Employee Handbook

TLC Nursing Associates LLC
MISSION STATEMENT

TLC NURSING ASSOCIATES, LLC, is a nurse owned and operated agency specializing in non-medical homecare and healthcare staffing. Founded in 2006, our company is focused on providing compassionate care to homebound seniors affording them the best quality of life and delivering flexible staffing solutions to the healthcare industry in the New England area.

OUR PROMISE TO YOU:
- Treat each client with respect and dignity
- Treat each client as if we are caring for a member of our own family
- Respect each client’s privacy
- Thrive for excellence on our work
- Continuously adapt to improve the quality of care delivered

Our Values
- Fiduciary Responsibilities
- Appreciation for Individual Needs
- Customized Nursing Care Assessments
- Team Leadership
- Social Responsibilities

The FACTS that we value are pillars in our communities where care needs are constant. TLC Nursing Associates are there to support you.
Introduction

All employees are expected to carry out the performance of their duties in a professional, respectful, and competent manner. This handbook is intended to outline employment expectations for employees of TLC Nursing. Questions regarding specific content of the handbook or about a particular policy or procedure should be directed to Mohamed Basha.

TLC Nursing may add to, revoke, or modify these policies from time to time as necessary. The information in this handbook is presented solely for informational purposes. It is intended as a general guide for the day-to-day handling of personnel-related matters. This Handbook, and its provisions, does not constitute a contract or a contractual commitment of continued employment. Unless covered by a separately negotiated agreement, each employee of TLC Nursing is considered to be in an “at will” employment status. This simply means that you can leave your employment at any time, with or without cause, and with or without prior notice.

Likewise, TLC Nursing may discharge any employee, with or without cause, and with or without notice, at any time for any lawful reason. No circumstances arising out of your employment, including any written or verbal statements by your supervisor or co-workers, will alter the “at will” employment relationship.
Employee Relations

Open Door Policy

In order to maintain a productive and respectful work environment, we encourage open communication among all employees. It is hoped that employees will feel free to identify issues of concern and make suggestions and recommendations about work conditions and operations. If an employee has a work-related or interpersonal problem or concern with another co-worker, they are encouraged to first try working through the problem directly with the employee involved. If this is unsuccessful, employees are encouraged to bring the matter to the attention of their supervisor or directly to Mohamed Basha.

Equal Employment Opportunity

TLC Nursing provides employment opportunities without regard to race, color, religion, national origin, gender, sexual orientation, ancestry, place of birth, age, or disability, or any other basis protected by state or federal law. TLC Nursing values the individual cultural differences of our community and our employees.

This policy of equal opportunities applies to all terms and conditions of employment, including, but not limited to: recruitment, hiring, training, professional development, promotion, transfer, termination, layoff, recall or rehire, leave of absence, compensation and benefits, and all other conditions and privileges of employment.

Management is primarily responsible for assuring that equal employment opportunity policies are implemented, but all employees are asked to share in that responsibility. Any employee determined to be involved in discriminatory practices will be subject to disciplinary actions, up to and including termination of employment.

If you perceive any discriminatory action or practice, please report them in accordance with the harassment policy below.
Requests for Accommodation

We will not discriminate against any qualified employee or job applicant with respect to any terms, privileges or conditions of employment because of a person’s physical or mental disability.

If a potential or current employee believes that they will need an accommodation for a disability in order to perform the essential functions of their job, they must inform their supervisor of that need and suggest a reasonable accommodation that will allow them to carry out the affected duties and responsibilities. We will make all reasonable efforts to accommodate the physical or mental limitations of an individual with a disability of which we are aware in accordance with state and federal laws.
Employment

A. New Employee Introductory Period

The first thirty (30) days of employment with TLC Nursing is considered to be an introductory period. During this time, employees are expected to become accustomed to their job expectations and responsibilities and are encouraged to determine whether the position meets his or her expectations. Completing this period does not signify or imply a change in employment status and employees remain in an “at will” employment position.

There may be a waiting period before new employees are eligible for certain benefits. Any questions regarding benefits should be directed to your supervisor.

B. Classification of Employees

All employees are classified as exempt or non-exempt from the overtime requirements based upon federal and Vermont law. Non-exempt employees are entitled to overtime pay of one and one-half time their regular hourly rate for all hours actually worked over 40 in a work week.

Employees are further classified as:
- Full time—40 hours per week
- Part time—Less than 40 hours regularly scheduled per week
- Per Diem---On Call- no regularly scheduled hours

C. Employee Information

TLC Nursing balances its need to obtain, use and retain employment information with a concern for each individual’s privacy. Employee files may be inspected only by those who have an employment-related or when legally required. Employees have the right to review their employee file and may request an appointment by calling the office. Employees should notify their supervisor as soon as possible if there are any changes in personal information, any criminal conviction, any investigations pertaining to criminal charges, investigation pertaining to his/her professional license, investigation or charges pertaining to child or adult abuse or negligence, tax withholding changes, exemptions, legal name changes, or emergency contact information.

