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Personnel

Policy

Manual

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IMPORTANT NOTICE

THIS HANDBOOK IS INTENDED AS A GUIDE FOR THE EMPLOYEE TO PERFORM A JOB IN AN EFFICIENT AND PROFESSIONAL MANNER. NOTHING IN THIS HANDBOOK SHALL BE CONSTRUED TO BE A CONTRACT BETWEEN ARK INDUSTRIES AND REHABILITATION CENTER OR ITS RELATED ORGANIZATIONS AND THE EMPLOYEE. ADDITIONALLY, THIS HANDBOOK IS NOT TO BE CONSTRUED BY ANY EMPLOYEE AS CONTAINING BINDING TERMS AND CONDITIONS OF EMPLOYMENT. REGARDLESS OF WHAT THESE POLICIES SAY OR PROVIDE, THE EMPLOYER PROMISES NOTHING AND REMAINS FREE TO CHANGE ITS POLICIES, WAGES, AND ALL WORKING CONDITIONS WITHOUT HAVING TO CONSULT ANYONE AND WITHOUT ANYONE'S AGREEMENT, WITH OR WITHOUT NOTICE, IN WRITING OR OTHERWISE.

ALL EMPLOYEES ARE AT-WILL EMPLOYEES. ARK RETAINS THE ABSOLUTE RIGHT TO TERMINATE ANY EMPLOYEE AT ANY TIME, WITH OR WITHOUT CAUSE. IN THE SAME REGARD, AN EMPLOYEE MAY TERMINATE HIS EMPLOYMENT WITH THE ARK AT ANY TIME, WITH OR WITHOUT NOTICE OR WITH OR WITHOUT CAUSE.

NO EMPLOYEE, SUPERVISOR, OR MANAGER OF THE ARK, OTHER THAN THE PRESIDENT AND CEO, HAS THE AUTHORITY TO MAKE ANY PROMISE OR STATEMENT INDICATING THAT ANY EMPLOYEE IS EMPLOYED FOR ANY DEFINITE PERIOD OF TIME OR ANY STATEMENT OR PROMISE WHICH CONTRADICTS THE PROVISIONS OF THIS DISCLAIMER. ANY SUCH PROMISE OR STATEMENT MADE BY THE PRESIDENT AND CEO MUST BE IN WRITING AND SIGNED BY THE PRESIDENT AND CEO AND THE EMPLOYEE TO BE ENFORCEABLE.

QUESTIONS REGARDING THIS POLICY SHOULD BE DIRECTED TO THE PRESIDENT AND CEO OR THE HUMAN RESOURCES DEPARTMENT.

PREFACE

Ark Industries and Rehabilitation Center is comprised of three divisions: Ark Recycling Services, Ark Regional Services and Wyoming Integrated Therapies. For sake of simplicity, the term "Ark" will be used throughout the policy manual as it relates to Ark Industries and Rehabilitation Center and its associated divisions. It should also be noted that the Ark is not an agency-affiliated member of the ARC of the United States. The terms, him or his, will be used throughout the policy manual as a gender-neutral term.

The Vision of Ark Regional Services is that all people have the opportunity to experience the world in which we all live.

In order to support this vision, Ark Regional Services will facilitate opportunities for people:

- **to LIVE enriched, full and individualized lives;**
- **to LEARN what is necessary and meaningful to realize personal success;**
- **to WORK toward individual accomplishment, employment satisfaction and community contribution;**
- **and to PLAY...**

The policies and provisions contained in this handbook apply to all employees, unless otherwise indicated in a particular policy or provision.

MANAGEMENT RIGHTS

The Ark is continually looking at ways to improve the services provided to the people served. In order to accomplish this, Ark retains all rights to manage, direct, and control its business and, as such, has the right to plan, manage, direct and control the work of employees. Inclusive in this right is the right to hire; the right to determine the size, structure, and makeup of the work force; the right to establish hours of work; the right to assign job tasks; the right to establish personnel, pay, and benefits systems; the right to evaluate work performance; the right to establish work rules and standards; and the right to discipline and terminate employees. Only the President and CEO or her designated representative has the authority to make any changes or exceptions in Ark policies or procedures. In addition, the President and CEO or her designated agent or representative may terminate or reassign any employee and may change any employee's status from full-time to part-time, for any reason, with or without cause as management deems necessary or proper, with or without notice.

CODE OF ETHICS

All people associated with Ark Regional Services including staff members, board members and other volunteers shall:

- ◆ Foster the mission of the organization and fulfillment of its goals.
- ◆ Treat everyone associated with the organization with respect and dignity, be they Board members, fellow staff members, volunteers, customers, donors, and most importantly, the people receiving services.
- ◆ Provide or facilitate services based on individual needs.

- ◆ Be vigilant and honor the integrity of Ark Regional Services.
- ◆ Conduct Ark business in accordance with all applicable laws and regulations.
- ◆ Represent Ark Regional Services honestly and fairly at all times.
- ◆ Hold in confidence any information of people receiving services or privileged administrative information learned in the course of association with Ark Regional Services.
- ◆ Commit to the provisions of high quality services.
- ◆ Use the resources of Ark Regional Services in a responsible manner and not for personal activities beyond what is allowed by the policies and procedures of the organization.
- ◆ Disclose any breach of ethics to the appropriate level of administration, whether the breach is one's own or on the part of someone else.

The President and CEO will address breaches of this code of ethics. Ark Regional Services prohibits retaliation against anyone making a good faith report of alleged wrongdoing.

POLICY PROHIBITING RETALIATION AGAINST EMPLOYEES WHO TAKE ACTION ON ACCOUNT OF POTENTIALLY ILLEGAL ACTIVITIES

Ark policy prohibits retaliation of any variety against any Ark employee who: (1) discloses, or threatens to disclose, information to a governmental agency of an activity of Ark Regional Services that is in violation of law, rule or regulation; (2) provides information to a governmental agency conducting an investigation, hearing or inquiry into alleged violations by Ark Regional Services of any law, rule or regulation; or (3) objects to or refuses to participate in any activity, policy or practice of Ark Regional Services which is in violation of any law, rule or regulation. The protection provided under this policy includes, but is not limited to, protection from retaliation in the form of adverse employment actions such as termination, suspension or demotion.

Employees are not responsible or authorized to investigate the activity or to determine fault or corrective measures; appropriate Ark management officials are charged with these responsibilities. Insofar as possible, the confidentiality of employees making reports under this policy will be maintained. Ark expects all employees to exercise sound judgment to avoid baseless allegations.

If an employee has knowledge of information that suggests that Ark is in violation of any law, rule or regulation as described above, the employee is encouraged to contact his/her immediate supervisor or Shirley Pratt, President and CEO (307) 742-6641, ext. 110 or LeRoy Martin, VP of Program Integrity, ext. 113, at Ark Regional Services. Any employee who believes he/she is being retaliated against for actions protected under this policy must contact Mandy McMicheal, Human Resources Coordinator, immediately at (307) 742-6641, ext. 148.

EQUAL EMPLOYMENT OPPORTUNITY AND POLICY PROHIBITING HARASSMENT

Equal Employment Opportunities

Equal employment opportunities shall be provided to all employees in the administration of all personnel practices including, but not limited to, recruitment, appointments, promotions, discipline, retention, training and other benefits, and terms and conditions of employment in a manner which does not discriminate on the basis of race, color, gender, religion, national origin, age, political affiliation, or disability status.

Employees who believe they have been subject to discrimination on the basis of one of the characteristics described above should immediately report the circumstances to his immediate supervisor. If the employee is not satisfied with the response, or if he is reluctant to discuss the problem with the immediate supervisor, the employee should notify the President and CEO or any upper-level manager or coordinator. Supervisors who become aware of any action or condition that might violate this policy must notify the President and CEO. All reports will be investigated promptly and as confidentially as possible consistent with the need to conduct a thorough investigation. Appropriate corrective action will be taken for violations of this policy.

