



**AGENDA**  
**COMMUNITY HEALTH SERVICES BOARD**  
**CCMC Business Office Conference Room**  
**December 3, 2015 at 7:00pm**  
**SPECIAL MEETING**

AT CCMC, WE BELIEVE THAT HEALTHY PEOPLE CREATE A HEALTHY COMMUNITY.

**President**

Kristin Carpenter  
term expires 4/16

**Vice-President**

Tim Joyce  
term expires 03/17

**Secretary**

David Reggiani  
term expires 03/16

**Board Members**

James Burton  
term expires 03/16

Tom Bailer  
term expires 03/17

Joshua Hallquist  
term expires 03/18

Robert Beedle  
term expires 03/18

**CEO/Administrator**

Stephen Sundby

**A. OPENING**

1. Call to Order
2. Roll Call – Kristin Carpenter, David Reggiani, Tim Joyce, James Burton, Tom Bailer, Robert Beedle and Josh Hallquist.
3. Establishment of a Quorum

**B. APPROVAL OF AGENDA**

**C. CONFLICT OF INTEREST**

**D. COMMUNICATIONS BY AND PETITIONS FROM VISITORS**

1. Guest Speaker
2. Audience Comments (limited to 3 minutes per speaker). Speaker must give name and agenda item to which they are addressing.

**E. APPROVAL OF CONSENT CALENDAR**

**F. APPROVAL OF MINUTES**

1. Minutes from the November 18, 2015 Special Meeting

**G. REPORTS AND CORRESPONDENCE**

1. President's Report -
2. Administrator's Report -
3. Finance Report -
4. Medical Director's Report -

**H. ACTION ITEMS**

**I. DISCUSSION ITEMS**

1. Review of statement made about potential revenue sources and management of CCMC patient resources.
2. Review of CCMC Health Service Board Member Confidentiality statement.
3. CCMC Personnel Termination Process and Employee Policy, with attorney and QHR guidance.

**J. AUDIENCE PARTICIPATION (limited to 3 minutes per speaker)**

Members of the public are given the opportunity to comment on matters which are within the subject matter jurisdiction of the Board and are appropriate for discussion in an open session.

**K. BOARD MEMBERS COMMENTS**

**L. EXECUTIVE SESSION**

1. If needed to discuss I. Discussion Item (1.)

**M. ADJOURNMENT**

\*Executive Session: Subjects that may be considered in executive session are: 1) Matters, immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity; 2) Subjects that tend to prejudice the reputation and character of any person, provided that the person may request a public discussion; 3) Matters which by law, municipal charter, or ordinance are required to be confidential; 4) Matters involving consideration of governmental records that by law are not subject to public disclosure; 5) Direction to an attorney or labor negotiator regarding the handling of specific legal matters or labor negotiations.

**Minutes**  
**Community Health Services Board**  
**Cordova Center – Community Rooms A & B**  
**November 18, 2015 at 5:15pm**  
**Special Meeting**

**I. CALL TO ORDER AND ROLL CALL –**

**Kristin Carpenter** called the HSB special meeting to order at 5:15 pm. Board members present: **Kristin Carpenter, Tim Joyce** (telephonically), **David Reggiani, Tom Bailer, Josh Hallquist and Robert Beedle** (telephonically).

A quorum was established.

CCMC staff present: Stephen Sundby, CEO; Tiffany Varnadoe, CFO; Darlene Robertson, Interim Director of Nursing; Randy Apodaca, Rehab Director; Kevin Byrd, Radiology Tech; Kris Johnston, DD Program Manager and Sandra Aspen, RN, PhD.

**II. APPROVAL OF AGENDA**

**M/ Reggiani S/ Hallquist** “move to approve the agenda.”

Vote on motion: 6 yeas, 0 nays, 1 absent. Burton-absent; Carpenter-yes; Reggiani-yes; Joyce-yes; Bailer-yes; Beedle-yes and Hallquist-yes. Motion was approved.

**III. CONFLICT OF INTEREST ~ None**

**IV. COMMUNICATIONS BY AND PETITIONS FROM VISITORS**

- **Guest Speakers ~ None**
- **Audience Comments ~ None**

**V. APPROVAL OF CONSENT CALENDAR**

**M/ Bailer S/ Hallquist** “move to approve the consent calendar.”

QView – November 2015, November 2015 Quorum Board Minutes, EH 008, EH 007, EH 005, EH 004, EH 003, EH 002, EH 001, HR 107, HR 108, HR 201, HR 202, HR 203, HR 204.

Vote on motion: 6 yeas, 0 nays, 1 absent. Burton-absent; Carpenter-yes; Reggiani-yes; Joyce-yes; Bailer-yes; Beedle-yes and Hallquist-yes. Motion was approved.

**VI. REPORTS AND CORRESPONDENCE**

**President’s Report ~ Carpenter** reported that she had been in touch with Ron Vigus and that he and a Financial Analyst will be here in Cordova on December 16<sup>th</sup> to look at the internal processes. QHR has also found that we are expected to get almost a million dollars in Meaningful Use money. CCMC will be able to apply for that in January 2016.

**Tiffany Varnadoe** further explained to the Board that there is an application process, and the turnaround time for receiving the meaningful use money is about 60 days. I want you to know that there is also an application process through the State of Alaska, it is not as much money but that’s ok.

**Administrator’s Report ~ Stephen Sundby** reported that the State Surveyors are currently here for their re-visit and they have been very complimentary. The IJ’s will be abated, and we have received rave reviews on the Sterilization. The one thing that we can’t have done by the morning is the Infection Control Plan.

**Finance Report ~ Tiffany Varnadoe** stated that we didn’t have the \$15-\$20,000 that we would have to spend to do a full charge review, in lieu of that I am asking that we do a 5% rate increase, this would also increase the walk-in rate. We are approximately 40% below everyone else.

**Medical Director's Report** ~ Dr. Blackadar stated that the next annual report will be departmentalized, each department within the facility will be providing stats. Right now we are averaging approximately two ER visits per day. Once we have the CT scanner in place that will help to keep a lot of patients here. Dr. Blackadar also expressed his concerns regarding nursing right now, we are down to just a couple of full time Nurse's and some travelers.

**VII. ACTION ITEMS**

**1. Update the CCMC check signers**

**M/ Bailer S/ Hallquist** "move to approve a resolution of the Cordova Community Health Services Board of the Cordova Community Medical Center designating the representatives authorized for signing checks, non-check payroll tax payment, and cash transfers for Cordova Community Medical Center."

Vote on motion: 6 yeas, 0 nays, 1 absent. Burton-absent; Carpenter-yes; Reggiani-yes; Joyce-yes; Bailer-yes; Beedle-yes and Hallquist-yes. Motion was approved.

**2. Re-credentialing and Privileging of Curt Bejes, MD**

**M/ Bailer S/ Hallquist** "move to approve the recredentialing and privileging of Curt Bejes, MD."

Vote on motion: 6 yeas, 0 nays, 1 absent. Burton-absent; Carpenter-yes; Reggiani-yes; Joyce-yes; Bailer-yes; Beedle-yes and Hallquist-yes. Motion was approved.

**VIII. DISCUSSION ITEMS**

**1. QHR search for a CCMC Administrator: Developing a candidate profile**

Board members Hallquist and Reggiani stated that they will take a look and provide some input. This item will be on the next HSB meeting for discussion.

**IX. AUDIENCE PARTICIPATION**

**Rebecca Carnell** read a letter protesting her termination. Upon receiving a copy of that letter it was placed into permanent record.

**Vicki Blackler** expressed concern regarding the amount of staff turnover and would like to see the board look into that.

**Danny Foss** stated that he is Rebecca Carnell's partner and they are here, they love Cordova and they want to enjoy everything Cordova has to offer. Please reconsider her termination.

**X. BOARD MEMBERS COMMENTS**

**Joyce** - wanted to thank staff for their hard work and Dr Blackadar for the information in his report.

**Reggiani** – No comment

**Bailer** – No comment

**Beedle** – No comment

**Hallquist** – No comment

**Carpenter** – No comment

**XI. Executive Session**

**M/ Bailer S/ Hallquist** "I move to go into Executive Session regarding matters, immediate knowledge of which would clearly have an adverse effect upon the finances of the public entity".

**At 6:40pm**

**XII. ADJOURNMENT –**

**M/ Bailer S/ Hallquist** "I Move to adjourn the meeting."

**Carpenter** declared the meeting adjourned at 6:45pm.

1. CCMC is one of the few hospitals in the state of Alaska that is not Trauma designated. With this designation, CCMC would qualify for \$100,000.00 grant every year from the state.
2. Emergency Nurses Association would provide a \$500.00 grant every year towards nursing emergency training.
3. Pyxis machine is something that allows nurses to withdraw medications one by one and has many security features tracking medications with detailed reporting. These machines can vary in cost but as I was researching them for the hospital, the approximate cost was 20 to 30 thousand dollars. It was reported to me that we are losing 35 to 50 thousand dollars every month in medications and this pyxis machine would pay for itself in one month and prevent the loss of the medications CCMC is not charging for and losing.
4. CCMC is not capturing the majority of the charges for services. The nurses do not chart what equipment has been used, what supplies they are using, services rendered, medications being administered.
5. Swing (rehabilitation) beds bring in a lot of money. CCMC has had to turn away multiple “easy” patients over wound care that the nursing staff should be trained to handle. There has been no interest in training the nurses to allow more swing bed patients into the facility.
6. All CCMC employees are using written time sheets to record their work hours. Many of these employees inflate their times in excess of 45+ hours of overtime every 2 weeks. In mid-October, a time clock was installed on the wall but still not working. This would also greatly reduce the number of hours paid to hourly employees if in place and monitored correctly. It has been said that there is no programming to allow for that time clock to work.
7. All ortho equipment (for sprains for feet, ankles, knees, etc.) is given away for free to patients on a regular basis. This equipment is very expensive – a typical full length knee brace costs the hospital \$750.00 each. It was stated we do not have a DME (durable medical equipment) license to charge for these items.

## CCMC CONFIDENTIALITY AND CONFLICT OF INTEREST DISCLOSURE FORM

1. Indicate your relationship to CCMC:

- I am a CCMC employee
- I am a Health Services Board Member
- I am a Sound Alternatives Advisory Board Member
- I am a Cordova City Council or Council Committee Member
- I am an Affected Person as defined in the Conflict of Interest Policy
- Other

2. I acknowledge and agree to abide by CCMC's Confidentiality Policy which requires me to:

- a. Maintain the strict confidentiality of CCMC's non-public information including, but not limited to protected health information, employee information, business or propriety information, and any other type of confidential information that I am not authorized to release or disclose.
- b. Not pursue for personal gain any opportunities that arise from my knowledge of confidential or proprietary information acquired by virtue of my relationship to CCMC.

Yes  No

3. I further acknowledge and agree to abide by CCMC's Conflict of Interest Policy which requires me to:

- a. Disclose the existence and nature of any financial interest that may give rise to an actual, perceived, or potential conflict of interest to my supervisor or appropriate CCMC resource.
- b. Put CCMC's interests before a personal interest in any business or corporate opportunity of which I learn in my role with CCMC.
- c. Abstain from participating an absent myself from any board, committee, or other meeting which discusses or votes on matters where I have an actual, perceived, or potential conflict of interest.
- d. Not accept any favor, payment in cash of any kind, gifts, or other items or service of value from any third party in exchange for influencing the actions of CCMC.
- e. Supplement this disclosure and inform your supervisor or appropriate CCMC resource promptly in the event that a conflict of interest that has not yet been disclosed arises.

Yes  No

4. Disclosure of interests.

- a. Financial Interests. List and describe any financial interest that you or an immediate family member has, including ownership in vendors or consultants to CCMC, or in a business that competes with CCMC. Write "None" if you have no financial interests to disclose.

- b. **Contracts.** List any contracts or other written or verbal agreement that you may have with CCMC. Write “None” if you have no contracts to disclose.
  
- c. **Gifts and Favors.** List any gifts or favors received in your capacity as an interested or affected person at CCMC. Examples include non-business meals, travel, tickets to events, or discounts. Write “None” if you have no gifts or favors to disclose.
  
- d. **Other Potential Conflicts.** List and describe any other situations including board membership, employment, business or professional activity that may conflict with your duties and responsibilities for CCMC. Write “None” if you have no potential conflicts to disclose.

5. I have disclosed all actual, perceived, or potential conflicts of interest to my immediate supervisor and or appropriate CCMC resource as identified in the CCMC Conflict of Interest Policy.

**Affirmation:** I affirm that the responses provided in this conflict of interest disclosure form are true and accurate to the best of my knowledge, and that this disclosure was personally completed by me.

|              |           |      |
|--------------|-----------|------|
| Printed Name | Signature | Date |
| Witness      |           | Date |

Section 3-9. - City-Owned Healthcare Facilities.

The city-owned hospital and all other city-owned healthcare facilities shall constitute, or be a part of, an administrative department unless the Council determines otherwise via ordinance.

(Added by Resolution 87-43, 1987 and amended by Resolution 5-95-56, approved by the voters on July 19, 1995).

(Res. No. 5-15-27, 5-20-2015)

**Editor's note**— Res. No. 5-15-27, adopted May 20, 2015, amended the title of § 3-9 to read as set out herein. Previously § 3-9 was titled Hospital.

## Title 15 - CITY OWNED MEDICAL FACILITIES

### Sections:

#### 15.10.005 - Definitions.

As used in this chapter:

"Administrator" means a city employee appointed by the city to administer the CCMC, a contract administrator or, where the context requires, the employee that the contract administrator designates as administrator of the CCMC.

"Board" means the Community Health Services Board.

"CCMC" means the Cordova Community Medical Center, which consists of an acute care hospital, long term care facility and clinic, and all other health care facilities owned and/or operated by the city.

"Contract administrator" means an entity with whom the city contracts to administer and/or manage the CCMC.

(Ord. No. 1106, § 1, 2-20-2013)

#### 15.20.010 - Community health services board.

- A. There shall be a board known as the community health services board which shall be composed of all the members of the city council. No employee of the CCMC or the administrator shall be eligible to serve on the board.
- B. A subcommittee of the board comprised of three board members shall be appointed by a majority of the board to provide guidance to the mental health and alcohol programs and develop and present the mental health and alcohol budget to the board.
- C. General Powers. Subject to state and municipal law, the board shall be responsible for the operations of CCMC and shall prescribe the terms under which patients shall be admitted to CCMC. Standards of operation shall be established and enforced, to the extent possible, by the board. The powers of the board may be delegated to a contract administrator with approval by a majority of the board.
- D. Organization. The board shall elect annually from its members a president, a vice-president and secretary and such other officers as it deems necessary. The board shall establish such committees and shall assign such duties and responsibilities to the committees as it deems necessary.
- E. Removal. A member of the board shall be removed upon removal of that member from the council.
- F. Meetings. The board shall meet quarterly in concurrence with the first council meeting in January, April, July, and October at a time and place to be designated by the board, and notice of and agenda of all meetings shall be posted at a public location in the CCMC, and at the city hall. Any two members of the board may schedule a meeting at any time when they determine such a meeting is necessary. All meetings of the board shall be open to the public; except that the board may meet in executive session, pursuant to notice, to discuss:
  1. Matters the immediate knowledge of which would clearly have an adverse effect upon the finance of the government unit;
  2. Subjects that tend to prejudice the reputation and character of any person; provided, that the person may attend the discussion and request a public discussion;
  3. Matters which, by law, municipal charter or ordinance, are required to be confidential;
  4. Matters involving consideration of governmental records that by law are not subject to disclosure;



5. Direction to an attorney or labor negotiator regarding the handling of a specific legal matter or pending labor negotiations.
- G. Reports. The board shall, on or before sixty days prior to the end of the fiscal year, submit a detailed and itemized estimate of revenues and a detailed and itemized budget for the next fiscal year to the city council.
- H. Membership in Association. The board may maintain membership in any local, state, or national group or association organized and operated for the promotion of the public health and welfare or the advancement of the efficiency of medical center and community health facilities administration and in connection therewith, pay dues and fees thereto.

(Ord. No. 1106, § 1, 2-20-2013)

15.30.020 - Administration.