D. Attendance

Regular attendance is an essential requirement of your employment. Employees are expected to be in direct contact with or reachable by their supervisor during the work day. Individual work schedules will be determined based on the operational needs of the company.
Employees must communicate their availability for work assignments on a continuous basis. This may be done through direct contact with your supervisor, e-mail, the TLC Nursing website, and the telephone. All employees are required to complete and update as necessary the Employee Availability Form.

If an employee is unable to report for an assignment on time or complete a scheduled assignment for any reason, the employee must contact the office immediately. The On-Call coordinator is available 24 hours a day, seven days a week. Unapproved absences or excessive tardiness may result in discipline, up to and including termination. An unapproved absence without communication with their supervisor is considered job abandonment and may result in termination of employment.

All employees are expected to adhere to the following attendance policy.

1. All sick time must be limited to valid reasons: No more than 6 sick days per year and no more than 2 days within a period of a month.
2. Report to work on time as scheduled. No more than one tardy per month.
3. Report all absences 8 hours prior to start of shift
4. Perform all necessary duties and remain on assignment until relieved.

Following is the procedure for call-outs:

Homecare staff:

You must call the TLC office and page the on-call supervisor. DO NOT call the client directly.

Facility staff:

1. You must call the TLC office and page the on-call supervisor, as well as call the site Charge Nurse, and clearly state that you are calling out. This feedback is very critical for ensuring coverage for called out shifts.

2. You must speak directly with the on-call supervisor and the Charge Nurse at the respective site. DO NOT leave call out messages in the voicemail box.

3. If you cannot reach any or all of the above, please continue calling until you reach the appropriate individuals. Failure to follow the above procedure is considered a strike against the employee by the respective sites. Two strikes will result in the employee being banned from the site.

4. A minimum of 8 hours notice is required for a call out. A shorter notice could result in disciplinary action, up to and including termination of employment. Employee may be required to validate the reason for his or her absence.
Employees are expected to schedule medical and other personal appointments outside of normal work hours. Should this not be possible, employees must give as much notice as possible to their supervisor.

**E. Personal Appearance**

Employees working at facilities must adhere to the facility guidelines. The scheduling coordinator(s) will discuss uniform requirements when making an assignment.

Employees working in homecare must adhere to the following guidelines:

1. No blue jeans, sweats or shorts are permitted.
2. No crop tops, tank tops, camisoles, low-cut or tight-fitting shirts are allowed. Blouses or shirts must provide appropriate coverage.
3. No open-toed shoes, sandals or “flip-flops” are allowed. Athletic shoes or crocs may be worn.
4. Hair must be neat, clean, and tied back away from the face.
5. No excessive jewelry, dangling earrings, bracelets or necklaces or piercings, other than the ears, are to be worn. Tattoos must be covered.
6. Fingernails must be kept short, artificial nails are not allowed.
7. Name badges must be worn.

Consult your supervisor if you have any questions regarding appropriate appearance and attire.

All TLC Nursing employees are expected to present themselves with a professional demeanor and participate as a team member in the facility they are staffing. Customer service skills include treating all others with respect and compassion. All staff are expected to present themselves with 2 forms of ID when reporting for duty at a facility.

**G. Ethics**

TLC is dedicated to high quality standards of care and individual preferences. We encourage staff to understand the client’s bill of rights and we remain focused to assist with any ethical issues. TLC addresses any ethical issues in their quality assurance program quarterly.

**H. Conflict Management/Resolution**

TLC recognizes that potential conflicts may arise between employees, facilities and clients and is dedicated to resolving any conflicts. TLC Nurses encourages employees to follow the chain of command to resolve any issues. Our promise is to resolve issues without retaliation. If a conflict is not resolved a written grievance can be submitted to Mohamed Basha.
I. Harassment

It is against TLC’s policies and illegal under state and federal law, for any employee, male or female, to sexually harass another employee. It is also a violation of this policy for an employee to engage in any other unlawful harassment based on those categories listed below. We are committed to providing a workplace free from this unlawful conduct.

What is Sexual Harassment?

Sexual harassment is a form of sex discrimination and means unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

(1) submission to that conduct is made either explicitly or implicitly a term or condition of employment;

(2) submission to or rejection of such conduct by an individual is used as a component of the basis for employment decisions affecting that individual; or

(3) the conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Examples of sexual harassment include, but are not limited to the following, when such acts or behavior come within one of the above definitions:

- Either explicitly or implicitly conditioning any term of employment (e.g. continued employment, wages, evaluation, advancement, assigned duties or shifts) on the provision of sexual favors;
- Touching or grabbing a sexual part of an employee's body;
- Touching or grabbing any part of an employee's body after that person has indicated, or it is known, that such physical contact was unwelcome;
- Continuing to ask an employee to socialize on- or off-duty when that person has indicated s/he is not interested;
- Displaying or transmitting sexually suggestive pictures, objects, cartoons, or posters if it is known or should be known that the behavior is unwelcome;
- Continuing to write sexually suggestive notes or letters if it is known or should be known that the person does not welcome such behavior;
- Referring to or calling a person a sexualized name if it is known or should be known that the person does not welcome such behavior;
- Regularly telling sexual jokes or using sexually vulgar or explicit language in the presence of a person if it is known or should be known that the person does not welcome such behavior;
- Retaliation of any kind for having filed or supported a complaint of sexual harassment (e.g. ostracizing the person, pressuring the person to drop or not support the complaint, adversely altering that person's duties or work environment, etc.);
- Derogatory or provoking remarks about or relating to an employee's sex or sexual orientation;
- Harassing acts or behavior directed against a person on the basis of his or her sex or sexual orientation;
- Off-duty conduct which falls within the above definition and affects the work environment.