Harassment

Ark is committed to providing a work environment that is free of discrimination and unlawful harassment based on race, color, gender, national origin, age, religion, disability status or genetic information. Harassment (both overt and subtle) is a form of employee misconduct and is strictly prohibited. Ark will not tolerate any form of harassment.

Employees have a responsibility, and are expected, to ask others to stop the offensive conduct when it occurs. However, there is no requirement that employees ask others to stop offensive conduct before or instead of reporting such conduct under the Harassment Reporting Procedure below, if the employee does not feel comfortable asking the offending employee to stop or does not believe that the offending employee will respond constructively to such a request.

Harassment includes any verbal or physical conduct of an offensive nature which is based on any protected characteristics, including offensive comments, jokes, innuendoes, insults or other forms of inappropriate conduct based on such characteristics. Harassment also includes offensive or harassing statements or conduct which is motivated by a person's race, color, gender, national origin, age, religion, disability status or genetic information, whether or not the statements or conduct are overtly derogatory toward those protected characteristics. Violations of this policy by employees will result in disciplinary action, up to and including employment termination.

This policy can be violated by conduct of other employees, managers, vendors, visitors, clients, customers or any person who interferes with the working environment of Ark employees.

This policy prohibits all varieties of sexual harassment, including, unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual or otherwise offensive nature when:

- a.) Submission to such conduct is made either explicitly or implicitly a condition of an individual's continued employment, or
- b.) Submission or rejection of such conduct by an individual is used as the basis for

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

Likewise, this policy prohibits any verbal or physical conduct of a sexual or otherwise offensive nature, including offensive comments, jokes, innuendoes, and other sexually oriented statements, and insults or inappropriate conduct based on protected status such as gender.

a. **Management Responsibility** Management responsibilities and obligations under this policy include, but are not limited to: monitoring the workplace and responding to any violations of this policy, encouraging employees who have complaints to report those complaints, investigating thoroughly any and all reports of harassment, and taking corrective action when necessary to change, modify or control situations involving confirmed claims. All supervisors are required to immediately report any complaint or observation of conduct which may violate this policy to the President and CEO.

b. **Harassment Reporting Procedure** An employee who believes that he or she has been subject to or has observed any form of harassment or discrimination based on one of the characteristics listed above should immediately report the circumstances to his immediate supervisor(s). If that individual or individuals are unavailable or the employee believes it would be inappropriate to contact those persons, the employee should immediately contact the President and CEO or any upper-level manager or coordinator.

c. **Investigation and Confidentiality** The VP of Program Integrity and the Human Resources Coordinator or other appropriate designees will investigate all reports or observations of conduct which may violate this policy. Confidentiality of the report and investigation will be maintained to the greatest degree possible consistent with the need to conduct a thorough and complete investigation.

d. **Retaliation Is Prohibited**. No adverse employment action will be taken for any employee making a good faith report of alleged harassment or discrimination. Any retaliatory conduct should be reported through the procedure stated in the preceding paragraph.

e. **Corrective Action**. In the event, upon investigation, Ark concludes that discrimination, harassment, or other inappropriate conduct has occurred, the responsible employee may be subject to disciplinary action, up to and including termination of employment. The President and CEO will make the final decision on disciplinary action.

People with Disabilities

Ark shall make its employment decisions in a manner which insures that discrimination based on disability does not occur. Such decisions may not limit, segregate, or classify applicants or employees on the basis of disability in a way that would adversely affect their opportunities or status. Equal employment opportunities must be available to persons physically and mentally qualified to perform the essential functions of a job.

At the time of hire, an employee who wishes to request an accommodation of a physical or mental impairment should first make the request to the Human Resources Coordinator. If such a request is not made at the time of hire, an employee who wishes such an accommodation should then make the request to his immediate supervisor. Employees should also feel free to take requests for accommodation directly to the President and CEO if the employee's supervisor has not responded to the employee's request for accommodation within a reasonable time, or the employee feels that the

response has been inadequate or inconsistent with Ark's legal obligations.

VIOLENCE PREVENTION POLICY

In an attempt to maintain a violence-free workplace, Ark Regional Services has adopted a zero-tolerance policy toward workplace violence. Accordingly, all acts or threats of violence will be taken seriously. A threat or act of violence shall include, but not be limited to, any act or gesture intended to harass or intimidate another person, or that may be perceived by a reasonable person as aggressive in nature, any act or gesture likely to damage company property, or any act or gesture likely to leave another person injured or fearing injury.

All employees are responsible for helping to maintain a violence-free workplace. To that end, each employee is required to govern himself accordingly. In addition, any employee experiencing an act or threat of violence is asked to report such act or threat to his immediate supervisor or if his supervisor is unavailable, the next person in the chain of command and/or the Human Resources Department.

Each act or threat of violence will be investigated and appropriate action will be taken. Any such act or threat may lead to disciplinary action up to and including termination.

DANGEROUS WEAPONS POLICY

It is the policy of Ark Regional Services to provide a safe and healthy environment for all people who receive services from, work for or visit Ark facilities. Possession of dangerous weapons, concealed or unconcealed, on Ark property, in Ark vehicles, or in personal vehicles when on Ark property, is a violation of Ark policy.

A dangerous weapon is defined by state law and is any object that, by its design, can cause bodily harm or property damage, and includes, but is not limited to firearms, ammunition, explosives, knives and/or other devices, instruments, materials or substances which, by the manner in which it is used or is intended to be used, is reasonably capable of producing death or serious injury.

Employees in possession of dangerous weapons will be subject to disciplinary action, up to and including immediate termination of employment.

PERSONNEL POLICY REVIEW

Every year the personnel policies will be reviewed as dictated by changes to State and Federal laws. Ark reserves the right to modify, suspend or revoke any policy at any time. Additionally, every two years, the President and CEO shall appoint a committee to review the personnel policies. A report of this review shall be submitted to the President and CEO.

WORKPLACE MONITORING POLICY

From time to time, Ark may photograph or videotape employee activities while at work or on Ark owned or managed property. This is done for legitimate business purposes, such as:

- to evaluate employee job performance;
- to use in connection with employee training and quality assurance activities;
- to improve the health and safety of our clients and employees;
- to disclose and investigate incidents of misconduct, abuse, neglect, criminal activity, policy violations, or other instances of inappropriate behavior by employees;
- to prevent theft or destruction of Ark or client property.

In some cases, employees may be notified in advance of such photographic or video monitoring. For example, Ark conducts videotape monitoring in all client and common areas of selected locations, and posts notification of this monitoring in those areas. However, Ark reserves the right, except as limited by law, to photograph or videotape employee activities and to monitor and record employee workplace communications and conversations without notice. Ark will not photograph or monitor any area where employees have a reasonable expectation of privacy, such as employee bathroom or employee bedroom facilities.

Ark employees may not modify, obstruct, damage, disable or otherwise tamper with any video or photographic device installed in any Ark property. Conducting activities or interactions involving Ark clients in a manner intended to avoid or hide from video or photographic monitoring will result in disciplinary action up to and including termination of employment.

USE OF ORGANIZATIONAL RESOURCES FOR PERSONAL GAIN

As outlined in Ark's Code of Ethics, employees are prohibited from using organizational resources for personal gain. This includes using company vehicles for personal appointments, engaging in personal activities while "on the clock" and utilizing organizational funds/supplies for personal purposes, except to the extent that personal use of company vehicles has been authorized for particular employees. This also includes using office computer systems, voice communication systems, PDA's or internet access for personal and/or financial gain. In special circumstances, the President/CEO or her authorized representative can make exceptions to this policy.

GENERAL POLICIES

Job Openings

Job vacancies are posted in the receptionist office of the headquarters building, in the payroll office and on the Ark website. Ark only accepts employment applications for authorized vacant jobs. Current employees who wish to apply for a different job at the Ark are required to complete a new application with current job information. Applications for jobs that are continually recruited for may remain on file with Ark for a period not to exceed 60 days.

Resumes will be accepted at anytime for hard to recruit or professional positions and will remain on file with Human Resources for one year.

Previous employment history, driving record, employment credentials, and other relevant information will be verified by Human Resources for applicants as deemed necessary.