- A. All personnel necessary to operate the CCMC, except for employees of a contract administrator, shall be subject to personnel, pay, and classification plans for CCMC employees. No personnel, pay, or classification plan is effective unless and until it is approved by the board. All contracts for nonmedical services which obligate the CCMC in excess of twenty-five thousand dollars, including contracts for professional or consulting services, must be approved in advance by the board.
- B. Administrator. The administrator shall be the chief executive officer of the CCMC.
  1. Appointment and Termination of Administrator. The administrator shall be appointed by the board and may be terminated by the board. In determining whether to appoint or terminate an administrator, the board shall consult with the city attorney.
  2. Duties and Responsibilities of the Administrator. The administrator is responsible for the overall supervision of the affairs of the CCMC. The administrator's authority and duties shall include without limitation, the following:
    - a. To be responsible for carrying out all applicable laws and ordinances and the terms of all grants received by the health services system;
    - b. To be responsible for carrying out policies established by the board or the city council;
    - c. To prepare and submit to the board a detailed and itemized estimate of revenues and a detailed and itemized budget at least ninety days prior to the end of the fiscal year, for the next fiscal year;
    - d. To prepare and submit to the board a plan of organization for the personnel and others concerned with the CCMC;
    - e. To select, employ, control, and discharge all CCMC employees subject to oversight and approval by city manager in accordance with the provisions of any CCMC personnel plans;
    - f. To work with the professional staff and with those concerned with the rendering of professional services to the end that the best possible care may be rendered to all patients;
    - g. To prepare such reports as may be required on any phase of medical center activity;
    - h. To attend all meetings of the board and standing committees established by the board, except where otherwise specified;
    - i. To supervise all purchasing of equipment and supplies in accordance with policy and procedures established and approved by the board and approved by the city council;
    - j. To ensure that CCMC adopts and imposes a record retention policy that fully complies with federal, state, and local laws;
    - k. To perform any other duty that may be necessary in the best interest of the city medical center system.

(Ord. No. 1106, § 1, 2-20-2013)

15.40.030 - Medical staff.

- A. The medical staff shall be defined and governed by medical staff bylaws approved by the board. Any amendments to the medical staff bylaws shall also be approved by the board. There is created a medical staff which shall be composed of physicians, dentists, and podiatrists.
- B. Professional Care. All persons admitted to CCMC shall be under the professional care of a member of the medical staff.
- C. Responsibility. The medical staff shall be responsible to the board for the clinical and scientific work of the medical center, clinic or other community health facilities operated by the city. The medical staff shall be called upon to advise the board regarding professional problems and policies.
- D. Membership. The medical staff shall at all times comply with all federal and state laws of medical practice. In this latter connection, the practice of fee-splitting shall be prohibited and any such division of fees shall be cause for exclusion or expulsion from the staff. Appointment to the medical staff shall be made by the board as provided under the medical staff bylaws.
- E. Contract for Rendering of Professional Services. The board may contract with medical staff for the rendering of professional services at CCMC.
- F. Costs. If any attorney is retained to hear a case, the attorneys fees and costs shall be considered an operating cost of the CCMC.

(Ord. No. 1106, § 1, 2-20-2013)

15.50.040 - Allied health professionals.

Allied health professionals, as defined in the medical staff bylaws, shall comply with the medical staff bylaws. The board must approve privileges at CCMC for any allied health professional. Since no right of privileges are presumed, rejection of an applicant is final, except that a rejected applicant may reapply at any time. The granting of privileges to an allied health professional does not confer upon that individual any degree or classification of membership on the medical staff.

(Ord. No. 1106, § 1, 2-20-2013)

15.60.050 - Other health care professionals.

The board may at its discretion, provide for the granting of privileges at CCMC to health care professionals who are not members of the medical and nursing staff, and who are not allied health professionals. Candidates for this category of health care professionals must possess a valid Alaska license to practice their profession, and must qualify by virtue of all federal, state and local laws. Each category of professional health care providers must furnish such credentials, as shall be required by the board and the medical staff bylaws.

(Ord. No. 1106, § 1, 2-20-2013)

15.70.060 - Schedule of revenue.

- A. Finances of the CCMC shall be in accordance with city, state and federal laws and regulations, those regulations generally prescribed by any accrediting associations as may apply and as the Board determines to accept. For all checks issued from CCMC funds, two signatures shall be required. The board may, by board policy, establish a monetary cap and checks exceeding the monetary cap shall

require the signature of the administrator and a member of the board and checks not exceeding the monetary cap shall require the signature of the administrator and a CCMC employee to be designated by the board. In absence of the administrator checks shall be signed as established by board policy.

- B. Schedule of Charges. A schedule of revenue for each classification as incorporated in the budget shall be approved annually or more frequently as need may arise by the board. The city council may, through taxation or other lawful method of obtaining funding, provide additional or supplemental funding of community health services operations.
- C. Preparation and Submission of Budget.
  - 1. The administrator shall prepare an annual budget in accordance with approved CCMC procedures and shall submit such budget to the board for approval. The board shall submit such budget to the city council with its recommendations by no later than sixty days prior to the end of the fiscal year.
  - 2. The city council, in accordance with Section 5-4 of the City Charter, by vote of at least a majority of its members no later than the third day before the beginning of the fiscal year, shall adopt budget appropriations of the next fiscal year. If the council fails to adopt the budget and make appropriations on or before that day, the budget and rate changes if any, as submitted or as amended as the case may be, shall go into effect and the proposed expenditures therein shall become the appropriations for the next fiscal year.
- C. Other Fiscal Matters. All other fiscal matters including, but not limited to, custody of funds, accounting and collection, shall be governed by general accounting procedures.

(Ord. No. 1106, § 1, 2-20-2013)



**EMPLOYEE HANDBOOK**

**REVISED October 7, 2014**

|           |  |           |
|-----------|--|-----------|
| <b>1.</b> | <b>INTRODUCTION .....</b>  | <b>6</b>  |
| 1.1       | <b>Source of Handbook.....</b>                                   | <b>6</b>  |
| 1.2       | <b>Medical Center History.....</b>                               | <b>6</b>  |
| 1.3       | <b>Purpose of this Handbook .....</b>                            | <b>6</b>  |
| 1.4       | <b>Handbook Disclaimers.....</b>                                 | <b>6</b>  |
| 1.5       | <b>Nature of Employment.....</b>                                 | <b>7</b>  |
| <b>2.</b> | <b>YOUR EMPLOYMENT RELATIONSHIP WITH CCMC.....</b>               | <b>7</b>  |
| 2.1       | <b>Equal Opportunity Policy.....</b>                             | <b>7</b>  |
| 2.2       | <b>Reasonable Accommodation of Qualifying Disabilities .....</b> | <b>7</b>  |
| 2.3       | <b>Policy Against Harassment and Discrimination.....</b>         | <b>7</b>  |
| 2.4       | <b>Workplace Violence Policy .....</b>                           | <b>8</b>  |
| 2.5       | <b>Confidentiality.....</b>                                      | <b>9</b>  |
| 2.6       | <b>Ethics and Avoiding Conflicts of Interest .....</b>           | <b>10</b> |
| <b>3.</b> | <b>HIRING POLICIES AND PROCEDURES .....</b>                      | <b>11</b> |
| 3.1       | <b>Prerequisites to Commencing Employment.....</b>               | <b>11</b> |
| 3.1.1     | <b>Pre-employment Drug Testing .....</b>                         | <b>11</b> |
| 3.1.2     | <b>Criminal Background Checks .....</b>                          | <b>11</b> |
| 3.1.3     | <b>Licensure and Certifications .....</b>                        | <b>11</b> |
| 3.1.4     | <b>Verification of Employment Eligibility.....</b>               | <b>11</b> |
| 3.1.5     | <b>Health Screening. ....</b>                                    | <b>11</b> |
| 3.2       | <b>Orientation.....</b>  | <b>12</b> |
| 3.3       | <b>Introductory Period.....</b>                                  | <b>12</b> |
| 3.4       | <b>Personnel Records .....</b>                                   | <b>12</b> |
| 3.5       | <b>Nepotism.....</b>   | <b>12</b> |
| <b>4.</b> | <b>COMPENSATION .....</b>  | <b>13</b> |
| 4.1       | <b>Employment Classifications.....</b>                           | <b>13</b> |
| 4.1.1     | <b>Full-time regular employee:.....</b>                          | <b>13</b> |
| 4.1.2     | <b>Part-time regular employee:.....</b>                          | <b>13</b> |
| 4.1.3     | <b>Casual employee:.....</b>                                     | <b>13</b> |
| 4.1.4     | <b>Temporary employee:.....</b>                                  | <b>13</b> |
| 4.1.5     | <b>Volunteers:.....</b>  | <b>13</b> |
| 4.2       | <b>Position Changes by Administration .....</b>                  | <b>13</b> |
| 4.2.1     | <b>Reasonable notice of a demotion .....</b>                     | <b>14</b> |
| 4.3       | <b>Wage and Hour Job Classification .....</b>                    | <b>14</b> |
| 4.3.1     | <b>Exempt: .....</b>   | <b>14</b> |
| 4.3.2     | <b>Non-exempt: .....</b>   | <b>14</b> |
| 4.4       | <b>Workday and Workweek.....</b>                                 | <b>14</b> |
| 4.4.1     | <b>Work Day.....</b>   | <b>14</b> |
| 4.4.2     | <b>Work Week.....</b>  | <b>14</b> |
| 4.5       | <b>Timekeeping.....</b>  | <b>14</b> |
| 4.6       | <b>Payroll.....</b>  | <b>15</b> |
| 4.6.1     | <b>Pay Period/Paydays.....</b>                                   | <b>15</b> |
| 4.6.2     | <b>Check Availability and Location.....</b>                      | <b>15</b> |
| 4.6.3     | <b>Direct Deposit.....</b>                                       | <b>15</b> |
| 4.6.4     | <b>Payroll Deductions. ....</b>                                  | <b>15</b> |
| 4.6.5     | <b>Pay Advances.....</b>   | <b>15</b> |
| 4.7       | <b>Wage Scale.....</b>   | <b>15</b> |
| 4.8       | <b>Shift Differential. ....</b>                                  | <b>15</b> |

|             |   |           |
|-------------|---|-----------|
| 4.8.1       | <u>Night Shift Differential:</u>                                    | 16        |
| 4.8.2       | <u>Night Shift Differential and Time Off:</u>                       | 16        |
| <b>4.9</b>  | <b><u>Overtime.</u></b>   | <b>16</b> |
| <b>4.10</b> | <b><u>On-Call Compensation</u></b>                                  | <b>16</b> |
| <b>4.11</b> | <b><u>Breaks and Meal Periods</u></b>                               | <b>16</b> |
| <b>4.12</b> | <b><u>Holidays</u></b>  | <b>17</b> |
| 4.12.1      | <u>Recognized Holidays</u>  | 17        |
| 4.12.2      | <u>Time Off on Holiday</u>  | 17        |
| 4.12.3      | <u>Compensation for Holidays Not Worked</u>                         | 17        |
| 4.12.4      | <u>Compensation for Holiday Worked – Non-Exempt Personnel</u>       | 17        |
| 4.12.5      | <u>Compensation for Holiday Worked- Exempt Personnel</u>            | 18        |
| <b>5.</b>   | <b><u>EMPLOYEE BENEFITS</u></b>                                     | <b>18</b> |
| <b>5.1</b>  | <b><u>Paid Time Off (PTO)</u></b>                                   | <b>18</b> |
| 5.1.1       | <u>Accrual</u>  | 18        |
| 5.1.2       | <u>Rate Schedule</u>  | 18        |
| 5.1.3       | <u>Use of PTO</u>   | 18        |
| 5.1.4       | <u>PTO Carryover and Forfeiture</u>                                 | 19        |
| 5.1.5       | <u>Donated Leave</u>  | 19        |
| <b>5.2</b>  | <b><u>Employee Benefit Plans</u></b>                                | <b>19</b> |
| 5.2.1       | <u>Eligibility In General</u>                                       | 19        |
| 5.2.2       | <u>Group Health Insurance</u>                                       | 20        |
| 5.2.3       | <u>Life Insurance</u>   | 20        |
| 5.2.4       | <u>Retirement Plan (PERS)</u>                                       | 20        |
| 5.2.5       | <u>403(b) Tax Sheltered Annuity</u>                                 | 20        |
| 5.2.6       | <u>Employee Assistance Program (EAP)</u>                            | 20        |
| <b>6.</b>   | <b><u>LEAVE POLICIES</u></b>  | <b>21</b> |
| <b>6.1</b>  | <b><u>Family &amp; Medical Leave</u></b>                            | <b>21</b> |
| 6.1.1       | <u>Eligibility For Leave</u>  | 21        |
| 6.1.2       | <u>Reasons Eligible employees may be granted FMLA or State FMLA</u> | 21        |
| 6.1.3       | <u>Military Family Leave</u>  | 21        |
| 6.1.4       | <u>When Medical Certification Is Required</u>                       | 22        |
| 6.1.5       | <u>Compensation</u>   | 22        |
| 6.1.6       | <u>Benefits Continuation</u>  | 22        |
| 6.1.7       | <u>Job Restoration</u>  | 23        |
| 6.1.8       | <u>Key Employees</u>  | 23        |
| 6.1.9       | <u>Fitness for Duty</u>   | 23        |
| 6.1.10      | <u>Employee Notice</u>  | 23        |
| 6.1.11      | <u>Employer Notice</u>  | 24        |
| 6.1.12      | <u>Definitions</u>  | 24        |
| <b>6.2</b>  | <b><u>Bereavement Leave</u></b>                                     | <b>26</b> |
| <b>6.3</b>  | <b><u>Uniformed Service Leave</u></b>                               | <b>26</b> |
| 6.3.1       | <u>Giving of Notice</u>   | 26        |
| 6.3.2       | <u>Length of Leave</u>  | 26        |
| 6.3.3       | <u>Return to Work</u>   | 26        |
| 6.3.4       | <u>Reemployment Position</u>  | 27        |
| 6.3.5       | <u>Nondiscrimination</u>  | 27        |
| 6.3.6       | <u>Benefits Continuation During Uniformed Service Leaves</u>        | 27        |
| 6.3.7       | <u>Compensation</u>   | 28        |

|        |  |    |
|--------|--|----|
| 6.4    | <b>Court Leave</b>   | 28 |
| 6.5    | <b>Voting Leave</b>  | 28 |
| 6.6    | <b>Educational Support and Leave</b>                       | 28 |
| 6.7    | <b>Income Assurance Program (IAP)</b>                      | 28 |
| 6.7.1  | IAP Use  | 29 |
| 6.7.2  | IAP Recovery   | 29 |
| 7.     | <b>PERFORMANCE STANDARDS</b>                               | 29 |
| 7.1    | <b>ATTENDANCE</b>  | 29 |
| 7.1.1  | Reporting to Work  | 29 |
| 7.1.2  | Notice of Absence or Lateness                              | 29 |
| 7.1.3  | Grounds  | 29 |
| 7.1.4  | Illness  | 30 |
| 7.2    | <b>Performance Evaluations</b>                             | 30 |
| 7.2.1  | Regular Assessments  | 30 |
| 7.2.2  | Following Introductory Period                              | 30 |
| 7.2.3  | Unsatisfactory Rating                                      | 30 |
| 7.3    | <b>Smoke-Free Workplace</b>                                | 30 |
| 7.4    | <b>Standards of Performance</b>                            | 31 |
| 7.5    | <b>Compliance with Healthcare Laws</b>                     | 31 |
| 7.5.1  | Reporting Requirements                                     | 31 |
| 7.5.2  | Medical Center's Response                                  | 32 |
| 7.6    | <b>Solicitation</b>  | 32 |
| 7.7    | <b>Maintaining the Proper Healthcare Environment</b>       | 32 |
| 7.8    | <b>Personal Appearance/Dress Code</b>                      | 33 |
| 7.9    | <b>Telephones</b>  | 33 |
| 7.10   | <b>Computer, Internet and E-Mail Usage</b>                 | 33 |
| 7.10.1 | Additional policies and procedures for Use of the Internet | 34 |
| 7.10.2 | Additional Policies and Procedures For Use of Email        | 35 |
| 8.     | <b>DRUG AND ALCOHOL FREE WORKPLACE</b>                     | 36 |
| 8.1    | <b>Federal Drug Free Workplace Act Policy Statement</b>    | 36 |
| 8.1.1  | Statement  | 36 |
| 8.1.2  | Policy and Procedures                                      | 36 |
| 8.2    | <b>Drug and Alcohol Testing</b>                            | 37 |
| 8.2.1  | Purpose  | 38 |
| 8.2.2  | Prohibited Conduct   | 38 |
| 8.2.3  | Categories of Employees Tested                             | 39 |
| 8.2.4  | Testing  | 39 |
| 8.2.5  | Testing Procedures   | 40 |
| 8.2.6  | Reporting Test Results                                     | 40 |
| 8.2.7  | Requirement to Submit to Testing/Refusals to Submit        | 41 |
| 8.2.8  | Confidentiality of Results                                 | 41 |
| 8.2.9  | Definitions  | 41 |
| 9.     | <b>DISCIPLINE AND DISMISSAL</b>                            | 43 |
| 9.1    | <b>Disciplinary Action</b>                                 | 43 |
| 9.2    | <b>Separation from Employment</b>                          | 43 |
| 9.2.1  | Layoff   | 43 |
| 9.2.2  | Discharge  | 43 |
| 9.2.3  | Resignation  | 43 |

