in any organization. Handing out or delivering membership cards or applications for any organization is considered soliciting.
- **DISTRIBUTING** literature or other materials includes handing out or delivering to anyone any literature or any other printed or written materials (except that handing out or delivering membership cards or applications for any organization is considered soliciting).

As mentioned elsewhere in this handbook, N.E.P.C. bulletin boards are to be used only for the organization's purposes.

Employees are not permitted to either sell to, or buy items from, residents.

TIPS, PURCHASE, SALES

Employees must not accept cash or gifts from residents, their families, visitors or persons doing business with the facility. Under no circumstances are employees to enter into any transaction involving the purchase or sale of any personal property, merchandise or services with residents, visitors or vendors without permission from the Executive Director.

PERSONAL TELEPHONE CALLS & PERSONAL BUSINESS

Pay telephones should be used for personal calls during the meal period or outside scheduled work hours. Except in the case of emergency the house telephones are never to be used for personal calls, incoming out outgoing. Cell phones for personal use may only be used in designated areas, such as: the break room or outside.

No staff member is to receive personal visitors at the facility. It is important for the security of all that only those who have business with the facility or residents' visitors be permitted on the premises. Off-duty staff members should not "visit" other staff members who are working. Children of staff members should not be on the premises while their parent/guardian is working. Children who are junior volunteers and are in the building volunteering are permitted.

LANGUAGE

All employees must be able to speak and read English. This is a business necessity and job-related since employees are required to read manuals, policies and procedures, including safety procedures. English only must be spoken in all areas in which residents may be present.

PACKAGES

N.E.P.C. reserves the right to inspect any packages or handbags brought into or taken from the building. Removing N.E.P.C. property from the building or grounds without permission of the administration will result in immediate dismissal.

SUGGESTIONS

Your suggestions are always welcome, especially when they may result in improved care of residents, smoother operation of the organization, or boosted morale of residents and employees. Suggestions and complaints may be addressed to your supervisor, department head or the Executive Director. Suggestions and complaints may also be made without identifying yourself. Mailboxes are available in the Business offices for each department and Administration.

NOISE

Employees' cooperation is required to help control noise in and around N.E.P.C., which includes loud talking, loud radios, and televisions. This is a business necessity and job-related.

Employees are not permitted to turn on residents' radios or TVs for their own listening pleasure. In fact, employees are encouraged to turn off radios and TVs that have been left playing after residents have left the area.

Employees are also not to conduct discussions of problems they may be having in the work place or their personal lives within earshot of residents. As mentioned elsewhere in this handbook, all conversations in areas occupied by residents are to be conducted in English, whether residents are present or not.

VISITORS

Employees may not have visitors during working hours except in emergencies. Anyone wishing to see an employee must report to the front desk.

WORK ENVIRONMENT

OPEN COMMUNICATION

N.E.P.C. seeks to foster a work environment characterized by open, direct and honest communication. Such an environment eliminates misunderstandings, increases individual efficiency and productivity, leads to better decision-making, and ultimately improves the quality and value of the work we do. Maintaining such an environment is a responsibility shared by each and every employee.

Employees are encouraged to engage in on-going dialogue with one another and with managers about all aspects of the facility's business. We all have lessons to learn from each other, and we all have a stake in our success.

Our commitment to listening to you is shared throughout our organization. All managerial office doors are open to you, up to and including the Executive Director's. We are willing to meet with you on a one-to-one basis to resolve any differences in an amicable manner. It is important for you to feel free to discuss with your immediate supervisor any matter affecting your employment.

We hope that you will be able to resolve informally, any questions or problems you may have. However, if you should ever feel that your questions or problems need to be addressed more

formally, our conflict resolution process is a method to communicate your problems or concerns. It is our formal problem-solving process. This procedure gives you the right to discuss your concerns with several levels of management.