**What employees should do if they believe they have been harassed?**

Any employee who believes that she or he has been the target of sexual harassment or any other form of unlawful harassment, or who believes she or he has been subjected to retaliation for having brought or supported a complaint of such harassment, is encouraged to directly inform the offending person or persons that such conduct is offensive and must stop. If the employee does not wish to communicate directly with the alleged harasser or harassers, or if direct communication has been ineffective, then the person with the complaint is encouraged to report the situation as soon as possible to Mohamed Basha or Mark Heyman at Cope Human Resources, Inc. (951-4200). It is helpful to an investigation if the employee keeps a diary of events and the names of people who witnessed or were told of the harassment, if possible.

**What TLC Nursing will do if it learns of possible harassment**

In the event that a complaint of unlawful harassment is received, or we otherwise have reason to believe that unlawful harassment is occurring, we will take all necessary steps to ensure that the matter is promptly investigated and addressed. We are committed, and required by law, to take action if we learn of potential unlawful harassment, even if the aggrieved employee does not wish to formally file a complaint. Every supervisor is responsible for promptly responding to, and reporting, any complaint or suspected acts of harassment. Supervisors should report all such complaints or suspected acts to Mohamed Basha or Mark Heyman at Cope Human Resources, Inc. (951-4200). Failure by a supervisor to appropriately report or address such harassment complaints or suspected acts shall be considered to be in violation of this policy.

Care will be taken to protect the identity of the person with the complaint and of the accused party or parties, except as may be reasonably necessary to successfully complete the investigation. **It shall be a violation of this policy for any employee who learns of the investigation or complaint to take any retaliatory action, which affects the working environment of any person involved in this investigation.**

If the allegation of unlawful harassment is found to be credible, TLC Nursing will take appropriate corrective action. The complaining person and the accused person will be informed of the results of the investigation and what actions will be taken to ensure that
the harassment will cease and that no retaliation will occur. Any employee, supervisor, or agent who has been found by the employer to have harassed another employee will be subject to sanctions appropriate to the circumstances, ranging from a verbal warning up to and including dismissal.

If the allegation is not found to be credible, the person with the complaint and the accused person shall be so informed, with appropriate instruction provided to each, including the right of the complainant to contact any of the state or federal agencies identified in this policy notice.

If the complainant is dissatisfied with the final result, or is otherwise interested in doing so, she or he may file a complaint by writing or calling one of the following state or federal agencies:

- **Vermont Attorney General's Office**, Civil Rights Unit, 109 State Street, Montpelier, VT 05609, tel: (802) 828-3171 (voice/TDD). Complaints must be filed within 300 days of the adverse action.
- **Equal Employment Opportunity Commission**, 1 Congress Street, Boston, MA 02114, tel: (617) 565-3200 (voice), (617) 565-3204 (TDD). Complaints must be filed within 300 days of the adverse action.

Either of these agencies can conduct impartial investigations, facilitate conciliation, and if it finds that there is probable cause or reasonable grounds to believe sexual harassment occurred, it may take the case to court. Although employees are encouraged to file their complaint of harassment through our complaint process, an employee is not required to do so before filing a charge with these agencies.

In addition, a complainant also has the right to hire a private attorney, and to pursue a private legal action in state court within 3 or 6 years, depending on the type of claims raised.

**Where can I get copies of this policy?**

A copy of this policy will be provided to every employee in the employee handbook, and extra copies are available at the front desk.

**Harassment by Non-Employees**

Any unlawful harassing or otherwise discriminatory behavior by patients, vendors, or any other third parties should be reported to your supervisor as soon as possible so that appropriate corrective action may be taken.
J. Confidentiality – Health Insurance Portability and Accountability Act (HIPAA)

All records and files pertaining to business operations, including patients, employees, operations and procedures, are confidential and remain the property of TLC Nursing at all times. All employees must adhere to established privacy policies and procedures. Any employee who violates this policy is subject to discipline, up to and including termination of employment.

HIPAA is a law that protects patient’s private health information. It was designed to maintain the privacy of protected health information including computer and written documents. Home care staff must keep absolutely confidential any and all information about our clients, such as addresses, problems, health issues, financial status, relationships, etc. We must not discuss individual clients with, or in the presence of, anyone that does not have direct contact (scheduling or caring for the care recipient) or who does not work for TLC Nursing. Because we consider confidentiality our most important policy, we insist our home care staff respect this policy both in spirit and in fact. Divulging information about our clients is not only considered a gross violation of our company policy, and will lead to corrective action, up to and including termination, it is also a violation of the HIPAA law and may result in civil and criminal penalties.