Notice of employment by Ark is officially made in writing by the President and CEO or her designated representative.

Background Checks

New employees of Ark are required to undergo a background check, which includes fingerprinting. The Human Resources Department will verify the employee's criminal record and other records deemed necessary. Costs associated with such investigations will be incurred by Ark. While a criminal conviction will not necessarily disqualify an applicant, if the background check reveals information which is inconsistent with the rules and regulations of the Developmental Disabilities Division of the Wyoming Department of Health, inconsistent with Ark's job-related requirements, or reveals that the applicant has given false or incomplete information, the employee may be immediately terminated.

Reference Checks

Ark Regional Services will not disclose any information regarding the employment of a current or former employee except as described in this policy.

Employees are to refer **all** requests, written or verbal, for personnel information concerning applicants and current or former employees to the Human Resources Department. Ark will respond to such requests by providing dates of employment and position information, and will confirm or deny a last salary or wage if stated by the inquiring party.

Upon receipt of a signed release from the employee in a form acceptable to Ark, supervisors may prepare letters of recommendation for the limited purpose of an employee's application for admission or participation in an education program which requires such a letter. All recommendation letters will be prepared by the supervisor and must be approved by the Human Resources Department. Also, employees who request such letters should be aware that the letters must accurately reflect all circumstances of employment, positive or negative.

Personnel Files

The Human Resources department maintains a personnel file on each employee of Ark Regional Services. Any employee concerned may review his file, at a reasonable time, upon request to the CEO.

Tuberculosis Testing

All new staff are required to complete a two-step TB test within the first 30 days of their employment unless proof of TB test results (within 1 year) is provided to the Human Resources Department. The Ark will pay for regularly scheduled testing provided through Albany County Public Health or approved health care provider. It is the responsibility of each employee to contact Public Health or approved health care provider and schedule the tests. If Public Health or other appropriate health care professional determines that the test is positive, the employee should contact his family physician or Albany County Public Health. The new employee will be responsible for paying for the follow-up physician visit and X-ray. The employee must follow all recommendations made by public health and/or his physician. Proof of testing and/or follow-up medical recommendations will be retained in each person's confidential file.

Annually thereafter, each employee, except those employees who have had a positive test result, must be retested for TB. If a positive test occurs, Ark will pay for the follow-up physicians visit and x-ray. The Human Resources Department will notify each employee that a new test must be scheduled.

Any new employee who fails to complete the test or provide proof of such test within the first 30 days of employment will not be allowed to work. A current employee who fails to complete the TB retest within 30 days after the expiration date, will not be allowed to work until the two-step retest is scheduled.

Precaution to Prevent the Transmission of Communicable Diseases

Ark believes it is essential to teach and incorporate health safety practices.

In accordance with OSHA regulations, all jobs at the Ark have been analyzed to determine which are "occupationally exposed" to blood or other potentially infectious materials. Employees in jobs classified as "occupationally exposed" are encouraged to be immunized against Hepatitis-B. These are jobs where there is reasonably anticipated skin, eye, mucous membrane or parenteral (blood to blood or blood to non-intact skin) contact with blood or other potentially infectious material. The Human Resources Department will maintain a listing of jobs that are classified as "occupationally exposed." Job descriptions have a designation of whether the employee may reasonably expect to have "occupational exposure" on the job.

As part of Ark's Standard Precautions program, Hepatitis B immunizations will be provided to employees upon request. The Hepatitis B immunization is a series of three shots given over a period of six months. New employees have within the first 10 days of employment to decide whether to be immunized or to decline the immunizations. Employees who do not wish to have the immunizations are required to sign a declination form. If an employee who previously declined the immunizations wishes at a later date to have the series, he must contact the Human Resources Department to sign the appropriate documents. Employees will be responsible for making appointments with Albany County

Public Health for the series of shots.

Ark also subscribes to Standard Precautions for the prevention of transmittable and/or communicable diseases and requires that all employees use the techniques prescribed in the safety supplement. Personal protective equipment such as gloves, face shields, and aprons are to be used when giving support in personal care, feeding, and when doing laundry.

Employee Safety

Ark safety policies and procedures are based on past experience and current standards. The safety program that has been developed is a top priority of our organization and an integral part of our staff procedures. It is each staff member's responsibility to take action to resolve immediate safety concerns. Staff are to report major or irresolvable safety concerns and/or repairs to any of the Safety Committee members, management staff or the President and CEO either directly or in writing. Further information regarding safety policies and procedures can be found in each department's Health and Safety Manual, or employees may contact their supervisor or a member of the Safety Committee.

Staff Development & Training

Each employee is required to attend training within the time period prescribed. New employees have 30 days from the hire date to complete Ark annual training requirements and Mandt. Ark annual training modules include some or all of the following modules: HIPAA, Harassment, Incident Reporting, Safety/Driving, First Aid, and CPR (Standard Precautions).

New employees who have documentation of current certifications in CPR and First Aid or other related training may be excused from some or all of the Ark required training with the approval of the President and CEO or her designated representative.

Full-time and part-time staff are required to annually renew certifications in the training areas that are required for their positions. Renewal must be no later than 30 days past the certification expiration date. Although Human Resources will notify the employee and the supervisor through training notices in their paycheck that such training is needed, it is ultimately the employee's responsibility to be aware of when his training expires. **Employees who do not have current required training and certifications will not be scheduled to work.**

Scheduling of the training dates, including recertification, will be coordinated with the employee through the Human Resource Coordinator. Full-time and part-time employees who are required to attend training, re-certification or workshops, will be paid for the hours spent in training.

Employees who are unable to complete the required training within the specified time period must request, in writing, an extension from the President and CEO. The request must contain reasons why the training cannot be completed and the employee's schedule of when the training is expected to be finished. The President and CEO will review the request and approve or disapprove the request based on the needs of the organization.

In addition to Ark annual recertification's, Ark provides ongoing training for all direct support employees in order that they obtain the skills and competencies necessary for working effectively with people who have developmental disabilities. Supervisors will also provide ongoing department-specific training.

Organizational Chart and Chain of Command

It is important for all employees of Ark Regional Services to understand the organizational design relative to the cross section of services provided for persons served. The Ark is organized according to the divisions as outlined on the organizational chart.

Except as otherwise permitted by other policies, all employees should follow the chain of command when addressing work issues or questions regarding organizational policies and procedures.

Employees should always report to and work with their immediate supervisor. However, if the immediate supervisor is unavailable or if there are concerns that are not addressed, refer to the chain of command listed below:

1. Employee's supervisor's supervisor (this may include an area coordinator or department head)
2. Vice-Presidents
3. President and CEO

All supervisory staff, including the President and CEO, have an "open door policy." This means that any employee can meet with his or her immediate supervisor and make suggestions, voice concerns, or problem-solve. All staff are encouraged to develop a good working relationship with their immediate supervisor: however, if this is not possible, they should refer to the chain of command outlined above.

For a list of names and extension numbers of Ark officers and department managers, see the Ark organizational chart, located in the staff handbook.

Job Descriptions

A job description listing current duties and responsibilities, supervisory relationships, and minimum levels of knowledge and skills for each job within Ark is maintained. Annually, the employee and the immediate supervisor will review the job description as a means to evaluate employee performance and to ensure appropriateness of the job description. An employee's job description is available to the employee or the employee's supervisor upon request from the Human Resources Department.

Employee Dress & Chemical Sensitivities

The image of the Ark and the treatment of Ark clients in the community is directly impacted by how employees are dressed. Employees are expected to come to work looking neat and clean, and should be dressed in good taste and appropriately for their jobs or any company sponsored event. It is important to be dressed in a manner that not only demonstrates to clients the importance of dress and personal hygiene, but also in a manner that the employees are able to feel appropriately dressed for all types of situations that may occur during the day and comfortable when having interactions with all sorts of people including parents, guests and other members of the community. Inappropriate casual attire includes such things as spandex, halter tops, tank tops or tops with spaghetti straps, low-cut, mid-driff and/or suggestive t-shirts, particularly t-shirts that are of a sexual or demeaning nature. Staff working at headquarters are not allowed to wear shorts of any kind. Staff working in supported residences are allowed to wear shorts, just above the knee in length; however, cut-offs, spandex, halter tops and suggestive t-shirts are not allowed.

