

# Not Forgotten Home & Community Services Employee Handbook

October 6, 2020  
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Home & Community Services  
Uniqueness | Inclusion | Opportunity

## **ABOUT THIS HANDBOOK/DISCLAIMER**

We prepared this handbook to help employees find the answers to many questions that they may have regarding their employment with Not Forgotten Home & Community Services. Please take the necessary time to read it.

We do not expect this handbook to answer all questions. Supervisors and Human Resources also serve as a major source of information.

This handbook or any other verbal or written communication by a management representative is, or should be considered, an agreement, contract of employment, express or implied, or a promise of treatment in any particular manner in any given situation. Nor does it confer any contractual rights whatsoever. Not Forgotten Home & Community Services adheres to the policy of employment at will, which permits the Not Forgotten Home & Community Services or the employee to end the employment relationship at any time, for any reason, with or without cause or notice.

There is no Not Forgotten Home & Community Services representative other than the Executive Director that may modify at-will status and/or provide any special arrangement concerning terms or conditions of employment in any general or individual case. Any modification must be in a signed writing.

Many matters covered by this handbook, such as benefit plan descriptions, are also described in separate Not Forgotten Home & Community Services documents. These Not Forgotten Home & Community Services documents are always controlling over any statement made in this handbook or by any member of management.

This handbook states only general Not Forgotten Home & Community Services guidelines. At any time, Not Forgotten Home & Community Services may, in its sole discretion, modify or vary from anything stated in this handbook, with or without notice, except for the rights of the parties to end employment at will, which may only be modified by an express written agreement signed by the employee and the Executive Director.

This handbook supersedes all prior handbooks.

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## Section 1 - Governing Principles of Employment

### 1-1 Introduction

Welcome to the Not Forgotten Home & Community Services family!

We are confident that you will find Not Forgotten Home & Community Services to be a dynamic and rewarding place to work and we look forward to a productive and successful association. We consider the employees of Not Forgotten Home & Community Services to be its most valuable resource. Our handbook has been written to serve as a guide for our employer/employee relationship.

There are several things to keep in mind about this handbook. First, it contains general information and guidelines. Our handbook is not intended to be comprehensive or to address all the possible applications of, or exceptions to, the general policies and procedures described. For that reason, if you have any questions concerning eligibility for a particular benefit or applicability of a policy or practice to you, please address your specific questions to your supervisor who will direct you to our Human Resource support team.

Again, welcome to Not Forgotten Home & Community Services, we are very pleased that you are joining us.

Sonja Garnett-Williams, Executive Director

### 1-2 Overview of Not Forgotten Policy

Not Forgotten Home and Community Services offers premier Home and Community Services in Southwestern Pennsylvania. Market research indicates that there is a significant need for quality home and community-based services within this region. We believe that by employing compassionate, competent and well-educated staff, we can provide our clientele with organized and responsive management.

The consumer base for NOT FORGOTTEN are individuals, (3 years of age and older) diagnosed with intellectual disabilities, who are referred by the Individuals Circle of Support Team, consisting of Medicaid enrolled Service Coordination agencies approved by Office of Developmental Programs (ISC), families, other providers, etc. The majority of these individuals are eligible for federal and state financial participation through Base funding, Consolidated Waiver funding and Person/Family Directed Support (P/FDS) Waiver. The Department of Public Welfare, as the single state Medicaid agency, retains authority over the administration and implementation of the Consolidated Waiver, and/or the

P/FDS Waiver. The Office of Developmental Programs (ODP), as part of the single state Medicaid agency, is responsible for the development and distribution of policies and the rules and regulations related to waiver operations.

**Mission Statement:** To endorse the uniqueness of all individuals through inclusion and opportunity.

**Vision Statement:** Not Forgotten Home and Community Services exists to cultivate a conducive environment by campaigning for individuality with inclusion, growth with choices, and quality with equality to all served. This will be accomplished by providing short-term regular, or as needed, care for families, permanent placement for those seeking housing and more independence, and assistance with transitioning into the workforce.