The receipt of the Employee Handbook and its review of confidentiality will represent the confidentiality agreement as a condition of employment with TLC Nursing.

K. Telephone Use

TLC Nursing has telephone service for the express purpose of conducting official company business. Personal calls should be minimized to emergencies only during business hours. Local personal calls are permitted during meal or other break times if it does not interfere with normal business operations.

All employees must be reachable by telephone at all times during scheduled work hours. TLC Nursing highly recommends employees carry a cell phone and special rates are available for TLC employees. Employees are required to use a hands free device when using a cell phone in a company vehicle or while on TLC business, or must stop driving while talking on the phone. Questions regarding telephone use and availability should be directed to your supervisor.

L. Employee Feedback / Evaluations

All employees are expected to carry out the performance of their duties in a professional, respectful, and competent manner. Working with your supervisor and knowing what is expected are the best ways of avoiding conflict and performance problems. Employee job performance is evaluated after 90 days of employment, then on a continuing basis, with a more formal evaluation process taking place at least annually.
The primary reason for evaluations is to keep employees informed of their achievements, to offer guidance for defining and reaching performance goals, to reinforce good work habits, to acknowledge individual contributions, and to develop new goals. Evaluations also serve as an opportunity to update your job description in reference to your current duties. Poor performance or behavior that does not live up to the expectations of TLC Nursing will be addressed and documented on an ongoing basis as appropriate.

M. Electronic Communication System

All computer, electronic and telephonic documents and communications transmitted by, received from or stored in office equipment are the property of TLC Nursing. Employees are to use computers, software and other business equipment, including fax machines, copy machines, telephones and other electronic equipment owned by TLC Nursing for their job-related needs. Limited personal use is permissible so long as it does not interfere with job duties. Employees shall not disguise their identity when creating or transmitting messages or material on our computers or equipment and are not to transmit material in violation of any company policy, law or regulation.

Employees are to use caution and take all reasonable care to protect the company’s computer equipment from viruses, damage or theft, including using anti-virus software. From time-to-time audits may be conducted of all software on computers in the workplace to identify any potential virus or security threats or unlicensed, illegal, or unauthorized software copies.

An employee's computer file and electronic and telephonic communications are not private. Employees have no right to privacy in their use of TLC’s equipment. We reserve the right to randomly inspect or monitor employees’ use of the equipment at any time to determine that the use is authorized for business purposes.

Employees must have access to a computer with internet access and must log in to the eRSP weekly to check their schedules.

Employees will maintain the confidentiality of all electronic client records and by signing acceptance of the employee manual agree to this policy.
N. CLIENTS BILL OF RIGHTS

_The Client has the right to..._

1. Know his/her rights.
2. Choose the agency that will provide his/her care.
3. Receive competent care without regard to race, creed, color, age, sex, or national origin.
4. A personal and written care plan and participation in decisions affecting his/her care.
5. Be treated with respect, consideration and kindness.
6. Be served by dependable and responsible caregivers.
7. Confidentiality regarding all medical and financial and personal information.
8. Not be abused physically, verbally, emotionally or sexually by caregivers.
9. Request replacement of employees when necessary.
10. Contact the agency twenty-four hours a day, seven days a week.
11. Receive services as contracted and an explanation of all charges for service.
12. Voice complaints, have them reviewed and, if possible, resolved without interruption in service.
13. Referral to other health care providers if service is denied based upon ability to pay.
14. To refuse any treatment or service.
15. To privacy, modesty and security.
16. To have his/her property respected.
O. Workplace Abuse and Neglect and Exploitation Policy

This agency recognizes the client’s right to privacy and independence. However, in those instances when the caregiver has a reasonable cause to suspect the client is a victim of physical, financial, psychological or emotional abuse, abandonment, neglect or self-neglect, the matter must be reported immediately, as required by Vermont Statue § 6903. This agency will comply with the law regarding reporting such matters.

This agency will respond to the caregiver’s report of the above stated abuses, and with the elder’s consent, will intervene when necessary to protect the health, safety and legal rights of an older person. This agency works with community agencies and legal authorities to assure that these complex and sensitive situations are handled with care and compassion.

PROCEDURE:

1. Any employee of this agency, who has reasonable cause, must report suspicion of abuse.
2. No person required to report elder abuse will bear criminal liability for reporting suspected abuse.
3. No person will bear liability for reporting suspected abuse, unless the person knows the report is false.
4. When two or more persons are required to report a case, they may reach an agreement to have one of them make the report. The duty to report is individual.
5. No supervisor or administrator may impede or prohibit reporting.
6. The identities of those filing reports are confidential.
7. The employee reports suspicion orally or in writing to the nursing supervisor.
8. The report will include name and address of client, name and address of person or facility responsible for the care of the client, the nature and extent of the client’s condition, and any other relevant information.
9. The nursing supervisor will complete an abuse and/or neglect evaluation.