People often make judgments about an organization based upon the appearance of its staff; therefore,

employees with tattoos may be asked to cover them if they are deemed inappropriate in size or if they display offensive slogans, pictures or language. **Body piercings should be kept to a minimum to promote a professional appearance and to reduce health and safety concerns such as being pulled or grabbed.**

Ark staff members are expected to use good judgment in selecting appropriate clothing, and present themselves in an appropriate manner, remembering that they are role models for the clients and other staff, and representatives of the organization. That being said, management reserves the right to determine the appropriateness of clothing, tattoos, and body piercings as it relates to this policy.

Employees are also reminded that some clients and staff have chemical/odor sensitivities to tobacco smoke, perfumes, colognes, and candles. It is important that employees be considerate of these sensitivities and limit or omit the use of potentially offensive products.

Name Tags

All employees are required to wear official Ark name-tags while working in Ark facilities or when performing official Ark business. Name-tags are issued by the Human Resources Department. If a name-tag is lost, it is important to notify Human Resources as soon as possible. When an employee terminates employment with the Ark, name-tags are to be returned to the Office Management Coordinator.

Attendance

Ark expects employees to show up for work on-time and remain at work for their entire shift. Support and quality of services for the clients are greatly enhanced when supervisors can plan for and adjust to staff absences. Each department has a procedure for requesting time off, for being late or leaving a shift early. These procedures are designed to give supervisors the opportunity to appropriately provide the support and programming required for the people served. In addition, agency-wide training and monthly meetings are held by departments and other units at the Ark. These meetings cover information and other important aspects of work at the Ark. Employees are required to attend these meetings and will be paid for time spent at the meetings. Employees missing any departmental or unit meetings will be responsible for contacting the appropriate supervisor for additional training or information. Employees who do not follow the established procedures may be disciplined and/or terminated.

If a part time employee is not scheduled to work for more than 90 consecutive days, they will automatically be terminated, UNLESS they have an extenuating circumstance and have received approval for the extended leave of absence from the President and CEO. Schedules are not guaranteed and are based on the needs of the organization

Employee Check In/Out

It is the responsibility of all Headquarters staff to check in and check out on the magnetic board located in the reception office upon all arrivals and departures from the Headquarters building. Upon arrival or return to Ark headquarters, employees must place their nametag in the **IN** column on the magnetic board located in the Reception Office. When leaving the building during the work shift, staff must place their nametag in the **OUT** column on the board. When leaving for the day, nametags should be moved to the far left

When an employee is absent from the office for official Ark business or for personal leave, that employee should inform their supervisor and the receptionist of the duration of the absence. The receptionist will record absences on the magnetic board so that messages may be taken and inquiries routed to appropriate personnel.

Time-Cards

Employees designated as hourly will record time-worked using the Ark time-recording system. It is against Ark policy for any employee to "check-in" or "check-out" another employee. It is strictly prohibited for any hourly employee to work "off-the-clock" or to begin work before checking in, or to continue work after checking out. Employees shall immediately contact Human Resources if a supervisor makes any request which would violate this policy.

Employees are required to verify accuracy, sign and date the computer-generated time card for the appropriate pay period according to the published schedule. If time cards are not signed and there are errors, the pay will reflect only what is current and verifiable. Once the time card has been corrected, verified and signed, the pay resulting from those corrections will be reflected on the paycheck for the next pay period. **EMPLOYEES ARE RESPONSIBLE FOR SIGNING THEIR TIME CARD WITHIN THE REQUIRED TIME FRAME FOR EACH PAY PERIOD.**

Tobacco Policy

Ark prohibits the use of any tobacco while on duty or in Ark facilities, buildings, vehicles or other enclosed area. This would include smoking, chewing tobacco or snuff. Smoking is permitted only in designated smoking areas. Ash receptacles will be provided at appropriate out-door locations. Smoking areas will be a reasonable distance from all entranceways, passageways, operable windows or ventilation systems of enclosed Ark residential facilities or buildings where smoking is prohibited. Smoking is not permitted in Ark residential facilities, buildings, vehicle or other enclosed area.

Drugs & Alcohol

Ark Regional Services certifies and requires that all of its facilities and operations will be drug free. Ark prohibits the unlawful manufacture, distribution, dispensing, possession or use of controlled substances in any Ark facility, operation or activity. An employee convicted of any criminal drug statute violation must notify the President and CEO within 5 days of that conviction, and will be subject to disciplinary action up to and including termination, and may be required to satisfactorily participate in a drug abuse assistance or rehabilitation program.

Ark expects its employees to report to work sober and fully capable of performing their jobs to the best of their abilities and provide high quality care and services to the people served. As a result, employees are prohibited from reporting to work, working or being on Ark premises while under the influence of controlled substances or alcohol. Employees who are on an "on-call" status are also prohibited from consuming alcohol or coming to work in an impaired state during the on-call status period.

Ark will drug and/or alcohol test employees when the Ark has a reasonable suspicion that an employee or a group of employees is under the influence of alcohol, illegal drugs or controlled substances while on the job.

Any employee who refuses to consent to drug or alcohol testing, tampers with a sample, tests positive or otherwise violates this policy may be placed on leave with or without pay until an appropriate

corrective action is determined. In addition, any employee who has a confirmed positive drug or alcohol test will be discharged or, in the case of an applicant, will have the offer of hire withdrawn. Please note that employees do have a right to meet with management to explain a positive test result.

As established by the Federal Motor Carrier Safety Regulation and the Wyoming Department of Transportation, employees whose jobs require a class B license for the operation of certain motor carriers are required to have a bi-annual physical exam by a licensed physician and are subject to pre-employment, post-accident, reasonable suspicion and random drug testing. Physical exams and drug tests will be paid for by the Ark.

A copy of the complete Drug and Alcohol Policies is available upon request to the Human Resource Coordinator.

Nepotism Policy

Unless otherwise approved by the President and CEO, no employee shall act in a direct supervisory capacity over a member of his immediate family. For the purpose of this policy, "immediate family" includes an employee's spouse, children, step-children, parents, step-parents, parents in-law, siblings, step-siblings, half-siblings, siblings in-law and grandparents. Employees also may not act in a direct supervisory capacity over any other relative or individual who is residing in the employee's home.

Policy On Rights of Persons Served

Employees of Ark are responsible for protecting the rights of the individuals we support.

Under federal HIPAA rules (Health Insurance Portability and Accountability Act), the clients and their representatives have the following rights: to access their own health information including medical and all rehabilitation services information and documentation; to restrict to whom the information is disclosed; to request amendments or changes to the information if they feel it is incorrect, to request a list of the information that has been disclosed and when it was disclosed; and finally to file a complaint if they feel their privacy has been violated.

Employees are to keep any and all information regarding the client and client activities strictly confidential. This means that employees are able to share medical, health and Ark service information with the individual client, with another Ark staff who is directly involved in providing services to the client, with other health care providers or consultants as needed for providing treatments and/or services or with Ark licensing or funding agencies. It is important that employees use discretion and common sense when providing such information and to ensure that only pertinent information is shared and/or reported. Disclosing information with anyone other than those listed above or those who do not have written authorization, will be considered a violation of HIPAA rules and as such must be reported to the Ark Privacy Officer so that Ark can initiate the mitigation processes. Any member of Ark Regional Services' work force who fails to comply with the privacy policies and procedures or the requirements of the HIPAA privacy rule will be subject to disciplinary action up to and including termination

Staff should also refrain from taking pictures of clients with camera phones during the course of their duties. All photographs taken must fall within the specification of current Release of Information forms on file or be for a specific purpose for which a Release of Information form has been obtained.

Additionally, employees will not mistreat, neglect, abuse, degrade, exploit or endanger the clients. This

policy will cover all aspects of every service and program provided by Ark.