**Core Values:** NOT FORGOTTEN is a value-based organization and concedes to the following core values:

- COMMITMENT to protecting lives and well-being
- CARE & COMPASSION for every life we touch
- EXCELLENCE in professionalism
- RESPECT the differences among staff and individuals
- INFLUENCE relationships among leaders and followers
- TEAMWORK & ENJOYMENT when working together
- CREATIVITY & INNOVATION to develop effective solutions
- FOCUS & DISCIPLINE on improving the quality of care.
- FOSTER independence and empowers
- DIVERSITY Improve the representation of women and minorities and integrate people with disabilities

### **1-3 Office of Developmental Programs Policy (ODP)**

#### **PURPOSE & SCOPE**

Not Forgotten Home & Community Services offers premier Home and Community Services in Southwestern Pennsylvania. Market research indicates that there is a significant need for quality home and community-based services within this region. We believe that by employing compassionate, competent and well-educated staff, we can provide our clientele with organized and responsive management.

The consumer base for Not Forgotten Home & Community Services work with individuals, (3 years of age and older) diagnosed with intellectual disabilities, who are referred by the Individuals Circle of Support Team, consisting of Medicaid enrolled Service Coordination agencies approved by ODP (ISC),

families, other providers, etc. The majority of these individuals are eligible for federal and state financial participation through Base funding, Consolidated Waiver funding and Person/Family Directed Support (P/FDS) Waiver. The Department of Public Welfare, as the single state Medicaid agency, retains authority over the administration and implementation of the Consolidated Waiver, and/or the P/FDS Waiver. The Office of Developmental Programs (ODP), as part of the single state Medicaid agency, is responsible for the development and distribution of policies and the rules and regulations related to waiver operations.

Our agency is required to use the Office of Developmental Programs licensed community residential services with Consolidated Waiver funding, but Person/Family Directed Support (P/FDS) Waiver does not require participants to use licensed community residential services. The process for licensure and insurance certification has already been initiated, and we are well on our way to meeting the regulations and guidelines for providing home and community-based services to individuals in Southwestern Pennsylvania.

**ODP Mission:** The mission of the Office of Developmental Programs (ODP) is to support Pennsylvanians with developmental disabilities to achieve greater independence, choice and opportunity in their lives.

**ODP Vision:** is to continuously improve an effective system of accessible services and supports that are flexible, innovative and person-centered.

## 1-4 General Employment Guidelines

All employees must adhere to the Internal Policies of NOT FORGOTTEN, which coordinates with State and Federal guidelines for individuals receiving services. Employees will receive training and adhere to the set of regulations for waiver funding requirements. Our confidentiality statement is in accordance with HIPAA regulations, Not Forgotten's Internal Policy & prohibition of the participants banking and personal information guidelines mandated by state regulations.

Employees must make use of our incident management guidelines, on which you will receive initial training within 30 days of hire on review and history of the MR system, maintain documentation of services providing appropriate codes, service units and outcomes according to the participants ISP, record medical related changes provided by family or caregiver, or ISC, maintain all participant's information in a locked file, adhere to conflict resolution policy of Not Forgotten and complete additional trainings as required.

A specific schedule of orientation and basic training has been established for job and employment classifications. All employees according to the guidelines of the

state of Pennsylvania must comply with training and timelines for continued future employment.

Not Forgotten Home & Community Services encourages all interested employees to take advantage of the continuing education initiative and further job specific training. A supervisor and a Human Resources representative must approve all courses. This includes an employee's Annual Review and Re-qualification Trainings.

### **1-5 Nature of Employment**

Throughout this handbook, the term 'NFHCS or NOT FORGOTTEN' will be used in reference to Not Forgotten Home & Community Services.

The policies set forth in the employee handbook are the policies that are in effect at the time of publication. They may be amended, modified or terminated at any time by Not Forgotten Home & Community Services (and NOT FORGOTTEN will try to inform you of any changes as they occur), except for the policy of at-will employment, which may be modified only by a signed, written agreement between the Executive Director and the employee at issue. Nothing in this handbook may be construed as creating a promise of future benefits or a binding contract, whether express or implied, between NFHCS and any of its employees.