If the nursing supervisor agrees there is a suspicion of abuse, he/she will contact the proper community agency or legal authority.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor. If appropriate, threats of violence will be reported directly to law enforcement. When reporting a threat of violence, you should be as
specific and detailed as possible. TLC Nursing will promptly and thoroughly investigate all reports of threats of (or actual) violence and take action as appropriate.

TLC Nursing follows all incidents of Abuse, Neglect or Exploitation and reviews them in our Quality Assurance program.

**P. Drugs and Alcohol**

Employees may not be under the influence of, or use any alcohol, intoxicant, or narcotic on the way to work or while performing duties for TLC Nursing. Any employee under the influence or whose presence on the job creates a risk to the safety and well-being of themselves, other employees, patients and customers, or property will be suspended from the workplace immediately. This policy does not prohibit the proper use of medication under the direction of a physician; however, misuse of such medications is prohibited. Any employee who violates this policy is subject to discipline, up to and including termination.

TLC Nursing may conduct searches for illegal drugs or alcohol within company facilities or worksites as well as personal property within the workplace without prior notice to employees. Personal property may include, but is not limited to, purses, boxes, briefcases, as well as any TLC Nursing Associates LLC property that is provided for employees' personal use, such as desks, lockers, and files. Such searches may be conducted at any time. Employees are required to cooperate fully with any such searches.

**Q. Smoking**

Vermont law requires employers to provide a safe and healthy working environment for all employees regarding smoking. In keeping with this agency’s leadership role in the health care community, and the growing body of evidence that indicates smoking and exposure to second hand smoke is hazardous to smokers and non-smokers, we strongly urge our employees not to smoke.

Smoking is not permitted in, on or around TLC premises, including the parking lot. Smoking or using any other tobacco products is not permitted in any client’s home. Smoking is limited to regular breaks, and to an area at least 15 feet from the client’s home. While performing duties staffing an institution, the facility protocol will apply. Should you have a question, complaint or dispute about smoking in the workplace, please contact your supervisor.

**R. Workplace Solicitation**

TLC Nursing prohibits solicitations and distributing literature of any kind in the workplace. Employees may not solicit on TLC property, client homes, client facilities, or use company facilities, such as e-mail, voicemail or bulletin boards for solicitation. This policy includes but is not limited to collecting funds, requesting contributions, selling merchandise, gathering employee signatures and promoting membership in clubs or organizations.
S. Safety

All employees are required to maintain safe work practices and observe all OSHA safety requirements and regulations. TLC Nursing is committed to maintaining a safe and healthy environment for all employees. Report all accidents, injuries, potential safety hazards, safety suggestions and health and safety related issues immediately to your supervisor.

All employees should refer to the Client’s plan of care for appropriate techniques for lifting and transfers. In order to avoid injury, TLC requires that caregivers not lift, push or pull more than 50 pounds. Assure appropriate orientation to use of medical equipment, supplies, oxygen, drugs and to the location of MSDS (material safety data sheets) in the facility. It is the employee’s responsibility to obtain all appropriate safety information from the facility.

If you or another employee is injured, contact your supervisor or manager immediately. Seek help from outside emergency response agencies as necessary. All workplace injuries must be reported, regardless of whether medical attention is necessary. The appropriate forms can be obtained from your supervisor.

TLC Nursing follows all safety incidents and reviews improvements in our Quality Assurance Program.

FIRE SAFETY:

Employees will receive orientation from each facility to their fire safety program/plan, and will follow their procedures. The safety of the client as well as TLC employees is the highest priority. In the event of a fire at a client’s home, immediately evacuate the client and call 911 for assistance. Do not attempt to extinguish the fire yourself (unless it is extremely small and easily controllable) and do not attempt to re-enter the home until Fire Department personnel have determined that it is safe to do so.

T. Emergency Situations

Employees may face an emergency situation while caring for a client. An emergency may also arise while staffing for a care provider or the hospital. A staffing employee must familiarize oneself with the particular institution’s emergency policies and procedures. The care plan developed by an agency staff member for a client has specific written instructions regarding the client’s wishes for resuscitation which we call Code Status. These are the Advanced Directives of the individual. Employees must follow the written instructions, not verbal instructions of family members.
U. Emergency Preparedness plan:

In order to ensure that our client’s needs are met in the event of inclement weather, natural or man-made disaster, TLC Nursing has developed an emergency preparedness plan. Although TLC is clearly not an emergency service for the care recipients, every possible effort will be made to secure the safety of our caregivers and our care recipients. It is essential that TLC staff make provisions to ensure that their families are cared for (i.e., child care) in the event that the employee is required to remain with a client for an extended period of time, until relieved by an appropriate staff member.

V. Bad Weather

TLC Nursing realizes that bad weather or hazardous commuting conditions may occasionally make it difficult or impossible for employees to report to work on time. Employees must notify their supervisor as soon as possible if poor weather conditions will cause a delay in reporting to work on time.

However, all employees are expected to make a diligent effort to report to work when conditions have improved. If you determine that you are unable to report to work because of the conditions, inform your supervisor as soon as possible.