It is the employee's responsibility to report any incident affecting a client that is outside the normal operation of the Ark. Such incidents can include but are not limited to the following: abuse (includes the willful infliction of physical pain or injury which is evidenced by bruising, cuts or other observable evidence), neglect (includes the deprivation, of the minimum food, shelter, clothing, supervision, physical and mental health care and other care necessary to maintain a disabled adult's life or health), sexual assault, serious injury (includes incidents resulting in a call to 911, hospitalization or death), accident or other. Employees should follow the Ark Incident Reporting Procedures as outlined on the Incident Report form.

The Ark supports the following philosophical principles when working with people who have developmental disabilities: 1.) A person is valued for who they are regardless of any particular behavior, what the person does, or what their problems are, value is given not earned, during good moments and bad. All people will be treated with respect, as you would want to be treated. Use adult tone and give choices where possible; 2.) Provide functional (can be used daily), age appropriate, and meaningful activities; 3.) Encourage consistent involvement. People should not be sitting around idly, but rather, should be actively engaged in groups and other activities; 4.) If a person cannot finish an entire task, he still should be involved in partial participation doing as much of the task with the least amount of assistance necessary; 5.) Enhance both expressive and receptive language at all times by having people, where appropriate, either point to objects, point to pictures of objects, say what the object is or use word of object in a sentence or phrase depending on functional abilities; 6.) Remain positive, don't be overly critical. Try to be facilitative, not authoritative. Too much control can be counter-productive; and 7.) Try to include the person in as many community excursions/activities as possible, providing them with opportunities for learning through incidental, teachable moments.

Unless otherwise approved by the President and CEO, it is against Ark policy for employees to sell items to and buy items from clients. It is up to the employee's discretion whether to participate in community or other non-profit organizational raffles or donations.

Part-time Employment

Part-time employment shall be defined as any position that is budgeted as part-time and typically involves work of less than 40 hours per week. The rate of pay for part-time positions shall be determined by the requirement of the position and shall be expressed on an hourly basis. In any case, the hourly rate shall not be less than the current Federal Minimum Wage.

Part-time employees are eligible for personal leave but are not eligible for such benefits as paid health insurance, retirement or holidays. These benefits are available only to full-time employees.

Full-time Employment

Full-time employment shall be defined as any position budgeted as full-time and typically involves work of 40 hours per week. The rate of pay for full-time positions shall be determined by the requirement of the position and shall be expressed on a monthly or hourly basis. In any case, the rate shall not be less than the current Federal Minimum Wage.

Full-time employees are eligible for such benefits as paid health insurance, retirement, holidays,

personal leave or any other fringe benefits.

Out of Town Travel on Ark Related Business

All out of town travel must be approved by the President and CEO prior to registering or making any reservations or travel arrangements. This includes travel related to client appointments, business related seminars, trainings, conferences, or other related miscellaneous purposes.

A Travel Approval form must be completed with information on departure from and return to the Ark and an estimate of expenses. This form must be submitted to the department head prior to submitting such to the President and CEO. Only after this form has been returned to the employee with the signature of the President and CEO can registration and/or travel arrangements be made.

Travel that requires the employee to spend the night out of Laramie should also submit a Travel Expense form. This form is used as a travel advance for meals, etc. After the travel is completed, the Travel Expense form needs to be signed and dated to verify that the expenses were actually incurred.

Vehicle Reimbursement

Any Ark Regional Services employee required to travel in order to perform his duties will have an Ark vehicle available for use. If an Ark vehicle is not available and the employee has to use his privately owned vehicle, he will be reimbursed using the rates and criteria established by the U.S. General Services Administration. If this situation occurs, the employee must notify the Office Manager Coordinator as soon as possible.

If an employee chooses to use his privately owned vehicle when an Ark vehicle IS available, he must obtain approval from the CEO prior to the trip. The employee will be reimbursed at ½ the regular reimbursement rate, as per the U.S. General Services Administration.

If an employee does not obtain prior approval when choosing to drive his privately owned vehicle, he will not be reimbursed for mileage.

Authorization to Drive

Ark Regional Services must adhere to strict guidelines regarding driving eligibility requirements for employees. As part of the employee's background check, his driving record will be checked to ensure that driving eligibility requirements are met. If he receives a traffic violation after he is hired, he must notify Human Resources within 5 days. Human Resources will then verify that he is still eligible to drive according to insurance guidelines. If an employee is no longer eligible to drive, he may be transferred to another position or terminated.

Public Relations Activities

All presentations by employees on Ark services or activities to public schools, college classes, or service organizations must be reviewed and approved by the President and CEO prior to the activity or event. Such presentations can include but are not limited to papers, research, speeches, power point presentations or other types of class projects.

In addition, any employee wishing to complete a student internship/project for an accredited college class which involves Ark clients or any other Ark related activity must also be authorized by the President and CEO prior to the activity or event.

To obtain authorization for any of these activities, employees must complete a Request for Public Relations Activity form and submit the form to the Program Development Specialist.

Telephone Solicitations

Ark employees are not to speak with telephone solicitors. If a solicitation call is received, staff are to politely remind the caller that the Ark does not have the time to accept solicitation calls and then hang up.

Cell Phones

Personal cell phone usage, both voice and text-messaging, is strongly discouraged while working at Ark Regional Services. Personal phone calls and cell phone usage should be infrequent, short in duration and of an urgent nature. Employees are required to use a hands free headset when driving Ark vehicles.

Email

Employees should never open email or email attachments from an unknown source. Additionally, emails with an .exe file should never be opened even when the sender is known. The .exe files can run programs that once initiated, can do damage to files on the network before they can be stopped.

The sending and receiving of personal emails and/or internet use during work hours should be infrequent, short in duration and should not take away from assigned duties.

Keys

Keys to Ark Regional Services facilities and offices are issued on an as needed basis by the Office Management Coordinator. Staff are not allowed to loan keys to others for Ark facilities without the consent of the President and CEO or the VP of Business Enterprises. Keys checked out on a daily, temporary basis must be returned to the Office Management Coordinator by the end of the work day.

Animals and Pets at Work

Animals are not allowed at any Ark facility, for any reason, without written permission from the President and CEO.

Personal Digital Assistant (PDA)

Employees who have been issued an Ark personal digital assistant (PDA) should insure that the PDA is

being used for time management and storage of contact information. Employees should also ensure that the PDA is password protected. If an Ark issued PDA is lost or stolen, the employee must notify the Ark Security Officer immediately. Prior to downloading documents containing electronic protected health information, the employee must contact the Ark Security Officer for approval.

Unless otherwise approved by Ark management, employees are prohibited from using a personally owned PDA for the syncing of calendars and contacts as well as storage of documents containing electronic protected health information.

Direct Deposits

Ark Regional Services offers the option of directly depositing employee paychecks. If you choose this option, you must sign the appropriate forms and submit them to the Human Resource Coordinator. You are still required to sign your time card to verify the time for which you are paid is correct. In accordance with the Wyoming Department of Employment Labor Division standards, an itemized payroll report will be available to you.

Upon leaving Ark Regional Services, your last paycheck will NOT be directly deposited, and must be picked up at the Headquarters building. If it isn't picked up within 3 working days, it will be mailed to the last known mailing address.

Funds that are directly deposited into your account are generally available the morning of payday; however, banks post their deposits at different times so we cannot guarantee you will have access to your earnings the morning of payday. If your money isn't available the morning of payday, it is the policy of Ark Regional Services to wait 24 hours before issuing a replacement check.

COMPENSATION

Compensation for Employees

Full-time employees are paid according to the published schedule. Part-time employees are paid every Monday. Payroll checks are available no later than 1pm on pay days. Checks for full-time hourly employees will be mailed on the next working day for employees who have not picked up their checks by 4pm on pay day. For part-time employees who have not picked up a check, checks will be mailed Wednesdays by 4pm. A paycheck will only be given directly to the employee. If an employee has not received a pay check within 5 working days, he should notify Human Resources or the Payroll Department as soon as possible.