Notwithstanding any other provision hereof, nothing in this handbook shall be construed as, or shall interfere with, abridge, limit, restrain or restrict any employee's right to (1) engage in any activity or conduct protected by the National Labor Relations Act (and in fact, this handbook does not apply to non-supervisory and non-managerial employees discussing Agency wages, hours or working conditions among employees as protected by the National Labor Relations Act); or (2) to communicate with any federal, state or local government agency charged with the enforcement and/or investigation of claims of discrimination, harassment, retaliation, improper wage payments or any other unlawful employment practices under federal, state or local law, or to file a charge, claim or complaint with or participate in or cooperate with any investigation or proceeding conducted by, any such agency.

Any questions regarding any statements or policies within this handbook should be directed to our HR Specialist [vkarakasz@nfhcs.org](mailto:vkarakasz@nfhcs.org) (412) 279-5000.

### **1-6 Ethical Standards**

Not Forgotten Home & Community Services insists on the highest ethical standards in conducting its business. Doing the right thing and acting with integrity are the two driving forces behind NOT FORGOTTEN's success.

When faced with ethical issues, employees are expected to make the right professional decision consistent with NFHCS principles and standards. Any, and all, unusual incidents are to be reported immediately to your supervisor.

An Incident Report needs to be filed within 24 hours of the incident in accordance with state mandated regulations. Incident management training and compliance will be enforced. Weekly updates to supervisors will ensure high standards.

Incident report document is located in NFHCS policy manual and on our website [www.nfhcs.org](http://www.nfhcs.org).

Any questions regarding what ethical standards are, please contact our HR Specialist [vkabasz@nfhcs.org](mailto:vkabasz@nfhcs.org) (412) 279-5000.

## **1-7 Equal Employment Opportunity**

Not Forgotten Home & Community Services is an Equal Opportunity Employer that does not discriminate on the basis of actual or perceived race, color, creed, religion, national origin, ancestry, citizenship status, age, sex or gender (including pregnancy, childbirth and pregnancy-related conditions), gender identity or expression (including transgender status), sexual orientation, marital status, military service and veteran status, physical or mental disability, genetic information, or any other characteristic protected by applicable federal, state or local laws and ordinances. Not Forgotten Home & Community Services management team is dedicated to this policy with respect to recruitment, hiring, placement, promotion, transfer, training, compensation, benefits, employee activities, access to facilities and programs and general treatment during employment.

Not Forgotten Home & Community Services will endeavor to make a reasonable accommodation of an otherwise qualified applicant or employee related to an individual's: physical or mental disability; sincerely held religious beliefs and practices; and/or any other reason required by applicable law, unless doing so would impose an undue hardship upon Not Forgotten Home & Community Services business operations.

Any applicant or employee who needs an accommodation in order to perform the essential functions of the job should contact Executive Director to request such an accommodation. The individual should specify what accommodation is needed to perform the job and submit supporting documentation explaining the basis for the requested accommodation, to the extent permitted and in accordance with applicable law. Not Forgotten Home & Community Services then will review and analyze the request, including engaging in an interactive process with the

employee or applicant, to identify if such an accommodation can be made. Not Forgotten Home & Community Services will evaluate requested accommodations, and as appropriate, identify other possible accommodations, if any. The individual will be notified of Not Forgotten Home & Community Services decision regarding the request within a reasonable period. Not Forgotten Home & Community Services treats all medical information submitted as part of the accommodation process in a confidential manner.

Any employees with questions or concerns about equal employment opportunities in the workplace are encouraged to bring these issues to the attention of Executive Director. Not Forgotten Home & Community Services will not allow any form of retaliation against individuals who raise issues of equal employment opportunity. If employees feel they have been subjected to any such retaliation, they should contact Executive Director. To ensure our workplace is free of artificial barriers, violation of this policy including any improper retaliatory conduct will lead to discipline, up to and including discharge. All employees must cooperate with all investigations conducted pursuant to this policy.

### **1-8 Pennsylvania Human Relations Act**

Not Forgotten Home & Community Services complies with The Pennsylvania Human Relations Act (PHRA) which prohibits an employer from discriminating, including: race, color, ancestry and national origin; religion; pregnancy (including childbirth and related medical conditions); handicap or disability; age (40 years or older); gender; use of guide or support animals for certain disabilities; and educational status (diploma based on general educational development test).