BULLETIN BOARDS

Bulletin boards are our official means of communication with residents, visitors and employees, and only authorized persons may put up, take down, or alter items on the boards. Employees are not permitted to use the bulletin boards for personal announcements. Bulletin boards are for official use only.

YOUR SUPERVISOR

Your immediate supervisor is the person on the management team who is closest to you and your work. Your day-to-day contact with your supervisor gives you a chance to receive guidance and counsel regarding your assignments and the progress you make on your job. Your supervisor can show you how your work fits into the overall picture, explain the “hows” and “whys” and, lend encouragement to you when "things look a little tough".

Your supervisor is in complete charge of the department. He or she is responsible for the efficient operation of the department. Your supervisor has the authority to hire and dismiss, to assign work, recommend pay increases, transfers or promotions, and to maintain order and discipline.

PROBLEM SOLVING

If you have a conflict or complaint involving your employment, the following formal process is available to you:

- The complaint should be discussed with your immediate supervisor within five (5) business days of the alleged issue. The supervisor will give the matter prompt attention and will try to return an answer to you within three (3) business days. Most matters can be settled very satisfactorily in this manner.
- Within five (5) business days, if you are dissatisfied with your supervisor’s decision, refer the matter to your department head who will discuss the matter with you and will try to give you a decision within five (5) business days.
- Within five (5) business days, if you are dissatisfied with your department head’s decision, you should refer the matter, in writing to the Executive Director.
- The Executive Director will give you a written decision within five (5) business days. The decision made by the Executive Director will be binding. If for any good reason you do not want to discuss a conflict or complaint with your supervisor or department head, you have the right to present your problem, in writing, directly to the Executive Director. Remember that we cannot address a conflict or complaint unless you let us know that one exists.

INCLEMENT WEATHER

Since N.E.P.C. cannot close when weather conditions make travel to work difficult, each employee is required to make every effort to arrive to work, even during inclement weather.

SMOKE-FREE WORK ENVIRONMENT

N.E.P.C. actively prohibits smoking in order to insure a safe and smoke-free environment for our residents, visitors and employees. Employees and visitors are only permitted to smoke outside in designated smoking areas.

Employees who do not comply with this policy may be subject to disciplinary action.

DESIGNATED EATING AREAS

Staff members should eat in established eating locations. Eating is not permitted in staff offices or at nursing stations. Designated eating areas multipurpose room and outside picnic area.

Public health regulations require that kitchen areas are off-limits to all but authorized, on-duty dietary staff. Residents, visitors and unauthorized (non-dietary) employees will be asked to leave immediately. Violators will be reported to their supervisors and will be subject to discipline up to and including discharge.

COURTESY TITLES

We are expected to address resident families by their last names preceded by Miss, Ms., Mrs., Mr., Dr. or whatever other title is appropriate. The only exception to this rule is when a resident's family member has invited you to call him or her by his or her first name.

As a member of our staff, you have the same privilege as our residents. Please let us know if you would like to be called Miss, Ms., Mrs. or Mr., whichever is appropriate, or by your first name.

LEAVES OF ABSENCE

The facility offers several types of leaves of absence to eligible employees who are unable to work for personal reasons. A summary of these benefits is described below. Please contact your supervisor or the Business Office for more information. In addition, the facility offers a variety of other benefits outlined in the Employee Benefit Plan Summary.

BEREAVEMENT LEAVE

When a regular full-time employee is absent in order to attend the funeral of a member of his or her immediate family and such absence is supported, if requested, by acceptable proof, he or she shall receive up to three (3) consecutive days of paid leave at eight (8) hours' base rate of pay, provided:

- The deceased is a member of the immediate family: spouse, parent, sibling, child, mother-in-law, father-in-law, grandparent or grandchild, and stepparent or stepchild.

- Notice is given to N.E.P.C. of the reason for such absence no later than the first full working day of absence.
- Payment will be made for a day of absence only if the day is one on which the employee is scheduled to work.