|        |   |    |
|--------|---|----|
| 9.3    | <b><u>Wage Payment Upon Termination</u></b> ..... | 43 |
| 9.4    | <b><u>Return of Property</u></b> .....            | 43 |
| 9.5    | <b><u>Promotions and Transfers</u></b> .....      | 44 |
| 9.6    | <b><u>Re-Employment</u></b> .....                 | 44 |
| 9.6.1  | <u>Former Employees</u> .....                     | 44 |
| 9.6.2  | <u>Recalled Employees</u> .....                   | 44 |
| 9.7    | <b><u>References Policy</u></b> .....             | 44 |
| 10.    | <b>HEALTH AND SAFETY</b> .....                    | 44 |
| 10.1   | <b><u>Reporting Employee Injuries</u></b> .....   | 44 |
| 10.2   | <b><u>Accidents/Needle Sticks</u></b> .....       | 45 |
| 10.3   | <b><u>Weapons Prohibited</u></b> .....            | 45 |
| 11.    | <b>OPEN COMMUNICATION POLICY</b> .....            | 45 |
| 12.    | <b>GRIEVANCE PROCEDURE</b> .....                  | 45 |
| 12.1   | <b><u>Definition of a Grievance</u></b> .....     | 45 |
| 12.2   | <b><u>Grievance Process</u></b> .....             | 46 |
| 12.2.1 | Step 1.....                                       | 46 |
| 12.2.2 | Step 2.....                                       | 46 |
| 12.2.3 | Step 3.....                                       | 46 |
| 12.2.4 | Step 4.....                                       | 47 |
| 12.2.5 | Step 5.....                                       | 47 |
| 12.3   | <b><u>Mediation</u></b> .....                     | 47 |
| 12.3.1 | Step 1.....                                       | 47 |
| 12.3.2 | Step 2.....                                       | 47 |
| 12.4   | <b><u>Arbitration</u></b> .....                   | 47 |
| 12.4.1 | Step 1.....                                       | 47 |
| 12.4.2 | Step 2.....                                       | 48 |
| 12.4.3 | Step 3.....                                       | 48 |
| 12.4.4 | Step 4.....                                       | 48 |
| 12.5   | <b><u>Time Limits Of the Essence</u></b> .....    | 48 |
| 12.6   | <b><u>Exclusive Remedy</u></b> .....              | 48 |



# 1. INTRODUCTION

## 1.1 Source of Handbook

The Cordova Community Medical Center (“CCMC” or the “Medical Center”) Handbook of employee policies has been prepared to inform and guide all Medical Center personnel. Additional information may be found in other documents and standards, such as resolutions of the Community Health Services Board, the Cordova City Council, other adopted policies and procedures, and the official plan documents of CCMC’s employee benefit plans. In the event you have questions or need clarification of personnel policies, procedures, or expectations, please contact your supervisor, the Human Resources Manager or the Administrator/CEO.

## 1.2 Medical Center History

The current CCMC facility was dedicated on May 31, 1986 and is one of Cordova’s largest employers. The Medical Center is a Department of the City of Cordova, with its own governing board known as the CCMC Health Services Board. CCMC is certified as a Critical Access Hospital (CAH) and as a Long Term Care (LTC) facility, and provides community health services including:

- 13-Bed Acute and Swing Care Medical Center
- 10 Long Term Care Beds
- 24-hour Emergency Room Services
- Rehab Services
- Imaging Department
- Laboratory Services
- Primary Care Clinic
- Specialty Clinics
- Sound Alternatives
  - Behavioral Health Clinic
  - Respite Care Program
  - Telepsychiatry

## 1.3 Purpose of this Handbook

An important goal of CCMC is to inform employees of the Medical Center’s rules and regulations, which guide the responsibilities of both the employee and employer. This Handbook is designed solely to provide you with the general nature of such personnel policies. Please keep in mind that the policies and procedures in this Handbook are for general reference only and may not be applicable in all cases. A number of laws apply to CCMC and to the employee/employer relationship, including certain provisions of the Cordova City Code. This Handbook touches on some of the more common requirements. In the event of any conflicts between this Handbook and applicable laws, Medical Center grant requirements, Medicaid requirements, or the obligations of applicable contracts, the governing contract, law or guideline will prevail over this Handbook.

## 1.4 Handbook Disclaimers

You should familiarize yourself with the contents of this Handbook and, when in doubt about any policy or procedure, or any information contained herein, you should contact your supervisor or the Human Resources Coordinator. This Handbook is not an employment contract, and only summarizes policies existing at the time of publication. As such, nothing in this Handbook is

intended to alter the fact that your employment is “at-will.” CCMC reserves the right to alter, change, add, or delete any policy, procedure, or guideline at any time and without prior or subsequent notice. We will, however, endeavor to let you know of any changes that are made.

### 1.5 Nature of Employment

Employment at CCMC is voluntary, indefinite in nature and subject to termination by you or CCMC “at-will”, with or without cause, and with or without notice, at any time in accordance with federal, state, and/or local laws. Nothing in this Handbook shall be interpreted to be in conflict with or to eliminate or modify in any way the “at-will” employment status of CCMC employees. This policy of employment “at-will” may not be modified by any member of CCMC management and shall not be modified in any publication or document. The only exception to this policy is a written employment agreement approved and executed by the Administrator/CEO of CCMC and the Health Services Board President (or his/her designee).

## **2. YOUR EMPLOYMENT RELATIONSHIP WITH CCMC**

### 2.1 Equal Opportunity Policy

In order to provide equal employment opportunities to all applicants and employees, CCMC’s employment decisions are made without regard to race, creed, color, religion, gender, age, national origin or ancestry, marital status, change in marital status, physical or mental disability, genetic information, pregnancy, parenthood, or any other status or condition protected under federal, state and local laws.

### 2.2 Reasonable Accommodation of Qualifying Disabilities

CCMC is committed to providing equal employment opportunities to qualified individuals with disabilities, which may include providing reasonable accommodations where appropriate. In general, it is your responsibility to notify the Administrator/CEO or the Human Resources Manager of the need for accommodation. Upon doing so, the Administrator/CEO or Human Resources Manager may ask you for your input on the type of accommodation you believe may be necessary for the functional limitations related to your disability. Accommodation will not be undertaken when providing the accommodation: (1) causes a direct threat to others in the workplace and the threat cannot be eliminated by reasonable accommodation; or (2) if the accommodation creates an undue hardship to CCMC. When appropriate, CCMC may seek your permission to obtain additional information from your health care provider regarding your capacity to perform the essential functions of your job position, with or without reasonable accommodation.

### 2.3 Policy Against Harassment and Discrimination

CCMC is committed to providing a work environment that is free of discrimination and unlawful harassment on the basis of a protected status under local, state or federal law. Actions, words, jokes, or comments based on an employee’s race, color, creed, religion, national origin, gender, physical or mental disability, age, marital status, pregnancy or parenthood, genetic information, veteran’s status, status with regard to public assistance, or any other status protected by federal, state or local law will not be tolerated. Gender-based discrimination, whether or not sexual in nature, and the creation of an unlawful hostile environment based on any other protected characteristic are also prohibited under this policy.

Sexual harassment is specifically prohibited. Examples of unlawful sexual harassment include unwelcome sexual advances, requests for sexual favors, and other verbal and physical conduct of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment; or
- Submission to or rejection of such conduct by an individual is used as the basis of employment decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

Unlawful sexual harassment may include, but is not limited to, sexual touching, advances or propositions, use of sexually explicit language, sexual comments or jokes, staring or leering, and displaying sexually suggestive objects or pictures.

Sexual harassment applies to the conduct of a supervisor toward a subordinate; an employee toward another employee; a non-employee, such as patients, vendors or other business visitors toward an employee; or an employee toward an applicant for employment. Other examples of sexual harassment include inappropriate sexual advances or other unwanted sexual physical or verbal conduct at business-related social functions or while traveling on CCMC business. Harassment or discrimination in any context must be reported in accordance with this policy.

Any employee who believes that s/he or another employee is or has been the subject of discrimination or harassment should report the alleged conduct immediately to their supervisor, the Human Resources Manager, or another member of CCMC management. Any supervisor or manager who learns of potential sexual or other unlawful harassment or discrimination will promptly consult the Human Resources Manager or the Administrator/CEO.

All complaints will be investigated promptly, thoroughly, and fairly. The length of time it takes to perform the investigation will depend on the nature of the complaint. However, employees are free at any time to inquire about the status of the investigation. The existence and nature of the complaint will be disclosed only to the extent necessary to make a prompt and thorough investigation or as may be necessary to take appropriate corrective measures.

No retaliation or reprisal against any employee for reporting discrimination or harassment concerns will be tolerated.

The facts will determine the response to each allegation. Employee conduct which is found to constitute unlawful discrimination or harassment will be disciplined, up to and including immediate dismissal.

The Alaska Human Rights Commission's address is 800 A Street, Suite 204, Anchorage, AK 99501 and its telephone number is (907)274-4692.

#### 2.4 Workplace Violence Policy

CCMC is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, CCMC has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur by or against CCMC employees or members of the public, while on CCMC premises or while

performing CCMC business at other locations. This policy does not apply to security personnel, engaged in their official duties.

All employees, including supervisors and temporary employees, should be treated with courtesy and respect at all times. Violence, threats, harassment, intimidation, and other disruptive behavior in the workplace (or while on CCMC business outside of the workplace), whether committed by patients, visitors, vendors, or CCMC employees, will not be tolerated.

The following is a nonexclusive list of the types of conduct prohibited by this policy:

- Oral or written statements, gestures, or expressions that communicate a threat of physical harm;
- Physically harming, attempting to harm, or threatening to harm one's self, another person, or property;
- Coercion, intimidation, or stalking of another;
- Use of, or threatening to use, any weapon;
- Any form of non-consensual physical contact (including shoving or grabbing);
- Bringing any unauthorized weapon to CCMC premises;
- Any other conduct that would cause a reasonable person to believe violence may occur.

Individuals who commit such acts may be removed from the premises and subject to criminal penalties. Employees engaging in such conduct also may be subject to disciplinary action, up to and including termination of employment. Further, during an investigation of an incident, an employee may be suspended.

If you notice or witness conduct you think is suspicious, please report it immediately to your supervisor, or any other member of management. Any employee facing a situation that may result in violence should avoid confrontation. Instead, if possible, the employee should retreat to a location of safety and report the incident. However, if you believe there is a threat to personal safety involved, the police should be summoned immediately.

No workplace is immune from disruptive behavior. CCMC needs your cooperation to implement this policy effectively and to maintain a safe working environment. All threats of violence or acts of violence, both direct and indirect, should be reported as soon as possible. This includes threats by employees, as well as threats by patients, visitors, vendors, solicitors, or other members of the public. Additionally, CCMC encourages employees to report any threats of violence or acts of violence that occur in their personal lives that could affect workplace security (i.e. issuance of a restraining order to protect the employee or threatening email received outside the workplace.).

All reports of violations of this policy will be taken seriously and will be investigated promptly. CCMC encourages employees to bring disputes and differences to the attention of a supervisor before the situation escalates into potential violence. As far as reasonably possible, CCMC will maintain the confidentiality of the reporting employee and of the investigation, consistent with the need to investigate and take action. CCMC will not tolerate any retaliation or reprisal by or against any employee who makes a good faith report of, or experiences, workplace violence.

## 2.5 Confidentiality

Employees of the Medical Center have access to highly personal and confidential information, both in written and unwritten form. All employees are obligated to maintain the confidentiality of information which they access, and to only access such information for the purposes of performing

duties or functions of their position. Confidential information is not solely defined in terms of patient or resident information or written records, but also includes:

- Information concerning Medical Center employees or volunteers;
- Information concerning physicians or other professionals affiliated with the Medical Center; and
- Information concerning visitors, families, or patient/residents, whether stored electronically or in document form or obtained through other means of communication.

Sharing proprietary information regarding CCMC operations, practices, and procedures with patients or any other third party is prohibited. Impermissible disclosures of CCMC confidential or proprietary information will result in discipline up to and including immediate termination.

Accessing confidential information for personal advantage or any reason not related to the employee's job responsibilities is a serious violation and is strictly forbidden. Individuals who improperly access, copy or disclose confidential information will be disciplined, and may be referred to proper authorities (including licensing agencies). Unauthorized removal, destruction or loss of any document or protected health information, and conduct which creates a risk of impermissible disclosure will result in discipline, up to and including immediate termination.

CCMC is committed to adhering to all state and federal laws regarding patient confidentiality. All employees must comply with the HIPAA Privacy and Security policies and procedures of CCMC. Any questions should be promptly directed to the compliance officer.

## 2.6 Ethics and Avoiding Conflicts of Interest

The successful operation and reputation of CCMC is built upon the ethical conduct of our employees. Our reputation for integrity and excellence requires careful observance of the spirit and letter of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

CCMC will comply with all applicable laws and regulations and expects its employees to conduct business in accordance with the letter, spirit, and intent of all relevant laws and to refrain from any illegal, dishonest, or unethical conduct. The examples in this policy are not exhaustive and are designed to give you basic guidelines regarding ethical principles.

Ethical principles require that you not take advantage of your position at CCMC to profit personally from any confidential or proprietary information that you receive during your employment.

During your employment you are expected to give patients and residents the most efficient and professional care without expecting any reward beyond your regular pay. You may not ask for or accept a material gift from a patient, resident or vendor. Material gifts include substantial favors, money, free or discounted goods or services, trips, lodging, entertainment or other similar items. CCMC employees must politely, but firmly refuse such gifts.

It is a conflict of interest if you have an interest outside of work that interferes with your responsibilities to CCMC or affects your ability to perform your duties properly. You must avoid conflicts of interest and situations where there might be the appearance of a conflict of interest. You may accept outside employment only so long as it does not create a conflict of interest or interfere with your job performance at CCMC. Employees are required to notify their supervisor if they work for another employer so that potential conflicts of interest can be investigated.

Failure to disclose a potential conflict of interest may result in discipline. Questions regarding ethical issues and potential conflicts of interest should be discussed with the Compliance Officer or the Administrator/CEO.

### **3. HIRING POLICIES AND PROCEDURES**

#### **3.1 Prerequisites to Commencing Employment**

##### **3.1.1 Pre-employment Drug Testing**

In accordance with CCMC's Drug and Alcohol Testing policy, applicants who have been given a conditional offer of employment must pass a drug-test before commencing to perform services for CCMC. Applicants are responsible for completing required testing in advance of the date they are scheduled to start work. If an employee is unable, unavailable, or otherwise fails to complete the screening in advance of the reporting date, the first day of work may be rescheduled until the screen is completed and passed, or CCMC may withdraw or otherwise modify its offer of employment in its discretion.