Overtime Compensation

In accordance with the Fair Labor Standards Act, non-exempt employees who are required to work in excess of forty (40) hours in a work week shall be compensated at the rate of one and one-half the regular rate of pay for all hours in excess of forty hours in any one work week. For purposes of the act, Ark's work week starts Saturday at 12:01 am and ends Friday at midnight.

Any hourly employee required to work overtime must have approval from the direct supervisor prior to working the overtime, unless it involves an emergency situation such as a client's illness or need for additional emergency assistance and/or support during the employee's shift. Employees required to work "emergency" overtime must notify their immediate supervisor as soon as reasonably possible. Supervisors are responsible for notifying the President and CEO of any over-time that has been worked by staff prior to the end of the pay period. In order to avoid overtime situations supervisors reserve the right to adjust employees' weekly work schedules. Unauthorized overtime will be paid but may be grounds for disciplinary actions.

Workers' Compensation

An employee who is injured while on the job should notify his immediate supervisor and complete an incident/accident report as soon as possible. If the employee chooses to seek medical treatment, workers' compensation paperwork must be completed within 10 days. Workers' compensation paperwork can be obtained from the Human Resources department. Further safety procedures and processes for injuries on the job are outlined in the Health and Safety Program.

An employee who has filed for Worker's Compensation may elect to use accumulated personal leave while being absent from work due to the injury. If the injury constitutes a serious health condition as defined by the Family Medical Leave Act, the employee's leave will qualify for FMLA leave and will run concurrently.

EMPLOYEE BENEFITS

Employer Paid Benefit Program

Full-time employees of Ark are eligible to participate in the employer paid retirement program through Wyoming Retirement System on the first day of employment. Full-time employees are eligible for health insurance coverage and dental insurance coverage **on the first day of the fourth month of continuous employment**. Open enrollment is July 1st for health insurance and January 1st for dental insurance. You must enroll the month prior (June for health insurance and December for dental insurance) in order to be covered on the effective date. Part-time employees are not eligible for these benefits.

All Ark employees are eligible to participate in the Wyoming Retirement sponsored 457 Tax Deferred annuity program. This is an employee paid option. More information on this benefit is available from the Human Resources department.

The Ark's overall benefit program will be determined by the President and CEO. Information or questions regarding the benefit program should be directed to the Human Resources Department. Ark reserves the right to alter, amend, change or terminate any benefit program at any time with or without notice.

Health Insurance Continuation Coverage

Federal Law (PL 99-272, Title X) requires employers sponsoring group health plans to offer employees and their families the opportunity to temporarily extend health coverage in instances where coverage under the plan would otherwise end. Ark offers such a continuation coverage plan to its employees and dependents.

When Ark is notified that one of the qualifying events has occurred as stipulated by federal law, Ark will notify the employee and/or dependent of the right to purchase continuation coverage. Information or questions regarding qualifying events should be directed to the Human Resources Department. The employee and/or dependent has 60 days from the date of lost coverage to inform Ark that continuation coverage is needed. However, the employee and/or dependent is required to continue paying monthly premiums to Ark. If continuation coverage is not purchased, the group health insurance coverage will end.

Holidays

The Ark headquarters building will be closed on the following holidays:

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

If a holiday falls on a Saturday, the preceding Friday will be the official Ark holiday. If the holiday falls on a Sunday, the following Monday will be the official Ark holiday. If the holiday falls on the employee's regular day off, the employee should contact his supervisor to schedule for the appropriate time-off.

Any hourly employee will be paid a premium of one and one-half the rate of pay for working the actual holidays listed above.

Personal Leave

Personal leave is leave with pay that the employee may use for vacation, personal appointments, sick leave, or other paid-time off. Record of personnel leave earned and used will be kept by the Payroll office. Personal leave is earned by full-time employees according to the following schedule:

Consecutive Months of Employment	Hours of Leave Per Month
One to twelve	8 hours
Thirteen to thirty-six	12 hours
Thirty-seven to sixty	14 hours
Sixty-one to one-hundred & twenty	16 hours
One-hundred & twenty-one or more	20 hours

Part-time employees earn eight (8) hours of personal leave for every 160 hours of work completed.

Personal leave may be accumulated to a maximum of 30 days (240 hours). Upon termination of employment, an employee will be paid for any accrued personal leave at the current rate of pay. The designated beneficiary of a deceased employee will be paid for any accrued personal leave at the rate of pay the decedent was receiving at the time of death.

Full-time employees who work less than a full calendar month, because of absence from duty without pay, will accrue personal leave as follows:

Days Worked	Accumulation Rate
One through five days	¼
Six through ten days	½
Eleven through fifteen days	¾
Sixteen or more days	Full Rate

Management shall reserve the right to require employees to take a specified amount of personal leave at a prescribed time and to otherwise schedule the use of all personal leave. In all cases, Ark retains the discretion to deny a request for personal leave. All requests for scheduled leave shall be made in advance, on the "Application For Leave Form." To avoid scheduling problems, requests must be made not more than 30 days prior to taking the leave. An employee must also ensure that his job duties are appropriately covered while away on leave. If unscheduled personal leave occurs, the employee must notify their immediate supervisor as soon as possible.

If a full-time, hourly employee works less than their 40 scheduled hours, personal leave will be used to

bring the hours paid to a full 40 hours.

Court Leave

Any full-time employee who is serving as a member of a jury panel or who is subpoenaed as a witness and is prevented from performing his regular duties will be granted leave of absence with pay and without loss of personal leave time. Employees are required to sign-over court compensation to the payroll department as soon as reasonably possible. Employees will be paid at the regular rate of pay for the regular schedule during time-off for court leave. The employee also has the option of taking personal leave for the court leave and keeping the compensation paid by the court.

Educational Leave

Leave of absence with pay may be granted to any full-time employee attending job related, short-term seminars, conferences, CARF surveys, workshops, and institutes approved beforehand by the President and CEO.

An employee who wishes to enroll in a college class that occurs during normal working hours must submit in writing, prior to registration, to the President and CEO, his request to enroll in the class. The request should also contain a plan of how the missed time will be made up.

The President and CEO will review the request and approve or deny the request based on the needs of the organization.

Employee Rights Under The Family and Medical Leave Act (FMLA) of 1993

The Family and Medical Leave Act of 1993 requires Ark to provide up to twelve (12) weeks of unpaid, job protected leave to "eligible" employees for certain family and medical reasons.

Eligible Employees: Employees are eligible if they meet the following requirements:

1. The employee has worked for Ark for a total of 12 months in the last seven years;
2. The employee has worked 1,250 hours or more in the twelve month period immediately prior to the beginning of the requested leave;
3. The employee is employed at a worksite where 50 or more employees are employed by Ark within 75 miles of the employee's worksite.

Qualifying Reasons for FMLA Leave: Eligible employees may take FMLA leave for any of the following reasons:

1. To care for the employee's child after birth or placement for adoption or foster care.
2. Because of the employee's serious health condition that makes the employee unable to perform the employee's job. A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that prevents the employee from

performing the functions of the employee's job. Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

3. To care for the employee's spouse, son or daughter or parent who has a serious health condition, as defined above, which prevents the qualified family member from participating in school or other daily activities.