Any employee that believes a violation of PHRA has occurred should contact our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412) 279-5000.

### **1-9 Discrimination and Harassment**

Discrimination is any workplace action such as hiring, firing, demoting or promoting based on a prejudice of some kind that results in the unlawful treatment of protected classes. With some exceptions, such as affirmative action, discrimination is strictly prohibited by myriad federal laws.

The most well-known federal anti-discrimination law, Title VII of the Civil Rights Act of 1964 (Title VII) prohibits discrimination on the basis of race, color, religion, sex and national origin. Title VII applies to all private employers, state

and local governments, and education institutions that employ 15 or more individuals.

However, Title VII is but one discrimination law. The Equal Pay Act (EPA) prohibits sex-based wage discrimination between men and women who perform under similar working conditions. The Age Discrimination in Employment ACT (ADEA) prohibits discrimination against people age 40 and older. The ADEA covers private employers with 20 or more employees, state and local governments (including school districts), employment agencies and labor organizations. The Americans with Disabilities Act (ADA) prohibits discrimination against a qualified person with a disability because of the disability, association with someone with a disability or because the employer sees an employee as disabled, even if he actually isn't. The ADA applies to the same list of employers as Title VII.

Effective April 7, 2016 under Executive Order No. 2016-04, "No agency under the Governor's jurisdiction shall discriminate against any employee or applicant for employment on the basis of race, color, religious creed, ancestry, union membership, age, gender, sexual orientation, gender identity or expression, national origin, AIDS or HIV status, or disability." Effective April 7, 2016, under Executive Order No. 2016-05, Commonwealth agencies must "ensure that Commonwealth contracts and grants are nondiscriminatory."

If an employee believes that have been discriminated against or harassed, please contact our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412) 279-5000.

## **1-10 Non-Harassment**

It is Not Forgotten Home & Community Services policy to prohibit intentional and unintentional harassment of any individual by another person on the basis of any protected classification including, but not limited to, race, color, national origin, disability, religion, marital status, veteran status, sexual orientation or age. The purpose of this policy is not to regulate our employees' personal morality, but to ensure that in the workplace, no one harasses another individual.

If an employee feels that he or she has been subjected to conduct which violates this policy, he or she should immediately report the matter to our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412) 279-5000.

If the employee is unable for any reason to contact this person, or if the employee has not received a satisfactory response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact the Executive Director of Not Forgotten Home and Community Services.

If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in his or her reporting hierarchy. Every report of perceived harassment will be fully investigated and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. In addition, NFHCS will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy.

If an employee feels he or she has been subjected to any such retaliation, he or she should report it in the same manner in which the employee would report a claim of perceived harassment under this policy. Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including discharge. All employees must cooperate with all investigations.

### **1-11 Immigration Law Compliance**

Not Forgotten Home & Community Services is committed to employing only United States citizens and aliens who are authorized to work in the United States.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment with NFHCS, will be required to produce, at time of hire or on their first day of work, proof of his/her identity and eligibility to work in the United States. Former employees who are rehired must also complete the form if they have not completed an I-9 with NFHCS within the past three years, or if their previous I-9 is no longer retained or valid.

Any questions regarding the Immigration Reform and Control Act of 1986 (I-9), please contact our HR Specialist vkarabasz@nfhcs.org (412) 279-5000.

### **1-12 Pittsburgh Pregnancy Accommodation**

In compliance with the Pittsburgh City Code, Not Forgotten Home & Community Services will not discriminate against employees because of pregnancy, childbirth or related medical conditions and events. Not Forgotten Home & Community Services will endeavor to reasonably accommodate employees affected by pregnancy, childbirth or related medical conditions as well as employees who are the partner of a person who is pregnant or affected by a related medical condition in order to allow the employee to perform the essential duties of the job unless doing so will impose an undue hardship on the business.

### **Accommodations**

Such accommodations may include but are not limited to: modifications or adjustments to the employee's work station, including seating accommodations; work schedule modifications, including additional water, bathroom, rest and lactation-related breaks; modified job requirements or job reassignment, including light duty work; or providing unpaid leave.