##### **3.1.2 Criminal Background Checks**

Applicants who have been given a conditional offer of employment must also undergo or update an employment and personal reference, and criminal background checks. Background clearance must be maintained throughout each employee's employment with CCMC. Employees must promptly report any changes in their criminal background to Human Resources.

##### **3.1.3 Licensure and Certifications**

Employees required by state or federal law to be licensed, certified or registered to practice a healthcare profession must demonstrate licensure, certification or registration upon hire and maintain such credentials throughout their employment with CCMC. Failure to do so may result in immediate dismissal, or result in CCMC withdrawing or modifying an offer of employment.

##### **3.1.4 Verification of Employment Eligibility**

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility.

##### **3.1.5 Health Screening.**

Screening for tuberculosis, varicella, and hepatitis A and B must be completed before an employee commences to perform services for CCMC. A medical exam also may be required, depending on the functions of your position. On or before the date you are scheduled to commence work, Human Resources will refer you to the Employee Health Nurse, for completion of CCMC's required health screening forms.

All CCMC employees are required to have a yearly tuberculosis screening. The Employee Health Nurse, according to appropriate protocol, will coordinate yearly screening. Hepatitis A and B vaccinations, and flu vaccinations (when available) are provided to all employees at no cost.

### 3.2 Orientation.

New employees meet with Human Resources on their first day. Human Resources introduces new employees to these policies, obtains payroll paperwork, provides information on employee benefits, and supplies the name badge to be worn during working hours. Your supervisor will advise you of the orientation program or process applicable to your position. Any questions concerning orientation should be directed first to your supervisor, and then to Human Resources if necessary.

### 3.3 Introductory Period.

New employees, rehires and transfers are subject to a 6-month introductory period. During this time, the employee participates actively in any orientation and training applicable to the position, as well as ongoing assessments of his/her skills and suitability for the job position. Assessments may be informal and a formal written evaluation may not be provided. The introductory period may be extended, if deemed appropriate by the Administrator/CEO upon recommendation by the employee's Department Manager, to obtain more information and understanding about the employee's skills, training and abilities. If the Medical Center determines that the employee is not suited for the position, separation may occur at any time. Completion of the introductory period should not be construed as creating a contract nor guarantee of employment for any specific duration. All employees are considered "at-will" at all times and for all purposes.

Introductory employees accrue, but are not eligible to use PTO during the first three (3) months of the introductory period, except as approved by the supervisor and Human Resources Coordinator for verified illness or bereavement. Leave authorized for personal needs during the first three months of the introductory period, other than sickness or bereavement, will be unpaid and will be offered at the sole discretion of CCMC and only with the approval of the administrator.

### 3.4 Personnel Records

Your personnel file (including all component files) is maintained by the Human Resources Department. To keep insurance benefits and records of employment up to date, notify Human Resources and your supervisor of any change in name, address, marital status, dependents, telephone number, citizenship, person to notify in case of emergency, and registration, certification, or licensure. All employee records are held and maintained in confidence and in compliance with state and federal laws. No information is released to third parties without written authorization from the employee, by court order, or as otherwise permitted by law.

Employees are permitted to review their personnel file in the presence of the Human Resources Coordinator with reasonable advance notice during regular business hours. Copies will be provided upon written request from the employee with advance payment of the reasonable cost of copying.

### 3.5 Nepotism

No person may be employed in a position directly supervised by another family member. If an employee and his/her supervisor should marry, they shall elect which employee may continue with the department, and which employee shall apply for a new position within the facility, or who will terminate employment. If that decision is not made within 30 calendar days, CCMC will decide the matter based on the qualifications and staffing needs of the Medical Center.

For purposes of the nepotism policy, “family member(s)” means spouses, parents, children, brothers, sisters, brothers- and sisters-in-law, fathers- and mothers-in-law, stepparents, stepbrothers, stepsisters and stepchildren. This policy also applies to individuals who are not legally related but who reside with another employee.

## **4. COMPENSATION**

### 4.1 Employment Classifications

Employees are classified into certain categories, listed below, which may impact compensation and benefits. The term “employee” does not include individuals hired on an independent contractor basis.

#### 4.1.1 Full-time regular employee:

An employee regularly assigned to work a predetermined schedule of 60-80 hours per pay period.

#### 4.1.2 Part-time regular employee:

An employee regularly assigned to work a predetermined schedule of 30-59 hours per pay period.

#### 4.1.3 Casual employee:

An employee hired on an intermittent basis as dictated by business need of the facility. A casual employee may be scheduled to work or may work when called in.

#### 4.1.4 Temporary employee:

An employee hired as an interim replacement for temporary or seasonal work. A temporary employee’s length of service will not exceed twelve months. The duration of each assignment will be determined and documented at the date of hire.

#### 4.1.5 Volunteers:

Although volunteers are not employees of the Medical Center, they are required to comply with all relevant laws, policies, and rules of the facility. Refer any questions concerning volunteer opportunities, volunteer activities or functions to Human Resources or the Administrator/CEO.

### 4.2 Position Changes by Administration

Position changes and reclassification may be made by CCMC at any time, based on the needs of CCMC. Such changes may result in changes to personnel assignments, classification, compensation, required skills, assigned hours, and essential job functions. Changes may impact one or more positions or individuals. Management may transfer an employee, modify or reorganize a position, or make other changes needed in order to achieve the interests of the Medical Center. Changes which are substantially based on disciplinary or performance grounds may be grieved in accordance with the Grievance Policy, Section 12 if the employee has achieved regular status. Separation procedures are addressed in Section 9. Performance grounds are addressed in section 7.



Due to Medical Center needs or at an employee's request, employment status may be changed (e.g., going from regular to temporary or to casual). When such a change is made effective, appropriate changes in benefit accrual will take place. This will include items such as paid time off accrual and insurance coverage.

4.2.1 Reasonable notice of a demotion

(Up to 2 weeks) will be provided by management. Changes in job descriptions from time to time do not qualify as demotions.

4.3 Wage and Hour Job Classification

All employees are further classified for purposes of minimum wages and overtime laws:

4.3.1 Exempt:

An employee who is not subject to overtime and minimum wage laws under the federal Fair Labor Standards Act.

4.3.2 Non-exempt:

An employee who is subject to overtime compensation as defined by the Fair Labor Standards Act.

4.4 Workday and Workweek

4.4.1 Work Day.

The definition of workday for purposes of payroll and overtime calculations is 12:00 a.m. to 11:59 p.m. However, the Medical Center may establish shift schedules in order to avoid calculating a single shift on two separate calendar dates. Each shift is recorded on the applicable workday in which the shift began.

4.4.2 Work Week.

The workweek is defined as 12:00 am Sunday through 11:59 pm Saturday.

4.5 Timekeeping.

Exempt employees must record their hours worked on a time sheet, for purposes of calculating pay, benefits, and the accrual and use of leave.

Non-Exempt employees will be held accountable for using the new time clock. Employees will not leave the facility while they are on the clock and will be subject to corrective action up to termination.

Under no circumstances should any employee fill out a time sheet for another employee or have another employee fill out their time sheet. All employees are subject to this policy and are required to accurately record all time worked and all break periods. In the event of noncompliance with this policy, an employee may be subject to disciplinary action, up to and including discharge from employment. Time worked is all the time actually spent on the job performing assigned duties. The minimum increment for time reporting is 15 minutes. Time between 7 minutes and 15 minutes

should be recorded as 15 minutes. An employee's signature on the time sheet is considered a certification that the document provides a true and correct statement of dates and time actually worked. Time off that is eligible for pay or leave without pay shall be designated using a leave description. The employee's Department Manager reviews time sheets and submits them to payroll. If corrections or modifications are made to the time record, the initials of both the employee and the Department Manager shall be obtained.

#### 4.6 Payroll

##### 4.6.1 Pay Period/Paydays.

CCMC's pay period is biweekly, with scheduled paydays every other Friday after the end of the pay period. A schedule of pay periods and paydays is posted on the Human Resources board and may be obtained from Human Resources.

##### 4.6.2 Check Availability and Location.

On payday, checks are available at 8:00 am in the Payroll Office.

##### 4.6.3 Direct Deposit.

An employee may elect to have paychecks electronically deposited into a checking or savings account. An employee electing direct deposit must complete an Election Form listing up to two accounts for deposit. The employee will receive a pay stub in lieu of a paycheck on payday detailing the direct deposit.

##### 4.6.4 Payroll Deductions.

All contributions required by federal or state law or by benefit plans (to include PERS), will be deducted from the employees' paychecks, and reflected in the summary attached. Other deductions may be withheld as authorized by written agreement with the employee.

##### 4.6.5 Pay Advances.

An employee may request a payroll advance only in a serious emergency, with the approval of the Administrator/CEO in his or her sole discretion. The employee must complete and sign the Request for Payroll Advance form, providing two days' advance notice to the Payroll Office. An advance may not exceed 90% of the employee's net pay for hours worked to-date that pay period. The amount of the advance will be automatically deducted from the employee's next paycheck. An individual employee may receive no more than a single payroll advance in a calendar year.

#### 4.7 Wage Scale.

All employees shall be paid in accordance with the current Wage and Salary Classification plan adopted by the Community Health Services Board.

#### 4.8 Shift Differential.

Non-exempt employees may be eligible for shift differential pay, as defined herein. A shift is recorded on the calendar day on which the shift began. Each work day, all hours are recorded and paid according to the shift that includes the majority (more than half) of the hours worked. R.N.'s, L.P.N.'s, and C.N.A.'s are eligible for the Night Shift Differential. Other non-exempt employees

asked by the Administrator/CEO or their Department Manager to work night shift hours may be eligible for shift differential pay for working Night Shift hours with approval of the Administrator/CEO.

#### 4.8.1 Night Shift Differential:

Night shift differential is 12% of the base rate of pay. Shifts are defined as follows: Night Shift: A shift in which greater than 50% of the employee's hours worked occur between 6:00 pm and 6:00 am. Day Shift: A shift in which greater than 50% of the employee's hours worked occur between 6:00 a.m. and 6:00 p.m. Equal Day and Night Shift: If an employee works equal hours in the Day Shift and Night Shift, the base day rate is paid for Day Shift hours with shift differential paid for Night Shift hours.

#### 4.8.2 Night Shift Differential and Time Off:

Night Shift Differential applies to Holiday Worked hours. Night Shift differential **does not** apply to Holiday Pay, PTO, Bereavement, or any other forms of paid time off.

#### 4.9 Overtime.

Overtime is calculated based on actual hours worked which includes only hours worked and hours worked during call back. PTO, holidays, on call hours and other types of time off do not count for determining if overtime is due. Compensation for overtime is paid at one and one half times the base rate of pay for hours worked over 40 in a workweek. Overtime hours accrued on a daily basis do not accumulate for calculation of overtime toward a 40 hour week. Shift Differential will be included in the overtime calculation when paid as defined in section 4.8. Every attempt is made to schedule work so that the need for overtime is kept to a minimum. However, situations may arise which make overtime unavoidable. In such cases, your supervisor or Department Manager may schedule you to work overtime. **Overtime work must be pre-approved.** Overtime compensation is available only to non-exempt personnel entitled to be paid overtime wages for overtime work under the federal Fair Labor Standards Act. Although non-exempt employees of CCMC are not legally entitled to receive overtime pay for hours worked in excess of 8 hours per workday under the Alaska Wage and Hour Act, CCMC voluntarily pays overtime compensation for hours worked in excess of 8 hours per workday for most positions, with the exception of certain shift arrangements. CCMC may modify or eliminate this voluntary policy with or without advance notice in its sole discretion.

#### 4.10 On-Call Compensation

Non-exempt employees required to be on-call may be eligible to receive a flat hourly rate for hours spent available to take on-call work assignments. The on-call schedule is managed by the Department Manager. Non-exempt employees required to report to work as a result of being on-call shall receive one and one-half times the employee's base rate of pay for all hours actually worked when called in. An employee called in to work shall receive a minimum of one hour of pay at the applicable rate.

#### 4.11 Breaks and Meal Periods

Non-Exempt employees will be scheduled by their Department Managers for scheduled breaks and meal periods based upon the number of hours an employee is scheduled to work and based upon the needs of the facility. For every workday of 6 hours or more, non-exempt employees are required to take an unpaid meal period of not less than 30 consecutive minutes. Breaks (no more than 15

minutes) are paid time worked; meal breaks (30 minutes) are unpaid if the employee is released to use the time for their own purposes.

Nursing is Exempt at the direction of the Director of Nursing.

Breaks and meal periods may not be accumulated or delayed in order to leave work early or take an extended meal period on another workday.

#### 4.12 Holidays

CCMC has established holiday policies designed to accommodate a 7-day per week/24-hour day operation. CCMC recognizes and pays nine (9) holidays annually.

##### 4.12.1 Recognized Holidays

CCMC recognizes the following holidays:

New Year's Day.....January 1  
President's Day.....3rd Monday in February  
Seward's Day.....Last Monday in March  
Memorial Day.....Last Monday in May  
Fourth of July.....July 4  
Labor Day.....1st Monday in September  
Thanksgiving.....4th Thursday in November  
Day after Thanksgiving....4th Friday in November  
Christmas.....December 25

##### 4.12.2 Time Off on Holiday

When a recognized holiday falls on the day an employee is normally scheduled to work, that employee must take the holiday off unless asked by the Administrator/CEO or Department Manager, with the Administrator/CEO's approval, to work that day. The exception to this shall be non-exempt staff members deemed essential such as R.N.'s, L.P.N.'s, C.N.A.'s, housekeeping, and dietary staff members. When a recognized holiday falls on a Saturday, the preceding Friday shall be recognized as the holiday. When a recognized holidays falls on a Sunday, the following Monday shall be recognized as the holiday.

##### 4.12.3 Compensation for Holidays Not Worked.

A full-time regular employee not required to work on a recognized holiday shall be paid eight (8) hours of Holiday Pay at the employee's base rate of pay. A part-time regular employee not required to work on a recognized holiday shall be paid four (4) hours of Holiday Pay at the employee's base rate of pay.

##### 4.12.4 Compensation for Holiday Worked – Non-Exempt Personnel

When a non-exempt employee is required to work the holiday by the Department Manager, the employee shall receive Holiday Pay as defined above, plus one and one-half times their base rate of pay, plus any applicable overtime and shift differential. If an employee is on call and called back to work, they shall receive two-times their base rate of pay, plus any applicable overtime and shift differential.

4.12.5 Compensation for Holiday Worked- Exempt Personnel

An employee in a position that is FLSA exempt and who is required to work on a recognized holiday shall, at the discretion of the Administrator/CEO, receive a compensatory day off to be used within thirty days of the recognized holiday.

**5. EMPLOYEE BENEFITS**

5.1 Paid Time Off (PTO)

Paid Time Off is the employee leave program adopted to provide paid time off for rest, relaxation, personal needs and illness. PTO is earned through service time. PTO covers both vacation, personal, and sick time off, and includes both scheduled and unscheduled absences. PTO accrual is capped, in order to encourage employees to take their accrued leave in a prompt and regular manner, as provided below.

5.1.1 Accrual

Eligible employees accrue PTO each pay period according to the number of hours paid per pay period (not to exceed a base of 80 hours), and FTE hours of service. Only regular full-time and part-time employees are eligible for PTO.

5.1.2 Rate Schedule

| Length of Service                | PTO Accrued Per Hour Worked (incl. Holidays) | PTO Accrued Per Year (FTE) |
|----------------------------------|--|----------------------------|
| 0 – 4,160 hrs (0-2 yrs FTE)      | 0.096154                                     | 200 hrs (25 days)          |
| 4,161 – 10,400 hrs (2-5 yrs FTE) | 0.115385                                     | 240 hrs (30 days)          |
| 10,401 – 20,800 hrs (5 +yrs FTE) | 0.134616                                     | 280 hrs (35 days)          |

FTE = Full time equivalency. Employees who are not full-time status accrue PTO pro rata, at the rate indicated in the PTO Accrued Per Hour Worked column for fewer hours, and will not accrue the full FTE amount per year. PTO accrual is based on actual hours worked. FTE years in the chart above are estimated based upon a 40 hour work week.