4. Qualifying exigencies, as defined below, arising out of the fact that the spouse, son, daughter or parent of the employee is (a) a member of the National Guard or Reserves or is a retired military service member as defined in the FMLA regulations; and (b) on active duty, or has been notified of an impending call or order to active duty status, in support of a contingency operation. Qualifying exigencies are summarized as follows:

- * *A short-notice deployment, meaning a call or order that's given no more than seven calendar days before deployment, with the employee's leave being limited to seven days beginning on the date of the notification;*
- * *Military events and related activities, such as official military-sponsored ceremonies and family support and assistance programs supported by the military and related to the family member's call to duty;*
- * *Urgent (not recurring or routine) child-care and school activities, such as arranging for child care;*
- * *Financial and legal tasks, such as making or updating legal arrangements to deal with the family member's active duty;*
- * *Counseling for the employee or his minor child that is not already covered by the FMLA;*
- * *Spending time with the covered service member on rest and recuperation breaks during deployment, for up to five days per break;*
- * *Post-deployment activities such as arrival ceremonies and reintegration briefings or to address issues from the service member's death while on active duty; and,*
- * *Other purposes arising out of the call to duty, as agreed on by the Ark and employee.*

5. Care of a covered service member (Armed Forces, National Guard or Reserves) who is recovering from a serious illness or injury sustained in the line of duty on active duty, under the following circumstances:

- * *The service member's injury or illness may render the service member medically unfit to perform the duties of his or her office, grade, rank or rating;*
- * *The service member is undergoing medical treatment, recuperation, or therapy; or otherwise in outpatient status; or is on the temporary disability retired list;*

- * *The employee is the service member's spouse, son, daughter, parent or next of kin;*
- * *The employee is entitled to up to 26 weeks of leave in a single 12-month period to care for the service member. This military caregiver leave is available during "a single 12-month period" during which an eligible employee is entitled to a combined total of 26 weeks of all types of FMLA leave.*

Substitution of Paid Leave. In all cases where FMLA leave is taken, the employee must use all available accrued paid leave hours concurrently with the FMLA leave. All FMLA leave in excess of accrued paid leave hours will be unpaid leave.

Advance Notice, Medical Certification and Reports regarding Status and Intent to Return to Work. The employee will be required to provide advance leave notice and certification. FMLA leave may be denied or delayed if advance notice or required certifications are not provided. The employee must provide thirty (30) days advance notice when the leave is "foreseeable". When leave is not foreseeable, the employee must follow Ark's notice requirements by notifying your supervisor within two (2) hours before you are scheduled to begin your shift, absent unusual circumstances.

Employees must provide sufficient information for Ark to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include the following: (a) that the employee is unable to perform the job functions (or the family member is unable to perform daily activities); (b) the need for hospitalization or continuing treatment by a health care provider, or, (c) circumstances supporting the need for military family leave. Employees must also inform Ark if the requested leave is for a reason for which FMLA leave was previously taken or certified.

A medical certification is required to support a request for a leave because of the employee's serious health condition, the serious health condition of a family member, qualifying exigency and military caregiver leave. Ark will provide you with the necessary certification forms shortly after you request your leave, and you must return the medical certification form within 15 calendar days of when you receive the form from Ark. Ark may also require copies of appropriate military orders or other documentation to support qualifying exigency and military caregiver leave.

Ark also requires employees on FMLA leave to periodically update the employee's supervisor on his/her status and anticipated return to work.

Fitness for Duty and Return to Work. Ark requires that all employees who take leave for their own serious health condition provide a fitness for duty certification from their health care provider prior to returning to work that specifically addresses your ability to perform the essential functions of your job. Ark will provide you with a descriptions of the essential functions of your job when your leave is designated as FMLA leave, and Ark may delay restoration to employment until the fitness for duty certification is provided.

Intermittent Leave. An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the Ark's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Job Benefits and Protection. If the employee is covered under Ark's group medical insurance plan, Ark will maintain the employee's health coverage during the FMLA leave period under the same

conditions as if the employee had continued actively working. Employees taking FMLA leave will be guaranteed the same or equivalent position after returning from leave. However, key employees may be exempt from FMLA reinstatement protection. You will be notified if you are a key employee at the time your leave is designated. Paid time off does not accrue during unpaid FMLA leave.

Ark Notice Responsibilities. Ark will notify employees requesting leave whether they are eligible under the FMLA, and, if so, specify any additional information required as well as the employee's rights and responsibilities. In addition, Ark will notify you if leave will be designated as FMLA-protected and the amount of leave counted against your leave entitlement. If you are not eligible for FMLA leave, Ark will provide a reason for the ineligibility, or if the leave is not FMLA-protected, Ark will inform you of that determination.

Prohibited Actions By Employers. FMLA makes it unlawful for employers to interfere with, restrain or deny the exercise of any right provided under the FMLA, or discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement with any proceeding under or relating to FMLA. An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against their employer. FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

Military Leave

Any full-time employee who is a member of the National Guard or Army, Air Force, Navy, Marines, or Coast Guard Reserve, may be granted leave of absence without pay for a period not to exceed fifteen (15) calendar days in any one calendar year to attend authorized encampments, training cruises, and similar training programs in addition to any other leave to which he is entitled. An employee who is on military leave must provide his supervisor with his orders prior to taking the leave.

If the military leave is extended for more than 15 days, the employee must provide the amended orders to his supervisor. The supervisor will complete, sign and submit the "Application for Leave Form" for the extended military duty. While on duty, the full-time employee may maintain any health care benefits received for up to 24 months. At the end of the extended military duty and if requested by the employee in a timely manner, the employee will be reinstated to a position comparable in pay and responsibility to the one vacated by the employee prior to the military duty.

Voting Leave

Full-time employees are granted one hour leave with pay, not to include the lunch period, for voting if they are not off-duty for three consecutive hours between 7 am and 7 pm on election day. Scheduling time-off for voting is subject to prior approval from the employee's immediate supervisor.

Leave Without Pay

Leave without pay may be granted to an employee for a reasonable cause and for not more than 5 days. When such leave is needed the employee must have the approval of his immediate supervisor and follow up with a Leave Application Form.

A leave without pay for more than five days may also be granted to an employee. When such a

situation occurs, the employee must write a request to the President and CEO, and submit a copy of the request to his supervisor. The request should contain the reason for the leave and the dates of the requested leave. The employee will be required to follow up with a Leave Application form along with the copy of the approval for the extended leave without pay. Ark retains the absolute right to decline any request for leave for any reason or no reason at all.

Leave without pay can only be requested after all personal leave has been used. If the employee does not return from the leave without pay as stipulated, the employee may be terminated from the Ark.

DISCIPLINARY ACTION

Causes for Disciplinary Action

Every employee is expected to approach his job in a professional manner and to ensure that all people including staff, clients, and guests, have a safe and dignified experience at the Ark.

The following enumerated grounds for disciplinary action are meant as illustrations of conduct which will not be condoned by Ark. This list is not all inclusive, and Ark retains the absolute right and discretion to discipline employees for conduct which may not be listed below. **ALL ARK EMPLOYEES ARE AT-WILL EMPLOYEES. ARK RETAINS THE ABSOLUTE RIGHT TO TERMINATE ANY EMPLOYEE AT ANY TIME, WITH OR WITHOUT NOTICE OR WITH OR WITHOUT CAUSE.**

This list is meant for guidance so that the employee will be aware of the types of misconduct which will trigger disciplinary action:

1. Failure to perform the duties required by the position;
2. Violation or abuse of any Ark policies stated in the Personnel and Staff handbooks;
3. Undue disruption and delay at any Ark facility by causing either directly, or indirectly, repeated and unnecessary disputes and arguments with fellow employees, individuals being supported, or supervisors;
4. Diminishing the morale, order, or efficiency of the Ark by disruptive criticism of Ark Regional Services, personnel or policies without going through the proper channels;
5. Insubordination or failure or refusal to follow any order of a supervisor;
6. A conviction for a felony or any misdemeanor which may impact the employee's fitness for his position, as determined at the discretion of the President and CEO;
7. Engaging in conduct, either on or off the job, which is so offensive to reasonable standards of acceptable behavior as to bring discredit upon the Ark;
8. Converting, taking, or appropriating for personal use any money or property belonging to the Ark or the individual being supported;
9. Falsification of official records including time cards;
10. Unauthorized or inappropriate disclosure of confidential client or personnel information;
11. Absence from the job without authorized leave;
12. Violation of Ark policies prohibiting discrimination and harassment;
13. Violation of Ark privacy policies and procedures;
14. Furnishing false information on an employment application or any other information provided to Ark relating to employment;
15. Abuse of the personal leave policy;
16. Any unexcused absence, or any unexcused tardiness;
17. Failure to attend and complete required training;
18. Reporting to work in a drug or alcohol impaired state, or being in a drug or alcohol impaired state during on-call status;
19. Mistreatment, neglect, abuse, degradation, endangerment, or exploitation of individuals supported.
20. Violation of the ethics code.