W. Conflict of Interest

TLC Nursing expects our employees to conduct business according to the highest ethical standards of conduct. Employees are expected to devote their best efforts to the interests of TLC Nursing. Business dealings that appear to create a conflict between the interests of TLC Nursing and an employee are unacceptable. TLC Nursing recognizes the right of employees to engage in activities outside of their employment which are of a private nature and unrelated to our business. However, the employee must disclose any possible conflicts so that TLC Nursing may assess and prevent potential conflicts of interest from arising. A potential or actual conflict of interest occurs whenever an employee is in a position to influence a decision that may result in a personal gain for the employee or an immediate family member (i.e., spouse or significant other, children, parents, siblings) as a result of TLC Nursing’s business dealings.

If an employee has any question whether an action or proposed course of conduct would create a conflict of interest, he or she should contact the TLC management to obtain advice on the issue. The purpose of this policy is to protect employees from any conflict of interest that might arise.

Employees may be required to sign a separate agreement regarding certain conflicts of interests as a condition of their employment with TLC Nursing. A violation of this policy will result in appropriate corrective action, up to and including immediate termination.
X. Outside Employment

Employees are required to obtain approval from TLC before participating in outside work activities. Approval will be granted unless the activity conflicts with TLC Nursing's interest. In general, outside work activities are not allowed when they:

- Prevent the employee from fully performing work for which he or she is employed at TLC Nursing, including overtime assignments;
- Involve organizations that are doing or seek to do business with TLC Nursing, including actual or potential vendors or customers; or
- Violate provisions of law or TLC Nursing's policies or rules.

From time to time, Company employees may be required to work beyond their normally scheduled hours. Employees must perform this work when requested. In cases of conflict with any outside activity, the employee's obligations to TLC Nursing must be given priority.

Y. Acceptance of Gifts

No employee may solicit or accept gifts of any value, lavish entertainment or other benefits from potential and actual customers, suppliers or competitors. Special care must be taken to avoid even the impression of a conflict of interest. Any questions regarding the appropriateness of any gifts should be directed to your supervisor.

Z. Company Property and Vehicles

All employees are expected to maintain all TLC Nursing equipment and property in a neat and safe manner. Any broken or damaged equipment must be reported as soon as possible so that proper repairs can be made. You may not use any company property for personal purposes or remove any company property from the premises without prior written permission.

The client’s vehicle is not to be driven by any TLC employee without prior authorization from TLC and a signed Release of Liability from the client. Employees are not to transport clients in their personal vehicles without prior authorization from TLC. All employees wishing to do so are required to have a vehicle with current Vermont State inspection, registration, and insurance as required by law. The vehicle must be in good working order and must be approved by TLC. The employee must also provide TLC with a current copy of their DMV record. Reimbursement for mileage will be provided in accordance with the reimbursement policy set forth below.
NURSING POLICIES

TLC Nursing believes that its employees should follow the Standard of care for nursing skills. The latest Lippencott Manual for Nursing displays these basic skills. If the facility has additional nursing skill procedures, the nurse employee will be responsible for obtaining them during orientation to the facility. All employees will adhere to the facilities policies and procedures. The employee’s signature of receipt of the employee manual states acceptance of this policy.

Infection Control and Health Screenings

INFECTION CONTROL GUIDELINES

The following guidelines provide uniform instructions for all home care staff and family members to prevent the transmission of infection when working with all clients.

Guidelines:

1. Assume that all blood and body fluids from all patients are potential infections.

2. Hands MUST be washed before and after contact with each patient, and before preparing food. Hands should be washed under a steady stream of warm water with soap or antibacterial fluid for at least one minute. Dry hands completely.

3. GLOVES must be worn when coming in contact with blood or body fluids. These fluids include but are not limited to:
   * feces  * vomitus  * urine  * oral secretions
   * respiratory secretions  * secretions from open wounds

4. When gloves are removed, hands should be thoroughly washed again. Gloves do not take the place of hand washing. Remove gloves by grasping the top and peeling them off, folding the fingers into the glove and turning the glove inside out. Discard the gloves. Never reuse gloves.

5. Bed linens, towels, and clothing soiled with urine, stool, or any body fluid should be placed in a plastic bag and tied shut until ready to be laundered. Wash all soiled items in hot, soapy water. Dry on high heat.

6. Dispose of urine, stool, and vomitus by flushing in toilet.
7. Clean bedpan or commode bucket and rinse with a 1:10 bleach solution. (Mix 1/4 cup bleach and 2 1/4 cups water.) Use a fresh solution daily.

8. Dispose of gloves and incontinent padding in a sealed plastic bag. Place this bag inside household trash bag.

9. Wash all eating utensils in hot soapy water.

10. Needles, syringes, and sharps are not to be recapped, bent, broken or clipped. Place intact into a puncture resistant container. A coffee can with a hard plastic lid may be used. Tape lid securely in place when ready for disposal with household trash.

Health screening:

1. All TLC Nursing employees must be screened for Tuberculosis exposure prior to work. A PPD test will be administered and if a positive result is obtained, a Chest x-ray will be performed at the employee’s expense to assure a negative result before working.