5.1.3 Use of PTO

To ensure adequate staffing, each Department Manager will schedule and approve PTO requests. Each Department may set standards for planning leave in advance, subject to approval by the Administrator/CEO. The amount of or blocks of consecutive weeks of leave may be limited, depending on the needs of the facility or department and the timing of the request. Requests for over two weeks of PTO at one time must be reviewed and approved by the Administrator/CEO. Employees may not use PTO during their introductory period, except as provided in Section 3.3 of this Handbook.

PTO must be accrued before it can be taken. PTO cannot be advanced and an employee cannot draw their PTO bank into a negative balance. If you run out of PTO while on an approved absence, you may be treated as in violation of CCMC’s attendance policy unless you received advance approval to take unpaid time off. PTO is deducted from the

employee's leave bank based on his/her regular work schedule. PTO shall be taken in not less than quarter-hour segments.

#### 5.1.4 PTO Carryover and Forfeiture

To encourage employees to schedule and take their leave on an ongoing basis, the Medical Center caps leave accrual at 320 hours of PTO. PTO amounts accrued beyond 320 will be forfeited. When an employee reaches 280 hours of accrued PTO, the Medical Center will notify them of the need to meet with their supervisor and establish a plan to use sufficient leave to remain below the cap of 320 hours.

#### 5.1.5 Donated Leave

Co-workers will be allowed to donate accrued leave to another employee who has exhausted their leave benefit for: a serious medical issue; or an extraordinary circumstance that would require time away from work. All leave donation requests will be reviewed and approved by the Administrator/CEO or designee. Employees may donate up to 40 hours of their PTO annually to other Medical Center employees (including probationary employees) in the event the receiving employee is experiencing an illness or emergency and has exhausted their PTO and has no IAP available. To ensure that a co-worker is not exhausting his/her own leave balances (both annual and bank) by donating leave, they must retain a total of at least 80 hours of leave. Medical Center employees may accept a maximum of 160 hours of donated PTO per fiscal year. All donations will remain anonymous. Employees are prohibited from lobbying for leave donations. Leave is donated on an hour for hour basis, regardless of the individuals' hourly rate. Cash-in of donated leave is not allowed, and donated leave will not be paid out to the receiving employee upon termination of employment for any reason.

### 5.2 Employee Benefit Plans

CCMC sponsors and/or participates in several welfare and retirement plans for the benefit of eligible employees, including health, the Alaska PERS, life, and a tax sheltered annuity plan. Detailed information regarding these benefits is contained in summary plan descriptions, insurance policies, CCMC's official plan documents, and the plan documents maintained by the PERS system. CCMC has sole discretion to interpret the employee benefit plan documents, including questions of eligibility, availability or amount of benefits, terms, conditions and limitations. The official plan documents and not this handbook or any other document or verbal representation will govern CCMC's determination of all questions regarding plan benefits.

Employees are encouraged to contact the Human Resources Department for further information about the plans, including eligibility requirements for CCMC sponsored benefits.

While it is CCMC's present intention to continue these benefits for the indefinite future, CCMC reserves the right to amend, modify, curtail, reduce or eliminate any benefit, in whole or in part at any time. No amendment or termination will take away vested benefits. However, future accruals or benefits any be reduced or eliminated. Neither the benefit programs nor their descriptions are intended to create any guarantees regarding employment or continued employment.

#### 5.2.1 Eligibility In General

Some employee benefits are provided to CCMC employees based on job classification and hours of service. The chart below describes typical breakdown, however, the requirements and restrictions contained in the official plan documents will determine eligibility for any benefit plans.

| Employee Status   | Eligible for Benefits | Eligible for PTO | Eligible for Holiday Pay |
|-------------------|-----------------------|------------------|--------------------------|
| Full-time Regular | Yes                   | Yes              | 8 hours                  |
| Part-time Regular | Yes                   | Yes              | 4 hours                  |
| Casual            | No                    | No               | No                       |
| Temporary         | No                    | No               | No                       |

#### 5.2.2 Group Health Insurance

CCMC provides eligible employees with an opportunity to participate in its group major medical, dental, and vision benefits programs designed to assist employees and their eligible dependents in meeting the financial burdens that can result from injury or illness. The terms of eligibility and participation are set forth in the official plan documents, which can be obtained from Human Resources.

#### 5.2.3 Life Insurance

Regular full time and part time employees are eligible for group life insurance the first of the month following thirty days of employment. Eligible employees receive \$10,000 of basic life insurance and may be able to purchase supplemental life insurance coverage at their own cost, as well as spouse and dependent(s) coverage.

#### 5.2.4 Retirement Plan (PERS)

CCMC is a participant in the State of Alaska’s Public Employees Retirement System (PERS). Coverage is mandatory for all full-time and part-time regular employees. Retirement benefits and other details regarding the retirement system may be obtained from Human Resources.

#### 5.2.5 403(b) Tax Sheltered Annuity

Eligible regular employees may participate in a tax deferred annuity plan subject to the eligibility provisions of the Plan. Enrollment is subject to the terms and conditions as defined by the Plan. Appropriate forms and applications may be obtained from Human Resources.

#### 5.2.6 Employee Assistance Program (EAP)

A range of issues (i.e. emotional, physical, and mental conditions, family and marital stress, financial difficulties, addiction or substance abuse) may impair or negatively impact an employee’s job performance. The Medical Center provides access to an EAP, which provides confidential assistance to employees and eligible family members.

## 6. LEAVE POLICIES

### 6.1 Family & Medical Leave.

CCMC employees are entitled to receive up to twelve weeks' time away from work within a twelve-month period to attend to specified family and medical needs under a federal law known as the Family Medical Leave Act ("FMLA"). Concurrently, CCMC employees are eligible to eighteen weeks' time away from work within a twelve-month period because of pregnancy, childbirth or adoption, and up to eighteen weeks' time away from work within a twenty four month period to attend to specified family and medical needs under state statutes AS 23.10.500 through AS 23.10.550 ("State FMLA"). The eighteen and twelve week periods run concurrently with FMLA leave periods for the same condition.

#### 6.1.1 Eligibility For Leave.

To be eligible for State FMLA leave an employee must have worked for CCMC for at least 35 hours per week for six consecutive months or 17.5 hours per week for twelve consecutive months. The rolling backward method applies as well. Under this method, an employee will not be eligible for family medical leave if the employee has taken eighteen weeks of family and medical leave in the twelve calendar months (or twenty four months, if appropriate) immediately preceding each day of leave requested.

#### 6.1.2 Reasons Eligible employees may be granted FMLA or State FMLA

##### A. Birth or placement of a child

Eligible employees may request a leave of absence to provide care for a child following the child's birth, adoption, or foster placement in the employee's home. This leave must be taken within a year after the child is born, adopted or placed in the employee's home. Where both the mother and father of a newborn, adopted or foster child are eligible employees of CCMC, they are jointly entitled to a total of eighteen weeks of unpaid FMLA and State FMLA leave to care for the child. The eighteen weeks may be divided between them as they agree.

##### B. Illness of a family member

Eligible employees may request a leave of absence to provide care for a child, parent or spouse who has a serious health condition.

##### C. Illness of an employee

Eligible employees may also request a leave of absence if they are unable to work due to their own serious health condition.

#### 6.1.3 Military Family Leave.

Leave is also available under FMLA and allows for up to 26 weeks of unpaid leave during a single 12-month period for an employee to care for an injured/ill service member who is recovering from an illness or injury sustained in the line of duty on active duty. The service member must be the spouse, son, daughter, parent or next of kin of the covered service member. CCMC requires that you use your paid leave (PTO) for Military Family Leave. Certain Exigency Leave is available for the spouse, son, daughter, or parent of an employee



who is on active duty or has been notified of an impending call to active duty status, in support of a contingency operation. In such cases, up to 12 weeks of leave may be available. Please see the Human Resources Coordinator for further information on these types of leave or review the FMLA rights poster on the bulletin board.

#### 6.1.4 When Medical Certification Is Required.

Employees may be required to provide a medical certification (on a form supplied by CCMC) supporting the need for leave due to a serious health condition affecting the employee or a family member. If the employee is taking leave on an intermittent or reduced work schedule basis, then the medical certification should indicate that such a leave schedule is medically necessary. Where requested, the medical certificate must be received by CCMC prior to the commencement of leave. However, if the need for leave was unforeseen, CCMC should receive the medical certification no later than fifteen calendar days from the date the employee requests leave. Employees may be required to provide second or third medical opinions or periodic recertifications at CCMC's expense. Employees may be required to provide periodic reports during leave regarding their status and intent to return to work. Prior to returning to work from leave due to his or her own serious health condition, an employee must provide CCMC with a fitness for duty certification from the employee's health care provider stating that the employee is able to perform the essential functions of the employee's position. If an employee who is required to provide such a certification fails to do so, CCMC will not restore the employee to employment until such a certification is provided.

#### 6.1.5 Compensation

FMLA leave is unpaid, however, CCMC requires employees eligible for FMLA or Military Family Leave to exhaust their accumulated PTO. CCMC has no obligation to pay you more than any accumulated PTO, which must be used at the beginning of your leave (Paid time off is counted as part of the FMLA/State Leave entitlement, not in addition to it). PTO time does not accrue during an unpaid leave. Paid holidays are counted as part of the FMLA leave and do not serve to "extend" the leave when taking into account the holiday time. If you run out of paid time off while on FMLA and a holiday falls in the time in which you are on unpaid leave, you will not be paid for that holiday. Where appropriate, CCMC will coordinate an employee's workers' compensation leave with FMLA/State FMLA leave so that the two run concurrently. FMLA/State FMLA leave shall run concurrently with any other qualifying leave.

#### 6.1.6 Benefits Continuation

##### A. *Group Health Benefits*

Employees may continue their CCMC group health insurance coverage during family or medical leave on the same terms as before such leave. If the employee elects to continue group health coverage, the employee will be required to pay CCMC the employee's portion of the insurance premium. Payment will be automatically deducted from the employee's paycheck while on paid leave. When paid leave is exhausted, the employee is responsible for contacting the Payroll Office regarding the options available to them to pay for continued health insurance during the unpaid portion of their FMLA leave. CCMC may recover from an employee its portion of the premiums paid to maintain an employee's health insurance coverage during leave if the employee: (1) fails to return to work

after the employee's leave entitlement has expired or (2) fails to work at least thirty days after returning from leave. CCMC may not recover its premiums paid on behalf of the employee if the employee's failure to return to work is due to (1) the continuation, recurrence, or onset of a serious health condition or (2) other circumstances beyond the employee's control. An employee who fails to return from leave will be deemed to have terminated employment voluntarily and may be entitled to elect COBRA continuation coverage of CCMC's group health benefits.

#### B. *Life Insurance*

An employee who is on unpaid FMLA leave may continue his or her life insurance by paying the full premium cost for coverage. Such employees should consult the Payroll Office regarding the options available to them to pay for continued life insurance.

#### 6.1.7 Job Restoration

Upon returning from FMLA leave, an employee will be restored to his or her original job, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. An employee's use of FMLA leave will not result in the loss of any employment benefit that the employee would have been entitled to if the employee not taken leave.

#### 6.1.8 Key Employees

Upon requesting FMLA/State FMLA leave, CCMC will inform the employee if the employee is considered a key employee. CCMC may inform a key employee while the employee is on FMLA/State FMLA leave that if the employee does not return to work immediately CCMC will suffer substantial and grievous economic harm. CCMC will offer the key employee a reasonable opportunity to return to work after giving this notice. CCMC may deny job restoration to the key employee if the employee does not return to work after receiving such notice. The key employee will then be permanently replaced with no right of job restoration.

#### 6.1.9 Fitness for Duty

Employees on FMLA leave must notify CCMC at least two weeks prior to the end of the leave of their availability and capacity to return to work. CCMC requires medical certification of fitness to return to duty before an employee will be permitted to return to work. An employee's failure to return from leave, or failure to contact CCMC on the scheduled date of return are grounds for termination.

#### 6.1.10 Employee Notice

Eligible employees seeking to use FMLA leave are required to provide:

- A. 30-day advance notice of the need to take FMLA leave when the need is foreseeable;
- B. Notice "as soon as practicable" when the need to take FMLA leave is not foreseeable. Except in the most extraordinary circumstances, this requires you to report your need for FMLA leave before the start of your shift in accordance with the normal absence-reporting procedures;

- C. Sufficient information for CCMC to understand that the employee needs leave for FMLA-qualifying reasons (the employee need not mention FMLA when requesting leave to meet this requirement but must provide sufficient information to put CCMC on notice that the absence may be FMLA-protected); and
- D. Where CCMC was not made aware that an employee was absent for FMLA reasons, leave will be retroactively designated as FMLA leave.

#### 6.1.11 Employer Notice

In addition to the information provided in this Handbook, CCMC has taken the following steps to provide information to employees about FMLA:

- A. Posted a notice explaining your rights and responsibilities under FMLA-see the Notice of Rights Under FMLA on the bulletin board in the mail room;
- B. Provided a written notice designating the leave as FMLA leave and detailing specific expectations and obligations of an employee who is exercising his/her FMLA entitlements within five business days after we have received the notice of need for leave. If your leave is not FMLA-protected, the notice will inform you of the reason.
- C. Provided you a notice of eligibility, informing you whether or not the leave you are requesting qualified under FMLA. Employees on worker's compensation leave will also be placed on FMLA leave, to the extent the employee is eligible and the absence qualifies under both laws. In such cases, the two types of leave will run simultaneously.

#### 6.1.12 Definitions

##### A. Child

Anyone under 18 years who is the employee's biological, adopted, or foster child, stepchild, legal ward, or an adult legally dependent child. This may also include a child for whom the employee has day-to-day responsibility.

##### B. Continuing Treatment

One or more of the following:

- treatment two or more times by a health care provider. Normally this would require visits to the health care provider or to a nurse or physician's assistant under direct supervision of the health care provider.
- treatment two or more times by a provider of health care services (for example, a physical therapist) under orders of, or on referral by, a health care provider, or treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider (for example, a course of medication or therapy) to resolve the condition.
- continuing supervision of, but not necessarily active treatment by, a health care provider due to a serious long-term or chronic condition or disability

which cannot be cured (for example, Alzheimer's, a severe stroke, or the terminal stage of a disease).

C. Health Care Provider.

- a doctor of medicine or osteopathy authorized to practice medicine or surgery by the state;
- a podiatrist, physician's assistant, dentist, clinical psychologist, optometrist or chiropractor (limited to manual manipulation of the spine to correct a subluxation as demonstrated by X-ray to exist) authorized to practice, and performing within the scope of that practice, under state law;
- a nurse practitioner or nurse-midwife authorized to practice, and performing within the scope of that practice, as defined under state law; or
- a Christian Science practitioner listed with the First Church of Christ, Scientist in Boston, Massachusetts.

D. Key Employee

A salaried employee who is among the highest paid ten percent of CCMC's employees.

E. Parent

Biological, foster or adoptive parents, stepparents, legal guardians, or someone who plays or has played the role of parent, but does not include parents-in-law.

F. Serious Health Condition.

An illness, injury, impairment, or physical or mental condition that involves:

- any period of incapacity or treatment connected with inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility;
- any period of incapacity requiring absence of more than three calendar days from work, school, or other regular daily activities that also involves either: (i) two in-person visits with a health care provider within seven days of the onset of leave and within a thirty day period thereafter, or (ii) one in-person visit with a health care provider within seven days of the onset of leave and with a regimen of continuing treatment by or under the supervision of, a health care provider; or
- continuing treatment of at least two visits per year by or under the supervision of, a health care provider for a chronic or long-term health condition that is incurable or so serious that, if not treated, would likely result in a period of incapacity of more than three calendar days, or
- prenatal care.

G. Spouse

A legal marital relationship under applicable state law.

## 6.2 Bereavement Leave

When death occurs in a regular employee's immediate family (i.e. spouse, parent, child(ren), sibling, or step-relation thereof, father or mother-in-law or grandparent(s) or grandchild(ren), the employee may request leave under this policy. The Administrator/CEO may grant up to forty (40) hours of paid Bereavement Leave for full-time employees. For part-time employees, bereavement leave is prorated based on regular hours worked in one week. The employee may be requested to provide verification of the need for, eligibility for, or duration of leave.