Types of Disciplinary Action

Depending upon the nature, frequency and severity of the violations involved, disciplinary action may take any of the following forms. The following list is illustrative only, and the Ark reserves the discretion in every disciplinary situation to determine the appropriate disciplinary action, if any.

Disciplinary action is not limited to these actions, nor is the system progressive, which means that Ark reserves the right to resort to any serious disciplinary measure without first exercising less serious disciplinary measures.

Types of disciplinary action include:

- Termination
- Suspension
- Demotion
- Reassignment
- Written warning
- Verbal reprimands

All violations of Ark's policies and procedures, as well as the disciplinary measure or measures implemented by an employee's immediate supervisor, will be documented in the employee's personnel file. **ALL ARK EMPLOYEES ARE AT-WILL EMPLOYEES. ARK RETAINS THE ABSOLUTE RIGHT TO TERMINATE ANY EMPLOYEE AT ANY TIME, WITH OR WITHOUT NOTICE OR WITH OR WITHOUT CAUSE.**

Frequently Asked Questions (FAQ)

1. What happens if I don't complete my required annual training?

The section on Staff Development & Training, page 9 of this manual, lists the general policy. It is important for all staff to remain current on their training to ensure the health and safety of all clients. The Wyoming Division of Developmental Disabilities requires all staff to be current on training to provided services through the Home and Community Based Waiver.

2. Does it matter what I wear to work?

Yes, the Ark does have a dress code. See page 10, Employee Dress & Chemical Sensitivities. It is important for you to realize that your choice of dress has a direct impact on our organization and the individuals that we serve. Your appearance also plays a critical role in shaping how the community and the general public perceive the Ark, its staff and clients. Therefore, it is essential that you set an appropriate example and use professional discretion when selecting your dress and how you practice personal hygiene. Besides these considerations, dress can also be important for safety reasons. Long sleeved shirts, watching how many piercings can be accessed by clients, and wearing good shoes are important for your safety when working with the clients. If you have any questions concerning the dress code, please ask your supervisor.

3. When and why do I need to sign my time card?

The section on Time Cards, page 12 of this manual, lists the general policy. Time cards are used to determine how much you are to be paid. It is important that you verify those times and any overtime or bonuses that you are due. A schedule of when to sign your time cards is located on the bulletin board in the front office. Notices are also posted on the sign out board and in the back of this Personnel Policy Manual.

4. What happens if I'm at an out-of-town function for the Ark or I don't have access to sign in or out with a time clock?

Time Card Error sheets are made just for situations like this. As soon as you return, fill one out with a brief explanation. While out-of-town on business, if you are unsure of how many hours should be counted as work, ask the Payroll or the Human Resources Department.

5. What happens if I don't sign my time card?

You will still be paid for the hours worked; however it is very important that you verify that those hours worked are accurate. The process for ensuring this is for you to review and sign your time card. If there is an error on the timecard, once it has been corrected, those hours will be paid retroactively on the next paycheck.

6. What happens if I don't pick-up my pay check or pay stub?

Pay checks for full-time hourly are mailed the day following a pay day if they are not picked up unless Human Resources or Payroll has been notified to hold the check. For part-time employees they are mailed on Wednesdays by 4pm. See page 18 – Compensation for Employees. Pay stubs not picked up will be sent to the employees designated work site.

7. Where do I get my paycheck?

Paychecks are available at the front desk no later than the times listed on page 18 in the section entitled Compensation for Employees Section. Pay periods for full-time, non-exempt employees are also listed on page 30 of this manual.

8. What holidays do I get off?

The Ark provides seven paid holidays for full-time employees. Those holidays are listed on page 19 under Holidays.

9. What holidays are paid?

All holidays listed are paid holidays; however, the Ark allows for the listed holidays to be paid at a premium rate of 1 1/2 times the regular rate of pay when you have to work on those days. Those holidays are listed on page 19 under Holidays.

10. What is personal leave and when can I use it?

Personal leave is leave with pay that can be used for appointments, vacations, or as sick leave. You must arrange with your supervisor for the time off. The Section on Personal Leave, page 20, describes in detail information on personal leave.

11. How many days of personal leave do I have?

The Human Resources Department tracks how much is used and earned for every employee.

12. How many days do I have to work before I accumulate leave?

If you are a full-time employee you start earning leave immediately. If you are a part-time employee, you must work 160 hours to earn 8 hours of personal leave. The Personal Leave Section on page 20 describes in detail information on personal leave.

13. How much notice do I need to give my supervisor if I need personal leave?

If you are planning a vacation or a break, the Ark requires that you notify your supervisor as soon as possible, following departmental procedure. Personal leave forms are located above the copier in the main Administration building. The section on Personal Leave on page 20, describe in detail information on personal leave.

14. Who do I notify if I'm going to be late, or I'm sick or if I have to leave a shift early?

It is important that your immediate supervisor be notified as soon as possible. The Section on Attendance, page 11, details the general policy. Make sure that you understand your department's policy and process for notifying your supervisor.

15. Who do I need to notify if I can't complete my training when I'm scheduled?

If you cannot complete Ark required training or recertification in the time allotted, it is important that as soon as you know, you write a letter to the President and CEO about why you can't go to training and how you expect to make it up. See page 9, under Staff Development and Training.

**Scheduled Pay Dates for Full-time Hourly Employees
January 2010 – December 2010**

Payday by 1pm Every Other Friday	Period Covered		Sign Time Cards	
	Saturday	to Friday	From Monday 1pm	To Wednesday 9am
January 8, 2010	12/19/2009	1/1/2010	January 4, 2010	January 6, 2010
January 22, 2010	1/2/2010	1/15/2010	January 18, 2010	January 20, 2010
February 5, 2010	1/16/2010	1/29/2010	February 1, 2010	February 3, 2010
February 19, 2010	1/30/2010	2/12/2009	February 15, 2010	February 17, 2010
March 5, 2010	2/13/2010	2/26/2010	March 1, 2010	March 3, 2010
March 19, 2010	2/27/2010	3/12/2010	March 15, 2010	March 17, 2010
April 2, 2010	3/13/2010	3/26/2010	March 29, 2010	March 31, 2010
April 16, 2010	3/27/2010	4/9/2010	April 12, 2010	April 14, 2010
April 30, 2010	4/10/2010	4/23/2010	April 26, 2010	April 28, 2010
May 14, 2010	4/24/2010	5/7/2010	May 10, 2010	May 12, 2010
May 28, 2010	5/8/2010	5/21/2010	May 24, 2010	May 26, 2010
June 11, 2010	5/22/2010	6/4/2010	June 7, 2010	June 8, 2010
June 25, 2010	6/5/2010	6/18/2010	June 21, 2010	June 23, 2010
July 9, 2010	6/19/2010	7/2/2010	July 6, 2010	July 7, 2010
July 23, 2010	7/3/2010	7/16/2010	July 19, 2010	July 21, 2010
August 6, 2010	7/17/2010	7/30/2010	August 2, 2010	August 4, 2010
August 20, 2010	7/31/2010	8/13/2010	August 16, 2010	August 18, 2010
September 3, 2010	8/14/2010	8/27/2010	August 30, 2010	September 1, 2010
September 17, 2010	8/28/2010	9/10/2010	September 13, 2010	September 15, 2010
October 1, 2010	9/11/2010	9/24/2010	September 27, 2010	September 29, 2010
October 15, 2010	9/25/2010	10/8/2010	October 11, 2010	October 13, 2010
October 29, 2010	10/09/2010	10/22/2010	October 25, 2010	October 27, 2010
November 12, 2010	10/23/2010	11/5/2010	November 8, 2010	November 10, 2010
November 26, 2010	11/6/2010	11/19/2010	November 22, 2010	November 24, 2010
December 10, 2010	11/20/2010	12/3/2010	December 6, 2010	December 8, 2010
December 23, 2010	12/4/2010	12/17/2010	December 20, 2010	December 21, 2010