Regular part-time employees (24-39 hours), may be eligible for up to three (3) consecutive days of excused absence with pay to attend the funeral of a member of the immediate family as defined above, if the employee was scheduled to work on any of those days. Such pay will be for the number of hours that the regular part-time employee was scheduled to work and shall also be at the base hourly rate of pay. Approval for such leaves must be obtained from the department head.

JURY AND WITNESS DUTY LEAVE

If you are a regularly scheduled employee (full or part-time) and are summoned for jury duty, the facility will pay you the difference between your regular straight earnings (not to exceed 8 hours a day) and the amount you receive from the courts for service as a juror (excluding any transportation allowance you may receive) during your first three (3) days of jury duty.

All employees are allowed unpaid time off (unless you request and are approved for use of your paid time off benefits) if summoned to appear in court as a witness. Employees who are subpoenaed by the facility or requested to appear as a witness by or for the company will be paid for such time.

To qualify for jury or witness duty leave, you must submit to your supervisor a copy of the summons to serve as soon as it is received. To receive jury duty pay, you must present a certificate from the court stating the days served on the jury, as well as the amount of money you were paid in jury fees.

Whenever possible, you are expected to work on days you are not needed at court and when you leave court early enough to work part of the day. You are also expected to keep your supervisor informed of your jury duty schedule.

N.E.P.C. will make no attempt to have your service on a jury postponed except when business conditions necessitate such action.

FAMILY AND MEDICAL LEAVE ACT (FMLA)

The Family and Medical Leave Act (FMLA) entitles eligible employees to take up to twelve (12) weeks unpaid, job protected leave each year for specified family and medical reasons.

EMPLOYEE ELIGIBILITY: To be eligible for FMLA benefits, an employee must have worked for the facility for a total of at least twelve (12) months, having worked at least 1,250 hours over the previous twelve (12) months.

REASONS FOR TAKING LEAVE: FMLA may be granted for any of the following reasons:

- To care for your child after birth, or placement for adoption or foster care;

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- To care for your spouse, son or daughter, or parent, who has a serious health condition. In the event the leave is to care for someone in your immediate family, accrued vacation time must be used prior to use of accrued sick/personal time.
- For a serious health condition that makes you unable to perform your job.

DURATION OF LEAVE: An employee is entitled to a maximum of twelve (12) weeks of family and medical leave during any twelve (12) month period. The twelve (12) month period is measured back from the date an employee begins the family leave. Therefore, each time an employee takes FMLA leave, the remaining leave available is any balance of twelve (12) weeks, which has not been used during the immediately preceding 12 months.

Spouses who are both employed by the facility are jointly entitled to a combined total of twelve (12) work weeks of family leave.

INTERMITTENT LEAVE: Due to medical necessity, employees may request FMLA intermittently - which means taking leave in blocks of time, or by reducing the normal weekly or daily work schedule.

REQUEST FOR LEAVE: All requests for family and medical leave should be made in writing to your supervisor, preferably thirty (30) days in advance of the anticipated leave. The request should include the reason for leave, the approximate start date, and the anticipated length of the leave and the estimated return to work date.

MEDICAL CERTIFICATION: An employee may be required to provide advance leave notice and medical certification. Taking of leave may depend on the proper notification and certification.

The facility may require medical certification to support a request for leave because of an employee's own or covered family member's serious health condition. The following certification may also be requested: Second and third opinions at the facility's expense, re-certification every thirty (30) days and a fitness for duty report to return to work.

BENEFITS: Employees covered under a group health plan will have their coverage continued during an approved FMLA leave, in the same cost sharing basis as prior to the leave. An employee who does not return to work will be billed for the facility's portion of the insurance coverage. Benefits will continue to accrue during a family and medical leave.

UNPAID LEAVE: Although family and medical leave is unpaid, an employee must use accrued benefits during the approved leave, except in the case of maternity or industrial leaves.