2. Hepatitis B vaccinations are available to reduce the risk of contracting Hepatitis B if exposed.

Employees’ signature of receipt of employee handbook verifies acceptance of infection control policy. It is the employees’ responsibility to obtain the infection control policy of the facility of supplemental staffing.
Compensation

A. Compensation & Overtime

All employees receive compensation based on their past experience, attitude, education, ability, skill level and the operational needs of the company. Compensation is reviewed on a regular basis and may be adjusted based on performance or external market factors.

In compliance with Federal and State laws, “home care workers” (caregivers) are exempt from overtime pay. TLC caregivers assigned to work in facilities, i.e., nursing homes, will be paid overtime at the rate of one and one-half times their regular rate for hours actually worked in excess of 40 in a work week. Paid time off does not count as hours worked for the purpose of overtime. Caregivers assigned to “live-in” cases where the employee is allowed to have down time and sleep 8 hours are paid a flat-rate per day, rather than hourly, and do not receive overtime pay. Questions about pay rates and overtime should be directed to your supervisor.

Any and all requests for additional services or time spent with a particular client which result in overtime must be approved in advance by your supervisor.

Holiday Pay

Because of the nature of the industry and the needs of our clients, employees may be required to work on a holiday depending on the operational needs of the company. HomeCare Staff and Healthcare Staffers will be compensated at “time and a half” the pay rate for assignments worked on the following holidays:

- New Year’s Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day
- Christmas Eve & Christmas Day

Payroll

Employees receive their pay on a bi-weekly basis. Each workweek begins on 12:00 am Sunday and continues through 11:59 pm on Saturday. Direct deposit is available at the employee’s option. Employees should always review their paycheck statement for accuracy. Mandatory deductions, such as federal, state and local income taxes and contributions to Social Security and Medicare will be itemized on the payroll check stub. Employees should notify the office if it is believed that an error has occurred with their pay so that corrective action can be taken.

Employees will be advised of any other mandatory deductions from their paycheck, such as court-ordered attachments, whenever TLC Nursing is ordered to make such deductions. Employees are responsible for reporting entitled deductions accurately.
**Time Worked**

All non-exempt employees are required to record their time worked in accordance with established procedures. Failure to report time worked on a timely basis may result in a delay in receiving pay checks.

**Expense Reimbursement**

TLC Nursing will reimburse employees for expenses incurred on behalf of the company. Such expenses include, but are not limited to car allowance or mileage for travel, excluding normal commute to and from work, lodging, meals, and phone calls when out of town on business, and the purchase of necessary supplies and equipment. Employees must provide appropriate receipts or explanation for each expenditure, which must be approved by Management. Whenever possible, all expenses must be approved in advance. Expenses will be reimbursed on the next regular payday following submission.

**Report for Duty Pay**

When an employee reports for an assignment and is unable to work through no fault of their own, they should call the scheduling coordinator or the office manager immediately. If the scheduling coordinator or the office manager is unable to rectify the situation and there is no work available, upon the approval of the manager the employee may leave the assignment and will receive two hours of pay at the employee’s regular rate.

**Employee Referral Bonus**

To encourage and reward employees who refer qualified candidates for caregiver positions, TLC Nursing sponsors an employee referral incentive program. When a current active employee refers an individual to this agency for employment, and that person is hired, the referring employee will receive a bonus of $50.00 when the new employee receives his or her first paycheck. When the referred employee has worked 120 hours, the referring employee will receive an additional $75.00 bonus. The current employee must notify the office that they are referring a new applicant, and the applicant must indicate the employee’s name on the application.

**Client Referral Bonus**

Employees who refer a client to TLC will receive a bonus of $100, provided the client stays with TLC for 30 days. The bonus will be paid on the first regular payday following the 30 days.
Benefits

B. Vacation, Sick & Personal Time Off

Unless otherwise agreed to by management, TLC Nursing does not have a formal time off policy for vacation, sick or personal days. Each employee is expected to manage their own work time and days off in order to ensure that necessary work is completed in a timely and professional manner. TLC Nursing encourages all staff to take reasonable time off from work in order to “stay sharp.” All time off from an employee’s established schedule must be requested at least two weeks in advance, except in the case of an emergency.

Management may approve or deny requests for time off or request other arrangements based on the operational needs of the business.

C. Family Medical Leave Act (FMLA)

The Family and Medical Leave Act provide employees up to 12 weeks of excused absence from their jobs every year. It was enacted to aid employees in balancing work and personal obligations, without having to choose between the two in times of crisis.

Employees qualify for FMLA leave when either they or a family member suffer from a “serious health condition.” The condition must either prevent the worker from performing his or her job, or require the worker to care for a family member. Employees can use FMLA for:

1. Birth, prenatal complications, or the adoption/fostering of a child
2. Chronic conditions -- diabetes, epilepsy, etc
3. Long-term conditions -- Alzheimer’s disease, cancer, etc
4. Hospitalization
5. A condition that requires ongoing treatment -- chemotherapy, dialysis, etc

The FMLA has many restrictions. Employees must have worked at their company for more than 12 months. They also must have worked at least 1,250 hours during the previous year.