## 6.3 Uniformed Service Leave

A uniformed service leave of absence will be granted to CCMC employees in accordance with federal and state law. Eligible employees are those called to serve in the uniformed services who have not had more than 5 years of total absence from CCMC for all uniformed service.

### 6.3.1 Giving of Notice

Employees must provide as much advance notice of uniformed service as possible. Notice may be given either orally or in writing to the Human Resources Division. Employees will be required to provide copies of military orders or other documents to validate the need for leave.

### 6.3.2 Length of Leave

The duration of any single uniformed service leave may not exceed six months in a 12 month period. Additionally, an employee may not receive a total amount of uniformed service leave from CCMC that exceeds five (5) years of cumulative uniformed service leave. An employee who exceeds 6 months of uniformed service leave in a 12 month period will be terminated with eligibility for rehire, but will retain reemployment rights as described below so long as their cumulative uniformed service leave from CCMC does not exceed five years. All periods of uniformed service leave taken in a twelve month period from October 1 of each year to September 30 of the following year will be included in calculating the total military leave used, including, but not limited to, weekend training exercises.

### 6.3.3 Return to Work

An employee serving from 1 to 30 days must report to his/her supervisor by the beginning of the first regularly scheduled work day that would fall eight hours after the employee returns home from uniformed service. Uniformed service includes reasonable time for travel to and from the place of service. An employee whose uniformed service lasts from 31 to 180 days must make application for reemployment no later than 14 days after completion of the period of uniformed service. An employee whose uniformed service lasts more than 180 days must make application for reemployment no later than 90 days after completion of the period of uniformed service. Employees returning from service will be required to provide satisfactory documentation: (1) of their period of service, (2) of the timeliness of their application for reemployment, (3) that their service did not exceed the 5 year limit, and (4) that the character of their service was honorable.

#### 6.3.4 Reemployment Position

An employee serving from 1 to 90 days will be reemployed in the position the employee would have held had the employee remained continuously employed, so long as the employee is qualified for the position or can become qualified after reasonable efforts. An employee serving 91 days or more will be reemployed in (1) the position the employee would have held had the employee been continuously employed, or (2) a position of equivalent status and pay, so long as the employee is qualified for the position or can become qualified after reasonable efforts. If the employee cannot become qualified, the employee will be reemployed in any other position of lesser status and pay that the employee is qualified to perform with full service credit.

#### 6.3.5 Nondiscrimination

No one may discriminate against any employee who is called to serve in the uniformed services. CCMC prohibits acts of reprisal against returning uniformed service members and those who would testify to discrimination against a uniformed service member. If you are the victim of discrimination on the basis of your uniformed service, you are requested and encouraged to make a complaint to CCMC. You may complain directly to your Department Manager, the Human Resources Manager, or the Administrator/CEO. CCMC will promptly and thoroughly investigate any complaint or report of a violation of this policy.

#### 6.3.6 Benefits Continuation During Uniformed Service Leaves

##### A. Group Health Plan

Employees who experience a loss of coverage under CCMC's group health plan due to uniformed service may elect to continue such coverage. The maximum period of continuation coverage of the employee and the employee's dependents shall be the lesser of (1) the 18 month period beginning on the date on which the employee's absence begins, or (2) the day after the date on which the employee fails to apply for or return to a position of employment within the time periods specified above. Employees may continue coverage under CCMC's group health plan regardless of the employee's eligibility for military health care coverage (CHAMPUS/TriCare). Employees serving for 1-30 days may continue health coverage and pay only the employee share of coverage. An employee serving for 31 or more days will be required to pay 102 percent of the full premium under CCMC's group health plan. An employee whose health coverage terminated due to uniformed services is not required to complete a waiting period for reinstatement to CCMC's group health plan following reemployment.

##### B. Life Insurance Benefits

An employee on military leave may continue other benefits under the same terms as under any other leave of absence. An employee who returns to employment as specified above, will be reinstated to such other benefits without waiting for an open enrollment period.

### 6.3.7 Compensation

Employees may take paid leave for up to 16.5 working days per twelve month period for training, instruction, and search and rescue in the U.S. armed forces reserves provided that the employee obtains the approval of the Human Resources Manager. In addition, five days of paid time off are provided to employees called to active duty by the governor. In all other cases, military leave is unpaid. Employees are permitted, but not required, to run accrued paid time off concurrently with unpaid uniformed service leave.

### 6.4 Court Leave

Any regular employee who is called to serve as a juror or who is subpoenaed as a witness shall be entitled to court leave. A copy of the court summons will be required. Court leave will be paid at the employee's base rate of pay not to include shift differential or overtime.

### 6.5 Voting Leave

CCMC encourages employees to fulfill their civic responsibilities by participating in elections. Generally, employees are able to find time to vote either before or after their regular work schedule. If employees are unable to vote in an election during their non-working hours, CCMC will grant up to two hours of paid time off to vote. If any employee has two consecutive hours in which to vote, either between the opening of the polls and the beginning of the employee's regular working shift, or between the end of the regular working shift and the closing of the polls, the employee shall be considered to have sufficient time outside working hours within which to vote and will not be entitled to paid time off to vote. If unable to find time to vote before or after regular work schedules, employees should request time off to vote from their supervisor at least two working days prior to the Election Day. Advance notice is requested so that necessary time off can be scheduled at the beginning or end of the work shift; whichever provides the least disruption to the normal work schedule.

### 6.6 Educational Support and Leave

Leave for education purposes, when the time spent is not work time, must be pre-approved by the Department Manager or taken as PTO. Any other type of leave sought by the employee (such as paid leave not deducted from PTO) must be approved by the Administrator/CEO. Licensed or certified personnel may have specific amounts of educational leave set out by individual contract, in which case the taking of leave shall be addressed and scheduled pursuant to department policy and the contract. Other forms of educational support, such as reimbursement for books, tuition or travel, must also be pre-approved in writing by the Administrator/CEO. CCMC may impose conditions on reimbursement, including a minimum passing grade or continued employment with the Medical Center, as a condition of granting leave or financial support.

### 6.7 Income Assurance Program (IAP)

This was a former benefit accrued each pay period to be used for medical leave as defined under the Family and Medical Leave Act (FMLA) of 1993. The accrual of this benefit is no longer effective as of July 8, 2001. Employees who have accrued IAP shall retain their IAP bank for appropriate use through the term of their employment. There is no cash redemption value to the IAP with the exception of the employees defined under the IAP Recovery Policy. The IAP is not to be used in addition to benefits payable under workers compensation.

#### 6.7.1 IAP Use

The employee may use IAP for the following purposes:

- A serious health condition;
- To care for a family member with a serious health condition;
- The birth of a child;
- The placement of a child for adoption or foster care.

To request use of IAP, the employee must complete the leave paperwork in accordance with the Family and Medical Leave Act Policy. Such paperwork may be obtained from the HR department. IAP may be used after one calendar week of absence due to the above conditions.

#### 6.7.2 IAP Recovery

Employees hired before July 1, 1996 shall retain the eligibility for a prior provision regarding payment of one-half of their IAP account. Eligible employees have letters so stating in their individual personnel file.

## **7. PERFORMANCE STANDARDS**

### 7.1 ATTENDANCE

#### 7.1.1 Reporting to Work

The Medical Center is a 24-hour a day, seven-day a week health care facility. Absences cause undue hardship on co-workers and can adversely impact our patients. Reporting to work when scheduled is an essential function of all Medical Center positions.

#### 7.1.2 Notice of Absence or Lateness

Absence, for whatever reason, must be promptly reported to your supervisor when you learn of the need for the absence, and at least four (4) hours in advance of your scheduled reporting time. If your supervisor is not available, leave him/her a voicemail message and then call 424-8000. Inform the individual answering the phone that you are calling in and request that they give a message to your supervisor. You are responsible for providing your supervisor with up to date telephone numbers where you can be reached, in case of an emergency situation, or for adjustment of scheduled shifts.

#### 7.1.3 Grounds

An absence without valid reason may be treated as unexcused. One or more “no-call” or “no-show” absences constitutes grounds for disciplinary action, including termination. Excessive absenteeism and abuse of leave policies may result in negative performance evaluation, and/or discipline up to and including immediate termination of employment.



#### 7.1.4 Illness

We reserve the right to send home any employee who reports to work sick, ill, or impaired, and to require them to use PTO if available. Time off is provided in our employee policies to accommodate illness and conditions that impair the employee's ability to work safely and effectively. An employee who appears to be impaired by the effects of alcohol or drugs may be required to undergo drug/alcohol screening. An infectious illness must be reported to your supervisor in confidence, to assist in identifying or preventing facility-wide infectious outbreaks and confirming your eligibility to work without risk to patients, residents, and co-workers.

### 7.2 Performance Evaluations

Performance evaluations will be completed on annual basis by the department heads.

Performance evaluations are prepared in order to communicate regularly about the position requirements, employee strengths and weaknesses, opportunities for improvement and training, and goals for performance. Forms for evaluation may be obtained from Human Resources. CCMC fully reserves the option of tailoring evaluation forms to the needs of the position as well as the individual employee.

#### 7.2.1 Regular Assessments

Written performance evaluations will be provided for regular employees, on an annual schedule, which is usually at or near the anniversary date of employment. Both the supervisor and the employee are responsible for participating in the process, which may include a self-evaluation, and scheduled interview/discussion. The performance evaluation will be filed in the personnel file when completed and signed. The employee may add comments to the evaluation within 20 days, in the space provided.

#### 7.2.2 Following Introductory Period.

A written evaluation may be provided but is not required before deciding to release an employee at the end of or during the introductory period or an extension; a written evaluation is optional in the judgment of the supervisor in consultation with Human Resources.

#### 7.2.3 Unsatisfactory Rating

An unsatisfactory performance rating in two or more categories indicates the manager and employee shall discuss a plan of action, when a mutual and constructive discussion can occur.

### 7.3 Smoke-Free Workplace

CCMC encourages employees not to smoke and smoking cessation resources are available to those employees who desire to quit smoking. See your supervisor or Human Resources for more information. In order to provide a smoke-free workplace, smoking is allowed in designated areas only. Employees may smoke during break times and meal periods. Employees will refrain from smoking directly in front of the entry/exit doors as it may impact patients reporting for care to CCMC. Smoking is not allowed in CCMC vehicles or in housing furnished by CCMC.

#### 7.4 Standards of Performance

The Medical Center has identified a number of common violations and types of misconduct which may result in disciplinary action. The list provides illustrations only, and other grounds not specifically listed may validly result in personnel action. In addition, an employee's inability or failure to meet performance goals or standards may result in an adverse personnel action (such as, no wage increase, transfer, demotion, dismissal), with or without active misconduct or other grounds for discipline.

The following non-inclusive list describes examples of conduct or activities which are unacceptable:

- Excessive absenteeism and/or unauthorized absences, tardiness;
- Unauthorized use of or willful damage of facility property;
- Leaving the job or facility premises without permission while on duty;
- Sleeping on duty;
- Abuse of lunch or rest breaks;
- Discourtesy or disrespect to patient/residents/residents, visitors, physicians, or coworkers;
- Acceptance of gifts or tips;
- Intentional violation of safety rules;
- Fighting;
- Insubordination;
- Dishonesty or theft;
- Time card violations;
- Sabotage or vandalism;
- Falsifying records;
- Illegal behavior or activities;
- Having illegal possession of, being under the influence of, or partaking of intoxicants or controlled substances while on the job;
- Vulgar or abusive language;
- Disclosure of confidential information;
- Failure to comply with departmental or Medical Center policies or procedures;
- Allowing one's children to congregate or loiter in or around the premises;
- Disregard of personal grooming, cleanliness, appearance, or conduct standards;
- Smoking in unauthorized areas;
- Falsification or omission of employment application information;
- Performance of personal work or study on Medical Center time;
- Other causes recognized by law, grant requirements, or posted rules.

#### 7.5 Compliance with Healthcare Laws

As a recipient of government funds, including Medicare and Medicaid funds, this facility and each of its employees have an affirmative obligation to strictly comply with Civil False Claims Act, 31 U.S.C. § 3729-3788 (1995), which prohibits health care providers from knowingly or recklessly submitting false or fraudulent claims for payment to the government.

##### 7.5.1 Reporting Requirements

As an employee of the Medical Center, you have an obligation to report any conduct which you reasonably believe violates the law or the Medical Center's policies, procedures or code of conduct, including violation of any adopted compliance plan. Employees should report a suspected violation to the Administrator/CEO or the Compliance Officer.

### 7.5.2 Medical Center's Response

The Medical Center takes all reports of potential violations of law or policy seriously, and any employee receiving a report shall forward the information to the Compliance Officer who shall promptly review the report or evidence and determine whether there is any basis to suspect that a violation has occurred. CCMC will take follow-up steps to ensure compliance, which may include warning, other discipline, training, or other measures to prevent repetition.

### 7.6 Solicitation

Employees are not permitted to solicit during working time or in patient/resident care areas. An employee may not solicit another employee during the latter's work time. Employees are not permitted to distribute literature during working time or in working areas. Employees are not permitted to solicit or distribute literature to non-employees on the Medical Center premises. Off-duty employees are prohibited from entering any area not open to the public, and are prohibited from interfering with an on-duty employee's performance of her/his work tasks.

For purposes of this section 7.6, working time does not include meal breaks or other specified times during the work shift when employees are not engaged in performing their work tasks. Working areas are defined as areas on the premises where employees perform their work tasks, but do not include break rooms, rest rooms, parking lots, or other non-work areas. Immediate patient/resident care areas include patient/resident rooms, therapy rooms, nursing stations, radiology, and other patient/resident treatment rooms.

Any solicitation of patients and residents is strictly prohibited.

### 7.7 Maintaining the Proper Healthcare Environment

The staff of CCMC work hard to create an environment that will be conducive to recovery from illness and to establish a warm and comfortable living environment. An important element of patient/resident care is isolation from unwanted noise and unpleasant distraction; be considerate of patients and residents by keeping voices down, avoiding distracting or unnecessary conversation with co-workers, and minimizing equipment or traffic sounds.

All employees must be continuously aware of how employee interactions and communications are overheard and observed by patients and residents. All staff are encouraged to maintain a professional demeanor commensurate with the important mission of the Medical Center. Patients may be disturbed by loud conversation, laughter, whistling, singing, hallway chit-chat, excess traffic and movement, and employee socializing. Public discussion of complaints, criticisms, inter-departmental gossip and internal dissension communicated by or among staff can be especially distressing, and impair the trust and confidence of Medical Center clients. Accordingly, we have provided opportunities for breaks, as well as specific procedures for communicating about concerns privately, with the goal of minimizing impacts on internal operations and patient relations.

The conduct of employee's children on the premises is the responsibility of the employee. Children of employees may be authorized to wait briefly in designated areas with the consent of the Department Manager.

## 7.8 Personal Appearance/Dress Code

Your CCMC name badge must be at all times worn during work hours. Uniforms are to be worn in areas of direct patient care, housekeeping or the kitchen. Any questions regarding uniforms, scrubs, hairnets or other requirements should be directed to the department head.

Jewelry must be modest and safe in areas of direct patient care. All employees having patient or resident contact must be sensitive to irritants, allergenic substances, scent, dander, and sprays which may cause reactions. Perfume is not allowed in patient care areas.

Employees working in the kitchen, housekeeping, or individuals providing any type of patient care services are forbidden to wear false nails due to infection control issues.

During hours of operation, business or business casual clothing must be worn at all times in the facility. This may include pants, jeans, slacks, skirts, dresses, sweaters, dress or casual shirts. All clothing must be clean and in good repair (i.e. no holes, rips, tears, or excessive fading). Clothing inappropriate to the workplace includes sweats, t-shirts with inappropriate logos, statements or images, tank tops, halter tops, shorts, and “netted” clothing.

## 7.9 Telephones

Medical Center telephone lines are available as a priority for medical and emergency purposes only. Receiving or making personal telephone calls should be minimized to avoid distraction, disturbance and noise to others. Personal cell phone ring tones should be turned off in patient care areas.