RETURN FROM LEAVE AND JOB PROTECTION: Upon return from an approved family and medical leave, employees other than key employees, will be restored to their original or equivalent positions with equivalent pay, benefits and other employment terms. The exception to this restoration would be in the event of a reduction in force or other operational change that would have resulted in elimination of the position.

Key employees are identified as the highest paid 10% of all employees, and may be subject to a lesser job restoration benefit, which will be determined by the Executive Director.

EXTENSION OF LEAVE: An employee requesting an extension for any reason, may submit a written request to his or her immediate supervisor for review. All requests for extensions are subject to the approval of the immediate supervisor and the Executive Director.

NOT RETURNING FROM LEAVE: The facility requests a written resignation letter, two (2) weeks prior to the expected return date, from any employee who does not wish to return to work from an approved family and medical leave.

An employee who does not return to work on his or her expected return date, without any notice, will be considered to have voluntarily resigned.

MATERNITY LEAVE

<p>APPLICABLE TO EMPLOYEES NOT ELIGIBLE FOR A FAMILY MEDICAL LEAVE</p>	<p>Newly hired full-time employees who have completed their ninety (90) day introductory period and are in their first year of employment, may request an unpaid leave not to exceed eight (8) continuous weeks in a twelve (12) month period, for the purpose of giving birth or for adoption of a child.</p>
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The following guidelines apply under this policy:

- The employee is expected to provide at least two (2) weeks written notice of the expected departure date, except when leave is due to an unexpected disability. Also, the employee must provide notice of the intention to return to work, with anticipated return date.
- The leave duration is a maximum of eight (8) continuous weeks, to be taken consecutively in a twelve (12) month period.
- Although the leave is unpaid, the employee may elect to use accrued time off to pay for all or a portion of the leave. Accrual of earned time off will cease during this leave of absence. Health and dental benefits will also cease during this leave of absence, but an employee may elect to continue participation at their own cost. If the employee chooses not to continue participation or fails to make a payment on a timely basis, coverage may be terminated.
- Under this policy, an employee who returns from leave within eight (8) consecutive weeks or less, may resume his/her position within the company unless the position has been eliminated by reduction in the workforce or other operational change which applies equally to other similar positions in the company. However, employees affected in this way will be given preference in filling any available positions for which they are qualified. Continuity of service and reinstatement of benefits will continue once the employee returns from the approved eight (8) consecutive week leave. Failure to return from maternity leave on the designated return date will be considered voluntary termination of employment.

INDUSTRIAL LEAVE

If you miss more than five (5) days of work due to a work-related injury or illness you may receive payments to supplement your lost salary and medical expenses. All employees are provided coverage in accordance with applicable state laws.

Time-off due to an industrial accident is counted toward your FMLA benefit.

MILITARY LEAVE

Leaves of absence without pay for military or Reserve Duty are granted to employees in accordance with applicable federal and state laws. If you are called to active military duty or to Reserve or National Guard training, or if you volunteer for the same, you are required to submit copies of your military order to your supervisor as soon as is practicable. If you are a reservist or a member of the National Guard, you are granted time off without pay for required military training. Your eligibility for reinstatement after your military duty or training is completed is determined in accordance with applicable federal and state law.

PERSONAL LEAVE

Employees may be granted a leave of absence to attend to personal matters in cases in which the facility determines that an extended period of time away from the job will be in the best interests of the employee and the facility. Such leave may be granted for up to thirty (30) days from the employee's first day of absence inclusive of all vacation and personal time. Requests for a personal leave of absence may or may not be approved at the discretion of the facility. If approved, you will be offered the opportunity for COBRA plan to continue your health benefits, but personal leaves are otherwise unpaid.

For all leaves of absence, your anniversary date and seniority will be adjusted for any time out in excess of twelve (12) weeks.