Smaller employers are not required to provide FMLA leave to their employees. If a company employs fewer than 50 people within 75 miles of the employee’s worksite, the employee does not qualify for FMLA leave. This regulation was enacted to accommodate employers -- small companies would find it more difficult to send a replacement far away if a needed employee were to take leave.

The leave that FMLA regulations guarantee is unpaid.
There are three different kinds of FMLA leave:

1. **Continuous FMLA leave:** An employee is absent for more than three consecutive business days and has been treated by a doctor.

2. **Intermittent FMLA leave:** An employee is taking time off in separate blocks due to a serious health condition that qualifies for FMLA. Intermittent leave can be in hourly, daily, or weekly increments. **Intermittent FMLA** is often taken when an employee needs ongoing treatment for their condition.

3. **Reduced schedule FMLA leave:** An employee needs to reduce the amount of hours they work per day or per week, often to care for a family member or to reduce stress.

When they return from leave, FMLA guidelines require that companies return employees to their former position, assuming they are able to perform the essential functions of that position. If the employee is no longer able to perform his or her previous job, an alternative position with the same benefits, salary, and work hours must be provided to the disabled employee.

FMLA law states that it is the employer’s responsibility to provide the necessary FMLA paperwork to its employees if they express the need for leave. FMLA guidelines outline the forms legally needed to take FMLA leave, and most employers add their own additional paperwork or notification policies.

Employees must fill out two forms when they request family medical leave:

1. **The FMLA Medical Certification Form:** The employee’s healthcare provider must complete a certification form in order to ensure the validity of the employee’s, or the employee’s immediate family members, serious health condition. The employee must return the certification within 15 calendar days of receiving the form.

2. **The FMLA Notification Form:** An employer must provide this form to the employee within two days of a leave request.

New FMLA forms are required for each new condition and FMLA leave. All FMLA forms and information about an employee’s FMLA leave and condition must be kept confidential and separate from other employee files. It is an FMLA violation for an employer to share information about an employee’s FMLA leave with other employees.

Contact your supervisor for additional information.
D. Military Leave

Employees are entitled to a leave of absence in order to perform their service requirements as a member of the Reserve or National Guard military forces or are called or volunteer for active military duty. Employees must submit copies of their military orders to their supervisor in order to qualify for military leave. Employees retain re-employment rights following completion of the military duty or training, according to applicable state and federal law.

E. Unpaid Leave of Absence

Employees may be granted an unpaid leave of absence at the discretion of management if all other accrued time off or other applicable leave benefits have been exhausted. During such an unpaid leave, employees will not be eligible for benefits, except as is required by law. A written request must be submitted for all unpaid leaves. Following the leave, reinstatement of employment and benefits is not guaranteed, except as may be required by law.

F. Jury & Witness Duty

Employees shall be granted leave in order to serve as a juror or witness in a court proceeding. Employees must provide a copy of the summons for jury or witness duty to their supervisor prior to requesting the leave. In some instances, employees may be requested to attempt to postpone or be released from such service based on the operational needs of TLC Nursing.

G. Continuing Education

All employees are expected to attend continuing education classes on a regular basis. Employees will be paid for agency sponsored or approved continuing education classes or in-service training as required by law. Employees are encouraged to bring training needs to the attention of Mohamed Basha.

H. Professional Liability Insurance

TLC Nursing maintains insurance coverage for all employees for errors and omissions incurred while performing their duties. However, employees are encouraged to maintain personal errors and omissions insurance. Questions regarding such insurance coverage and the costs associated should be directed to Mohamed Basha.
Termination of Employment

I. Resignation

TLC Nursing understands that it may become necessary for you to leave your employment. Employees are requested to provide at least two weeks notice of their last day of employment. Employees who voluntarily resign shall receive their final paycheck on the next regularly scheduled payday.

Involuntary Termination

Employees whose employment is terminated involuntarily will be notified as soon as possible. The employee will be paid for all other wages earned to date no later than 72 hours following such termination.

References for Future Employment

TLC Nursing will respond to reference requests on former employees by confirming dates of employment and position held unless specific approval is received from Mohamed Basha to release more information.
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Employee Handbook Acknowledgement
Employee Handbook Acknowledgment

I have received a copy of the TLC Nursing Employee Handbook. I have read it and understand the policies contained in it. I have had an opportunity to ask questions about and discuss the policies with my supervisor or Mohamed Basha.

I understand that this revised Employee Handbook is not a contract of employment, express or implied, between TLC Nursing and me and that I should NOT view it in any manner to be a contract of employment.

I understand that this employee handbook takes precedence over, supersedes and revokes all previous versions of a handbook or employment policies. I also understand and agree that TLC Nursing reserves the right to change or alter the policies at any time.

I also understand and agree that my employment is “at-will” for no definite period and that either I or TLC Nursing, regardless of the time and manner of payment of my wages or salary, can terminate the employment relationship for any lawful reason, with or without cause, and with or without any previous notice.

It is my understanding that only Mohamed Basha has the authority to enter into an agreement with me for employment for any specified period of time or to make any agreement contrary to the foregoing.

Print Name: __________________________