## 7.10 Computer, Internet and E-Mail Usage

This Personnel Policy and Procedures describes CCMC’s policy regarding use of the Internet, Email, computer software, voice mail, and all other equipment or facilities owned or leased by CCMC, including, but not limited to, computers, telephones, fax machines, and photocopiers. Internet access, Email, computers and computer software, telephones, voice mail, fax machines, photocopiers, and all other equipment owned or leased by CCMC (collectively referred to in this policy as “such items”) are provided to employees for work-related purposes only. **Employees have no privacy interests in the use of such items.** Instead, such items are provided solely for use in work-related transactions or work-related communications for, or on behalf of, CCMC.

While such items are provided for the conduct of CCMC business, it is understood that they may be used occasionally for personal use as well. Reasonable occasional personal use is not prohibited, so long as it does not interfere with employees’ performance of their job responsibilities. Any questions regarding what constitutes reasonable occasional personal use should be directed to your supervisor or Department Head.

Notwithstanding the above provision regarding the use of such items for reasonable occasional personal use, employees shall not at any time communicate anything that might be construed as discrimination or harassment, or offensive to others based on race, color, marital or veteran status, sex, disability, age, religion, national origin, or other legally protected status, by means of such items. Further, employees shall not use such items at any time to solicit business for a venture not related to work or for other personal gain. Employees shall not at any time use such items for illegal activities, solicitation, or to promote their religious or political beliefs. Finally, employees shall not access such items from home or outside the workplace at any time to communicate personal or private matters, for discrimination or harassment, for a venture not related to work or for other personal gain, for illegal activities, solicitation or to promote religious or political beliefs.

Employees must exercise special care in handling privileged, proprietary, confidential, or copyrighted information and communications. Any dissemination of such materials must be limited to persons with a legal right to access them. Almost all data and software is copyrighted. Care should be exercised whenever accessing or copying any information that does not belong to you.

Due to CCMC's limited network and storage capacity, employees shall not download any programs, graphics, video, or audio to the network unless it is necessary for CCMC business purposes and authorized by the employee's Department Head and the Management Information Systems Division.

All traffic to and from the Internet must travel through CCMC's approved Internet gateway in order to assure maximum security, virus protection, monitoring, and system management capabilities. Employees may be provided an Internet Email account.

Any executable files, programs or utilities downloaded or received (by Email, floppy disk or other media) from the Internet or other external source must be scanned for viruses and licensed prior to launching. Scan all files with any virus prevention software provided to you by CCMC.

If you require assistance in scanning for viruses or licensing software, please contact the Human Resource Coordinator. Employees are prohibited from using CCMC's systems for transmission of destructive programs such as viruses or self-replicating code.

Regarding Email and Internet communications, it is important for employees to understand that such communications can be traced to the sender even after they have been "deleted." In addition, CCMC may be required to produce Email messages, Internet communications, or other communications, in connection with legal proceedings. Further, CCMC may regularly review, audit, and download Email messages, Internet communications, or other communications that employees sent or received. An employee may not create or send abusive or inappropriate Email or participate in improper activities not related to work utilizing the Internet, such as chat rooms, or download abusive or inappropriate matters from the Internet. Employees are not permitted to print, display, download, or send any sexually explicit images, messages, cartoons, or jokes. If an employee receives such things from another person, he or she must immediately advise the sender that he or she is not permitted to receive such information and not to send it again. If the employee needs assistance in responding to situations such as that described above, he or she must contact his or her supervisor or Department Manager.

In order to provide access to various properties owned or leased by CCMC, a password may be assigned to an employee and is the property of CCMC. Assigning a password to an employee does not mean that the employee has a right of privacy in his or her password, or in that item to which the password provides access. For example, assigning an employee a password to log on to a computer does not mean that the employee's use of that computer is in any way private; CCMC retains the right, at all times, to access stored and other data on the computer. An employee cannot use unauthorized or secret passwords, and all passwords must be shared with your supervisor, Department Manager, or other management employee upon request.

#### 7.10.1 Additional policies and procedures for Use of the Internet

The following policies and procedures are in addition to those described above. CCMC encourages use of the Internet to disseminate information to the public and CCMC's employees (collectively called "users") to improve communications with the public and/or

to carry out official business when such business can be accomplished consistent with the following guidelines:

- A. Departments and employees should base decisions to use the Internet on sound business practices. The conduct of business via the Internet is particularly compelling where costs are reduced and/or the services provided to users are improved in measurable ways.
- B. Information and services presented via the Internet should emphasize ease of use for a broad audience, be presented in a friendly manner, and include clear choices, ease of navigation, on-screen instruction, and the like.
- C. Disseminate information that is current, accurate, complete, and consistent with CCMC policy. Information accuracy is particularly important on the Internet. Where paper-based information is often not current, information presented electronically is expected to be current. Users expect this information to be not only current but often to be the first available.
- D. Protect privileged, confidential, copyrighted and proprietary information of CCMC. Questions regarding any such information should be routed to your supervisor or Department Head.
- E. Never make an unauthorized attempt to enter any computer or another site on the Internet from CCMC's servers (commonly known as "hacking").
- F. If you are using information from an Internet site, you should verify the integrity of that information. You should verify whether the site is updated on a regular basis (the lack of revision date might indicate out-of-date information) and that it is a valid provider of the information you are seeking. Just because it is there does not mean that it is accurate or valid.
- G. Use of Internet Mailing Lists and Usenet News Groups is prohibited unless authorized by a Department Head and the Management Information Systems Division.
- H. The use of Social Media, i.e., Facebook, Twitter, Flickr, Pinterest, Tumblr, Vimeo is prohibited without prior written approval from your manager. A copy will be given to the Human Resources Coordinator.
- I. There will be no slander, misrepresentation, defamation of CCMC by any employee or contracted employee in conversation or on Social Media.

#### 7.10.2 Additional Policies and Procedures For Use of Email.

The following policies and procedures are in addition to those described above:

- A. The representation of yourself as someone else, real or fictional, or a message sent anonymously is prohibited.

- B. Email requires extensive network capacity. Sending unnecessary email, or not exercising restraint when sending very large files, or sending to a large number of recipients, consumes network resources that are needed for CCMC business. When CCMC grants an individual employee access to the network, it is the responsibility of the employee to be cognizant and respectful of network resources.
- C. ELECTRONIC MAIL ON THE INTERNET IS NOT SECURE. Never include in an email message anything that you want to keep private and confidential because email is sent unencrypted and is easily read.
- D. Be careful if you send anything but plain ASCII text as email. Recipients may not have the ability to translate other documents, for example, Word documents. Be careful when sending replies – make sure you are sending to a group when you want to send to a group, and to an individual when you want to send to an individual. Check carefully the "To" and "From" before sending mail. It can prevent unintentional errors.
- E. Include a signature (an identifier that automatically appends to your email message) that contains the method(s) by which others can contact you. (Usually your email address, phone number, fax number, etc.)
- F. Use automatic spell check programs if available.

## **8. DRUG AND ALCOHOL FREE WORKPLACE**

### 8.1 Federal Drug Free Workplace Act Policy Statement

This Statement is provided pursuant to the Drug-Free Work Place Act of 1988. CCMC provides this Statement to its employees because it may receive certain federal grant funds.

#### 8.1.1 Statement

#### **CCMC HAS A ZERO TOLERANCE POLICY FOR SCHEDULED AND ILLEGAL DRUGS WHILE ON DUTY.**

CCMC has a policy of maintaining a drug-free workplace. In accord with the Drug-Free Workplace Act of 1988 and to promote drug-free awareness among employees, CCMC, informs its employees that:

- A. Drug abuse in the workplace creates a dangerous environment for the employee engaged in the drug abuse and endangers the health, safety and welfare of all employees and other persons in the workplace.
- B. It is the policy of CCMC to maintain a drug-free workplace. The illegal manufacture, distribution, possession or use of controlled substances in any CCMC workplace is strictly prohibited at any time.
- C. Upon the request of an employee, the employee will be provided with information on a confidential basis about drug counseling or rehabilitation program(s) that might assist the employee.

- D. Actions may be taken against employees for violations of CCMC’s policy, up to and including termination of employment.

### 8.1.2 Policy and Procedures

The unlawful manufacture, distribution, possession, or use of a controlled substance is prohibited on any premises occupied or controlled by CCMC. Appropriate disciplinary actions, up to and including termination, will be taken against CCMC employees for violations of this prohibition.

“Controlled substance” for purposes of this Statement means a controlled substance listed in schedules I through V of Section 202 of the Controlled Substances Act (21 U.S.C. § 812), and as further defined by federal regulations (21 C.F.R. 1308.11 – 1308.15). This list includes, but is not limited to, marijuana, heroin, PCP, cocaine and amphetamines.

A condition of employment for work under certain grants received by CCMC from the federal government, is that each employee will, as a condition of continued employment:

- A. Abide by the terms of this Statement.
- B. Notify CCMC of his or her conviction under a criminal drug statute for any violation occurring in the workplace no later than five days after such conviction.

“Conviction” means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes.

“Criminal drug statute” means a Federal or non-federal criminal statute involving manufacture, distribution, dispensing, use or possession of any controlled substance.

If the criminal drug statute violation occurred in the workplace a sanction will be imposed on the employee so convicted. Within 30 days after receiving notice of the conviction: CCMC will take appropriate disciplinary action against such employee, up to and including termination; or CCMC will require such employee to satisfactorily participate in a drug abuse assistance or rehabilitation program approved for such purpose by a Federal, State, or local health, law enforcement or other appropriate agency.

Employees are encouraged to use any resources available to them to address personal drug and alcohol abuse issues. An employee may be entitled to leave under the Family Medical Leave Act (“FMLA”) or AS 23.10.500 through AS 23.10.550 (“State FMLA”) to address personal drug and alcohol abuse issues. For employees enrolled in CCMC’s health insurance plan, coverage may be available for a portion of the cost of addressing such issues. Additionally, employees may also be entitled to use accrued Paid Time Off and/or leave without pay other than FMLA or State FMLA to address such issues. The Human Resources Department can provide an employee with additional information about these options.

### 8.2 Drug and Alcohol Testing

All questions regarding this policy should be directed to the Human Resources Department for CCMC.



### 8.2.1 Purpose

CCMC is committed to promoting a work environment free of drugs and alcohol and to maintaining the highest standards for the health and safety of its employees and the public at large. Employees who are under the influence of drugs or alcohol pose a serious threat to the safety of the employee, co-workers and the public. Employees may not report to work impaired by drugs and/or alcohol or engage in other prohibited conduct as provided in this policy.

### 8.2.2 Prohibited Conduct

This policy prohibits certain conduct related to alcohol and controlled substances as described below.

#### A. Consequences for Prohibited Conduct Related to Alcohol Use

An Employee shall not report for duty while having any amount of alcohol in their system. As used in this policy, “duty” means all time from the time when the Employee begins to work or is required to be in readiness to work, until the time he/she is relieved from work and all responsibility for work.

No Employee shall drink alcohol while on duty. No Employee required to take a post-accident alcohol test shall drink alcohol for eight (8) hours following the accident, or until he/she undergoes a post-accident test if the post-accident test occurs before the 8 hours has elapsed.

An Employee engaging in any of the prohibited conduct described above will be immediately removed from duty. An Employee shall also be disciplined for engaging in such prohibited conduct, up to and including termination.

#### B. Controlled Substances.

No Employee shall report for duty or be on duty under the influence of any substance while on duty.

#### C. Other On the Job Violations

The unauthorized use, possession, manufacture, distribution or sale of alcohol or an illegal drug, controlled substance or drug paraphernalia on or in CCMC-owned property (including CCMC vehicles) or while on CCMC business, or during working hours can result in termination.

#### D. Refusal to Undergo Testing

Refusing to immediately submit to a drug or alcohol test when requested by CCMC, in accordance with this policy can result in termination.

#### E. Failing Testing

Testing positive for drugs or alcohol in violation of this policy can result in termination.

F. Removal from Duties

An Employee engaging in any of the prohibited conduct described above shall be immediately removed from duty. An Employee shall also be disciplined for engaging in such prohibited conduct, up to and including termination.

8.2.3 Categories of Employees Tested

All CCMC employees who are not required to obtain a Commercial Driver's License are subject to Reasonable Cause testing under this policy. CCMC employees who hold Safety Sensitive positions and who are not required to obtain a Commercial Driver's License are subject to Pre-Employment, Post-Accident, Reasonable Cause, Random testing and Return to Work testing under this policy.

8.2.4 Testing

An Employee will be tested for alcohol/controlled substances use under the following circumstances:

A. Pre-Employment Testing

Prior to the first time an Employee in a Safety Sensitive position is required to report for duty at the start of his or her employment with CCMC, the Employee must undergo testing for controlled substances.

B. Post-Accident Testing

An Employee in a Safety Sensitive position shall be tested for alcohol and controlled substances after use of equipment or a vehicle by the Employee while on the job in the following circumstances: when a human fatality, bodily injury requiring treatment, or property damage in excess of \$500 results from the Employee's use of the equipment or vehicle.

C. Reasonable Cause Testing

Any CCMC Employee may be subject to testing upon a reasonable and articulable suspicion or belief that the Employee is using a controlled substance or alcohol on the basis of specific, contemporaneous physical, behavioral, or performance indicators of probable drug or alcohol use. Trained supervisors will make the decision whether there is reasonable suspicion to believe an employee has used drugs or alcohol in violation of this policy.

D. Return to Duty Testing

Where an Employee in a Safety Sensitive position engages in conduct prohibited by this policy, he or she will be required to undergo a return-to-duty test, if the Employee has not already been discharged. With alcohol, the Employee must

have an alcohol concentration of less than 0.02 on a return-to-duty test. With controlled substances, the Employee must test negative on a return-to-duty test.

#### 8.2.5 Testing Procedures

Testing for alcohol concentration and controlled substances is conducted in accordance with the same testing procedures that apply to CDL drivers, i.e., in compliance with 49 C.F.R. Part 40 and 49 C.F.R. Part 382. A copy of those regulations is on file at CCMC offices and is available for your review.

CCMC utilizes urine specimen collection procedures for testing for controlled substances. A clean, single-use specimen bottle that is securely wrapped until filled with the specimen is used, as is a clean, single-use collection container that is securely wrapped until it is employed. CCMC also has a tamperproof sealing system on all bottles to ensure against undetected tampering, a numbering system to ensure proper identification, and it uses a collection site person who is properly trained or qualified. There is a designated collection site where specimens are taken, and where adequate privacy and security measures are in place. Persons collecting samples are trained to maintain the integrity and identity of the specimens. A medical review officer (MRO) examines and interprets test results.

For alcohol testing, a breath alcohol technician (BAT) operates an evidential breath-testing device (EBT). The testing occurs in a location affording privacy, and the BAT utilizes a federally developed Breath Alcohol Testing form to ensure accuracy as to testing results.

There are special testing procedure rules applicable to post-accident testing. If an alcohol test is not administered within two hours following the accident, CCMC prepares and maintains on file a record stating the reasons the test was not promptly administered. If a test is not administered within eight hours following the accident, CCMC shall cease attempts to administer an alcohol test and shall prepare and maintain the same record.

If a post-accident test for controlled substances is not administered within 32 hours following the accident, CCMC shall cease attempts to administer a controlled substances test, and prepare and maintain on file a record stating the reasons the test was not promptly administered. An Employee who is subject to post-accident testing must remain readily available for such testing or may be deemed by CCMC to have refused to submit to testing. Of course, medical attention for injured people following an accident is of the highest importance, and an Employee may leave the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.

#### 8.2.6 Reporting Test Results

The MRO shall review confirmed positive test results prior to the transmission of results to CCMC. The MRO shall contact the employee within 48 hours and offer an opportunity to discuss the confirmed test result. If the MRO determines there is a legitimate medical explanation for the positive test result, the MRO shall report the test as negative.

An employee may obtain a copy of the written test results only upon written request made within six months of the date of the test. CCMC will provide the written test results to the employee pursuant to that request within five working days of its receipt.

An employee who would like an opportunity to explain a positive test result in a confidential setting must make such a request in writing within 10 working days of being notified of the test result. An employee who submits such a timely written request will be given the opportunity, within 72 hours after its receipt or before taking adverse employment action, to explain the positive test in a confidential setting.