ORGANIZATIONAL EXIT

RESIGNATION

In the event you decide to resign from your position at the facility, you must submit your resignation in writing to your supervisor and the Business Office. Advance written notice equivalent to at least two (2) weeks or time equal to your vacation accrual, whichever is greater, is expected. Your written notice should include the reason for leaving and your last scheduled workday. The period covered by terminal vacation pay is not considered part of your notice. When you terminate, you must return any facility property you may have in your possession.

Employees who resign in good standing will be eligible for re-employment, subject to the same requirements and standards as pertain to new applicants.

ABANDONMENT OF POSITION

Absence without notice for two (2) consecutive scheduled workdays will be considered a voluntary termination.

EXIT INTERVIEW

An exit interview with your supervisor is encouraged when you leave. The Business Office will furnish you with essential information concerning the status of your benefits as a terminated employee. This interview should also be viewed as an opportunity to share your thoughts on employment at the facility. You will be asked to share any ideas you have with regard to improving working conditions, job satisfaction and services at the facility.

TERMINATION PAY

If you have been employed by the facility for at least three (3) months, you will receive, upon termination, full payment of your unused vacation balance as of your last day of work.

Keys and/or any matters concerned with company property or finances are to be returned or resolved before you leave the facility on your last day and before final pay is issued.

EMPLOYEE ACKNOWLEDGMENT SHEET

I acknowledge that I have reviewed a copy of the N.E.P.C. EMPLOYEE HANDBOOK posted on NEPC’s website: http://nepc.org/resource_library.html. I understand my supervisor or the Executive Director will answer any questions I may have about the content of this handbook.

I understand it is my responsibility to read and understand this handbook. I further understand that the provisions of this handbook are guidelines and do not create or constitute a contract between the facility and me.

I further acknowledge that personnel policies and procedures are applied at the discretion of management and may be withdrawn, applied or amended at any time upon written notification from management.

I further acknowledge that my employment is “at will” and may be terminated with or without notice, at any time. I understand that no representative of the facility other than the Executive Director has any authority to enter into any agreement for employment for any specified period of time, or to make any agreement contrary to the foregoing.

EMPLOYEE SIGNATURE

DATE

ADDENDUM:

BULLYING AND PREVENTION PLAN

NEPC's school handbook/admission materials (and local updated Plan) is consistent with the amendments to the Massachusetts anti-bullying law, which became effective July 1, 2013.

The amendments extend protections to students who are bullied by a member of the school staff. As defined in G.L. c. 71.37O (d), as amended, a member of the school staff includes, but is not limited to, an “educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional.”

A member of the school staff may be named the “aggressor” or “perpetrator” in a bullying report.

The school at New England Pediatric Care prohibits all of its students and staff from bullying, cyber bullying and any type of retaliation related to both. New England Pediatric Care Day School educates medically fragile students with significant cognitive disabilities that include deficits in expressive and receptive speech, and therefore are not identified as perpetrators or aggressors. However, students and staff may be at risk to be targets of bullying. NEPC's Bullying Prevention and Intervention has written this policy to protect our students from any type of Bullying behavior, and any incidents of bullying that are reported, NEPC will act swiftly and accordingly. Additionally, NEPC students participate in social skills group that provides them access to social communication and developmentally appropriate responses to bullying.

If a student or staff knows or suspects that bullying or cyber bullying is taking place or they are in fear of retaliation they must report it immediately to school personnel. If any parent or guardian knows or suspects that their son or daughter is the victim of bullying or cyber bullying or are in fear of retaliation for either themselves or their son or daughter they must report it immediately to school personnel.

Known or suspected bullying and any type of retaliation can be reported to any school employee but should be reported to the classroom teacher, the Director of Education or the Program Director.

All school employees are required to notify the Program Director of any known or suspected case of bullying, cyber bullying or retaliation.

In all cases, bullying, cyber bullying and retaliation can be reported anonymously, verbally, or in writing to the appropriate personnel. However disciplinary action shall not be taken against a student or staff solely on the basis of an anonymous report.