#### 8.2.7 Requirement to Submit to Testing/Refusals to Submit

An Employee must submit to the testing described above. Refusal to submit to testing shall result in discipline, up to and including termination.

Refusal to submit occurs in the following situations: (1) failure by an Employee to provide a urine sample without genuine inability to provide a specimen (as determined by a medical evaluation) after he or she received notice of the requirement to be tested; (2) failure to provide an adequate breath for testing without a valid medical explanation after receiving notice of the requirement to be tested; and (3) engaging in conduct that clearly obstructs the testing process.

#### 8.2.8 Confidentiality of Results

All records relating to drug and alcohol testing will be maintained in a secure, confidential medical file in the Human Resources Department. A communication received by CCMC's Drug Program Administrator/CEO relevant to drug or alcohol test results and received through CCMC's testing program is confidential and privileged, and will not be disclosed by CCMC to anyone outside CCMC except:

- A. to the tested employee, prospective employee or another person designated in writing by the employee or prospective employee;
- B. an individual designated to receive and evaluate test results or hear the explanation from the employee or prospective employee;
- C. as ordered by a court or governmental agency; or
- D. in any proceeding initiated by or on behalf of the individual and arising from a positive test.

#### 8.2.9 Definitions

- A. Accident  
for purposes of this program will be defined as an incident involving a vehicle or piece of machinery or equipment operated by a CCMC employee that causes or is involved with the loss of human life, the issuance of a moving traffic citation under state or local law, medical treatment (other than first aid) administered away from the scene, or significant property damage.
- B. Alcohol  
means ethanol, isopropanol, or methanol.
- C. Breath Alcohol Technician (BAT)  
means an individual who operates an EBT and instructs and assists individuals in the alcohol testing process.

- D. Detectable or Measurable Quantity  
means at or above the levels identified in this policy.
- E. Drug(s)  
means a substance considered unlawful under AS 11.71 or under federal law, or the metabolite of the substance.
- F. Drug Testing  
means testing for evidence of the use of a drug.
- G. Evidential Breath Testing Device (EBT)  
is a device approved by the National Highway Traffic Safety Administration for the evidential testing of breath.
- H. Failing A Drug Test  
shall mean the test results show positive evidence of the presence of a drug or drug metabolite in an employee's system.
- I. Medical Review Officer (MRO)  
is the licensed physician or doctor of osteopathy who is responsible for reviewing positive laboratory results generated by CCMC's testing program.
- J. Prospective Employee  
means a person who has been offered a job, whether by oral or written means.
- K. Safety Sensitive Functions  
are those having a substantially significant degree of responsibility for the safety of the public where the unsafe performance of an incumbent could result in death or injury to self or others.
- L. Sample  
means urine or breath from the person being tested.
- M. Screening Test or Initial Test  
means an analytic procedure to determine whether an employee may have a prohibited concentration of drugs or alcohol in a specimen.
- N. Refusal to submit  
means failure to cooperate and provide a drug or alcohol sample, after receiving notice of the test in accordance with CCMC Drug and Alcohol Abuse and Testing Policy. A refusal will be treated the same as a positive test result.
- O. Under the Influence, Affected by, or Impaired by drugs or alcohol  
means the presence of drugs or alcohol

## **9. DISCIPLINE AND DISMISSAL**

### **9.1 Disciplinary Action**

Violations of standards will result in disciplinary action. Disciplinary response may range from informal action (counseling, reminder, verbal warning), to more formal action (written reprimand, suspension, dismissal), depending upon the nature and seriousness of the offense. Disciplinary measures may be progressive, but not in all cases. This policy does not specify the step or response that must occur at any stage of the disciplinary process. Each individual and circumstance will call for a tailored response and managerial judgment.

### **9.2 Separation from Employment**

All employees are hired at CCMC for an indefinite period of time and may be discharged with or without reason or notice. Separations generally occur when: an employee is laid off due to lack of work either temporarily or permanently, when an employee is discharged, or when an employee resigns his or her position within CCMC. The three types of separations are:

#### **9.2.1 Layoff**

If it becomes necessary to reduce the workforce, employees affected by the workforce reduction will be given preferential rehire rights.

#### **9.2.2 Discharge**

The decision to discharge employees is based not only on the seriousness of the current performance infraction but also on the individual's overall performance record.

#### **9.2.3 Resignation**

Employees in most positions are requested to give their supervisor two weeks' written notice of their intent to resign; employees classified as direct care providers, licensed personnel, managers, and directors are requested to give four weeks notice. Failure to give such notice could result in ineligibility for rehire. All employees who resign their positions with CCMC for any reason are asked to participate in an exit interview with the Human Resources Coordinator.

### **9.3 Wage Payment Upon Termination**

Where an employee is involuntarily terminated by CCMC, the employee will be paid within three (3) working days of termination all wages, salary or other compensation due. In cases where an employee voluntarily terminates/resigns, the employee will be paid all wages, salary or other compensation due by the next regular payroll date.

### **9.4 Return of Property**

On their last day of employment, employees are required to return all CCMC property to their supervisor or designee. Terminating employees will be provided information pertaining to benefits by the Human Resources Department.

## 9.5 Promotions and Transfers

It is CCMC's policy to promote from within CCMC whenever possible. It is our intent to maintain a highly qualified work force at all times. Current employees who are qualified for and interested in a posted position are required to submit a resume and application to the hiring manager in accordance with CCMC's hiring procedure. It is the general policy to make all appointments on the basis of merit and fitness for the particular position and to fill vacancies from within CCMC by promotion when qualified employees are available. However, CCMC reserves the right in every instance to hire the most qualified candidate for each job position.

## 9.6 Re-Employment

### 9.6.1 Former Employees

If you are re-employed, you will be processed as a new employee. Previous service will not be used to increase the PTO accrual schedule. Other benefits may be reinstated if re-employment occurs within 90 (ninety) days of separation.

### 9.6.2 Recalled Employees

A "recall" following layoff is an offer of reemployment to the same or equivalent position, which occurs within 90 days of the lay-off, for employees who remain eligible for employment with CCMC. If an employee is recalled to work, employee will have 3 calendar days to notify CCMC whether they accept the recall, and a total of 7 business days to return to work from the time of notice of the recall option, unless CCMC waives the time limits in writing. If the employee does not respond affirmatively, or fails to return as scheduled, all recall opportunities are deemed automatically forfeited.

## 9.7 References Policy

Reference requests must be directed to Human Resources for response. The Medical Center furnishes dates of employment, title, and position(s) held without requiring a release or authorization from the former employee. A signed employee release of information is required by CCMC prior to releasing or disclosing any additional information. This policy does not waive any right or privilege of CCMC under Alaska law regarding responding to reference requests.

# **10. HEALTH AND SAFETY**

## 10.1 Reporting Employee Injuries

Employees must report all workplace illness or injury within 24 hours of the injury, to the immediate supervisor or charge nurse. A Report of Occupational Injury or Illness Form must be completed and returned to HR at that time. Failure to complete this form will delay processing and may cause denial of workers compensation claims. Fraudulent or intentionally inaccurate statements contained in the Report of Occupational Injury or Illness Form or an unreasonable failure to report an occupational injury or illness is cause for disciplinary action.

## 10.2 Accidents/Needle Sticks

Potential hazards should be reported to the department supervisor, maintenance, or the Administrator/CEO. If an accident does occur involving an employee, patient, resident, or visitor, it must be reported immediately to the supervisor, charge nurse, or Administrator/CEO and a written report must be prepared. Reporting procedure packets are available at the Nurses Station. Needle sticks must be handled in a similar fashion and the employee must report to the employee health nurse during the same work day.

## 10.3 Weapons Prohibited

CCMC specifically prohibits the possession of weapons or firearms by any persons while in the Medical Center, with the exception of law enforcement personnel.

# 11. OPEN COMMUNICATION POLICY

The Medical Center seeks to promote positive working relationships consistent with effective delivery of health care. Maintaining an Open Door Policy for exchanging ideas and discussing issues that impact the Medical Center (either positively or negatively) is an important responsibility. Our policies are intended to allow employees to informally bring up issues of concern affecting the Medical Center, other employees, policy-making, or their department, in a timely manner.

Employees are encouraged to consult management at appropriate times during the business day, in appropriate settings and locations, to foster constructive and thoughtful discussion. If a matter is urgent, it may be helpful to introduce the topic with the manager and determine if a later scheduled appointment will permit fuller discussion. The Human Resources Manager can assist you in determining whether an issue is of general concern.

To the extent practicable, sensitive matters will be treated confidentially. Participants are expected to use appropriate judgment and discretion when sharing issues outside the relevant, responsible managers and staff.

# 12. GRIEVANCE PROCEDURE

It is the policy of CCMC to treat all employees equitably and fairly in matters affecting their employment. Each employee of the city shall have the opportunity to respond and resolve those matters affecting their employment which are a violation of these policies and procedures. The employee shall have the right to present any grievance without fear of reprisal.

## 12.1 Definition of a Grievance

A grievance is a written complaint by a regular full-time or regular part time employee or group of employees challenging the interpretation, application or alleging a violation of a specific personnel policy, departmental rule, or other regulation which affects the terms of conditions of their employment. Temporary employees, casual employees and volunteers are not eligible to use these grievance procedures. Any employee is his/her introductory period is not entitled to use these grievance procedures.



## 12.2 Grievance Process

### 12.2.1 Step 1

Any employee having a problem regarding the terms and conditions of his/her employment shall first discuss the problem with his/her immediate supervisor. If the problem is not settled, and it can be defined as a grievance, the employee has the right to present the grievance as a Step 2 grievance. All appeals from suspensions of more than three (3) working days, disciplinary demotion or disciplinary separation shall be initiated at Step 3. Employees may bypass one or more Steps of the grievance process when reporting a complaint or expressing any issue of concern regarding alleged discrimination or harassment, and may raise such concerns directly with the Administrator/CEO (Step 3), or the City Manager (Step 4).

### 12.2.2 Step 2

If the grievance is not settled informally, the employee shall document, in detail, the specific personnel policy, departmental rule, or other regulation alleged to be misinterpreted, misapplied or violated. This formal grievance shall be dated, signed and submitted to the Department Head within five (5) working days from: (i) the date of receipt of a disciplinary action memo by employee, in person, or by mailing, or (ii) of the violation which is the subject matter of the employee's complaint. If acceptance of the letter transmitting a disciplinary action memo is refused, or the letter is not picked up within ten (10) working days of posting, the employee will be deemed to have waived his/her rights to grieve. The Department Head shall reply to the written grievance in writing within five (5) working days after receipt of the written grievance. A determination made by the Department Head that the form of the grievance is insufficient, may be appealed to the Administrator/CEO (Step 3).

### 12.2.3 Step 3

Upon receipt of the Department Head's response, the employee shall have five working days to appeal the decision in writing to the Administrator/CEO. If the employee fails to appeal the Department Head's decision within five (5) working days, such failure to respond will decide the grievance in favor of the Department Head's Step 2 decision. The Administrator/CEO shall reply in writing within five (5) working days after the date of presentation of the grievance.

### 12.2.4 Step 4

Upon receipt of the Administrator/CEO's response, the employee shall have five (5) working days to appeal the decision in writing to the City Manager. If the employee fails to appeal the Administrator/CEO's decision within five (5) working days, such failure to respond will decide the grievance in favor of the Administrator/CEO's Step 3 decision. The City Manager shall reply in writing within five (5) working days after the date of presentation of the grievance.

#### 12.2.5 Step 5

Upon receipt of the City Manager's response or failure of the City Manager to respond, the employee shall have five (5) working days to request City Manager mediation. If the employee fails to file a written request for mediation within five (5) working days, such failure will serve to decide the grievance in favor of the City Manager's Step 4 decision.

### 12.3 Mediation

#### 12.3.1 Step 1

Within ten (10) working days of the receipt of a request for mediation, the City Manager shall schedule a meeting with the parties involved, including the CCMC Human Resources Manager, to attempt to resolve the differences through informal mediation. This is a nonbinding good faith attempt to resolve differences. Neither party shall be entitled to any additional representation. If resolved at this informal meeting, the decision shall be reduced to writing, signed and copies distributed to all parties.

#### 12.3.2 Step 2

If the grievance is not resolved through informal mediation within ten (10) working days, the aggrieved employee(s) may request arbitration of the dispute, as provided for below.

### 12.4 Arbitration

#### 12.4.1 Step 1

The aggrieved employee(s) may select, within five (5) working days, a mutually acceptable competent Alaskan arbitrator who can commit to scheduling a hearing and rendering a decision in an expeditious manner. Should the City Manager and the aggrieved employee(s) be unable to agree upon the appointment of an arbitrator, they shall select an arbitrator, by the striking method, from a list of seven qualified Alaskan arbitrators supplied by the Federal Mediation and Conciliation Service (FMC). The City Manager and the aggrieved employee(s) shall alternatively strike one name from such list, and the sole remaining name shall be appointed as the arbitrator.

#### 12.4.2 Step 2

The arbitrator shall conduct a hearing in accordance with generally accepted standards and procedures for grievance or arbitration and in as expeditious manner as possible.

#### 12.4.3 Step 3

Any decision by the FMC's arbitrator shall be final and binding upon the parties concerned. The arbitrator has the power to decide all issues, including awards of back pay if appropriate. It is understood and agreed that the arbitrator shall not have any power to add to or amend any of the provisions of these policies or rules.

#### 12.4.4 Step 4

Each party in the proceeding will pay the cost of presenting their case. The arbitrator's fee will be paid by the CCMC, unless it is found by the arbitrator that the grievance has been frivolous or not in good faith. In such an event, the employee shall pay the arbitrator's fees.

#### 12.5 Time Limits Of the Essence.

The time limits referred to in this policy must be strictly adhered to, but may be waived or modified by mutual agreement in writing. It is the intent that all procedures set forth herein shall be complied with as expeditiously as practicable. If the employee shall fail to comply with the limits imposed within this section the grievance shall be deemed waived. If the Department Head, Administrator/CEO or City Manager shall fail to meet the time limits imposed within this section, a disciplinary action which forms the basis of the employee's grievance shall be suspended during the period of noncompliance with the time limits and the employee will continue to accrue all pay and benefits as if the disciplinary action had not occurred.

#### 12.6 Exclusive Remedy.

The grievance, mediation and arbitration procedures of this section are the sole and exclusive remedies of the employees of CCMC contesting violations of these policies and/or disciplinary actions. An employee must fully exhaust these remedies prior to filing any lawsuit or other administrative action.

Acknowledgement of Receipt of Employee Handbook

I, \_\_\_\_\_, acknowledge that on this date I have read and understood the most recent revision of the Cordova Community Medical Center (“CCMC”) Employee Handbook dated October 2015. If there is any policy or provision in the Handbook that I do not understand, I agree that I will seek clarification from my manager or the Human Resource Manager. I acknowledge and understand that I will have ongoing electronic access to the Handbook using CCMC’s computer resources.

Consistent with Alaska state law, I understand that CCMC is an “at-will” employer and, as such, employment with CCMC is not for a fixed term or definite period. “At-will” employment means my employment may be terminated at the will of either party, with or without cause, for any or for no reason, and without prior notice. No manager or other representative of CCMC has the authority to enter into any agreement contrary to the above. In addition, I understand that this Handbook states CCMC’s policies and practices in effect for the most current revision. I understand that nothing contained in the Handbook may be construed as creating a promise of future benefits, or a binding contract with CCMC for continued employment, benefits or any other purpose.

In the event that a provision in this Handbook is in conflict with a federal, state, or local law regulation, the appropriate law or regulation will prevail, and the provision in this Handbook shall be deemed amended to the extent necessary to comply with such law or regulation.

I agree to abide by the rules and procedures described in this Handbook. I also understand that these policies and procedures are continually evaluated and may be amended, modified or terminated at any time. I also agree that situations may arise from time to time which, in CCMC’s judgment, may require procedures and actions different than those described in this document or other written policies. A copy of this acknowledgement page will be retained as part of my permanent personnel file.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date Signed

\_\_\_\_\_  
Witness Signature

\_\_\_\_\_  
Date Signed