All employees of the school that receive a report of bullying, cyber bullying or retaliation must report it to either the Director of Education or the Program Director Immediately. The Director

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of Education upon receiving such report must notify the Program Director immediately and an investigation will be started.

The investigation will consist of interviewing all of the parties involved along with obtaining written statements.

If a student is found to be guilty of bullying, cyber bullying, threatened or acted upon retaliation the disciplinary action may be anything from counseling to expulsion from school

If a staff member is found to be guilty of bullying, cyber bullying, threatened or acted upon retaliation the disciplinary action may be anything from counseling to written warning to termination.

Any person that reports bullying or retaliation, provides information about bullying or witnesses bullying will be protected as necessary on a case by case basis.

If an investigation results in determining that bullying or retaliation has occurred then we will immediately notify the parents or guardians of a target and an aggressor. The parent or guardian of the target will also be notified of the action taken to prevent any further acts off bullying or retaliation. The parents of the aggressor will be notified of the results of the investigation and of the course of action the school is going to take, where applicable law enforcement will be notified.

Any student or staff that makes a false accusation of bullying or retaliation will be subject to disciplinary action which could range from suspension to counseling.

New England Pediatric Care in conjunction with the student's school district will provide counseling or make a referral for the appropriate services for targets and aggressors for appropriate family members and affected students.

A student's or staff's legal status does not affect their protection under this plan in any way.

All employees of the school will be required to attend in-service training annually on this plan and on the following

1. Developmentally appropriate strategies to prevent bullying
2. Developmentally appropriate strategies for immediate, effective interventions to stop bullying incidents
3. Information regarding the complex interaction and power differential that can take place between and among an aggressor, target and witness to the bullying.
4. Research findings on bullying, including information about specific categories of students who have shown to be particularly at risk for bullying in the school environment
5. Information on the incidence and nature of cyber bullying and internet safety issues as they relate to cyber bullying

The school will develop a curriculum related to bullying, cyber bullying and retaliation that includes how parents and guardians can reinforce the curriculum at home and support the plan. Along with the dynamics of bullying, online safety and cyber bullying

This Plan will be reviewed and updated if necessary at least biennially.

Definitions

Several of the following definitions are copied directly from M.G.L. c. 71, § 37O, as noted below.

A **Perpetrator or Aggressor** is defined as a student or member of a school staff including but not limited to, an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extra-curricular activity or paraprofessional who engages in bullying behavior. A member of the school staff may be named the “aggressor” or “perpetrator” in a bullying report.

Bullying, as defined in M.G.L. c. 71, § 37O, is the repeated use by one or more students, or by a member of school staff including, but not limited to an educator, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extra-curricular activity or paraprofessional of a written, verbal, or electronic expression or a physical act or gesture or any combination thereof, directed at a target that:

- causes physical or emotional harm to the target or damage to the target’s property;
- places the target in reasonable fear of harm to himself or herself or of damage to his or her property;
- creates a hostile environment at school for the target;
- infringes on the rights of the target at school; or
- materially and substantially disrupts the education process or the orderly operation of a school.

Cyber bullying is bullying through the use of technology or electronic devices such as telephones, cell phones, computers, and the Internet. It includes, but is not limited to, email, instant messages, text messages, and Internet postings. See M.G.L. c. 71, § 37O for the legal definition of cyber bullying.

Hostile environment, as defined in M.G.L. c. 71, § 37O, is a situation in which bullying causes the school environment to be permeated with intimidation, ridicule, or insult that is sufficiently severe or pervasive to alter the conditions of a student’s education.

Retaliation is any form of intimidation, reprisal, or harassment directed against a student who reports bullying, provides information during an investigation of bullying, or witnesses or has reliable information about bullying.

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Staff includes, but is not limited to educators, administrators, counselors, school nurses, cafeteria workers, custodians, bus drivers, and athletic coaches, advisors to extracurricular activities, para professionals.

Target is a student or staff against whom bullying, cyber bullying, or retaliation has been perpetrated.

Reviewed 4-23-2018