### **Request for Accommodation**

Any employees who need to request an accommodation due to pregnancy, childbirth or a related medical condition should contact the Head of Human Resources and/or Executive Director. If employees who requested an accommodation have not received an initial response within five (5) business days, employees should contact the Head of Human Resources and/or Executive Director.

After receiving a request for an accommodation due to pregnancy, childbirth or a related medical condition or otherwise becoming aware that employees require such an accommodation, Not Forgotten Home & Community Services will engage in an interactive process with employees. Even if employees have not formally requested an accommodation, Not Forgotten Home & Community Services may initiate an interactive process under certain circumstances, such as when Not Forgotten Home & Community Services has knowledge that the employee's performance at work has been negatively affected and also has a reasonable basis to believe that the issue is related to the employee's or their partner's pregnancy, childbirth or related medical condition, in compliance with applicable law.

### **Interactive Process**

The interactive process may take place in person, by telephone or by electronic means such as e-mail. As part of the interactive process, Not Forgotten Home & Community Services will communicate with the individual in order to determine whether and how Not Forgotten Home & Community Services may be able to provide a reasonable accommodation. To the extent necessary and appropriate based on the request, Not Forgotten Home & Community Services will attempt to explore the existence and feasibility of alternative accommodations as well as alternative positions for the individual. Not Forgotten Home & Community Services is not required to provide the specific accommodation sought by an individual, provided the alternatives are reasonable and either meet the specific needs of the individual or specifically address the individual's limitations.

As part of the interactive process, Not Forgotten Home & Community Services reserves the right to request medical documentation, to the extent permitted by applicable law. If Not Forgotten Home & Community Services believes that the provided documentation is insufficient, and before denying the request based on

insufficient documentation, Not Forgotten Home & Community Services reserves the right to request additional documentation from the employee or, upon the employee's written consent, speak with the health care provider who provided the documentation. As applicable, the employee whose time off is covered by the Family Medical Leave Act (FMLA) may also be required to provide medical documentation, depending on the circumstances of the leave request, pursuant to federal law.

At the conclusion of the interactive process, Not Forgotten Home & Community Services will provide written notice to the employee in a timely manner indicating that Not Forgotten Home & Community Services:

- will be able to offer and provide a reasonable accommodation,
- will not be able to provide a reasonable accommodation to the employee because there is no accommodation available that will not cause an undue hardship on Not Forgotten Home & Community Services operations, or
- will not be able to provide a reasonable accommodation to the employee because no accommodation exists that will allow the employee to perform the essential requisites of the job.

Not Forgotten Home & Community Services will not retaliate or take any adverse employment action against any employee because the employee requested a reasonable accommodation under this policy, opposed a discriminatory act prohibited by the Code, made a complaint of discrimination under the Code; or testified or otherwise assisted or participated in an investigation by or proceeding before the Pittsburgh Commission on Human Relations.

Any employee with questions should contact our HR Specialist [vkabasz@nfhcs.org](mailto:vkabasz@nfhcs.org) (412) 279-5000 or our Executive Director.

### **1-13 At-Will Notice**

Unless you have a separate contract with Not Forgotten Home & Community Services, your employment is at-will. This means employees are free to resign at any time, with or without cause and the Agency may terminate the employment relationship at any time, with or without cause or advance notice. As an at-will employee, it is not guaranteed, in any manner, that you will be employed with NFHCS for any set period of time.

Any questions regarding this policy, please contact our HR Specialist [vkabasz@nfhcs.org](mailto:vkabasz@nfhcs.org) (412) 279-5000.

## **1-14 Open Door Policy**

Employees are welcome to call, email, or otherwise contact their supervisor, any member of upper management, human resource group, director, or department-head to schedule a meeting to discuss any concerns, questions, or suggestions.

However, it is unacceptable for employees to not follow the sequence noted above. Actions such as these demonstrate indifference and disrespect toward the standing of higher ranked individuals. Such occurrences contribute to chaos and run the risk of ineffective communication or decision making, as those needing to know are now cut out of the chain of communication. Implementation then becomes challenged because all in control do not have the specific new information necessary.

NOT FORGOTTEN also has a Chief Compliance Officer in case an employee does not feel comfortable, for any reason, speaking to their supervisor or other members of management. The appropriate emergency and grievance phone numbers and email addresses are provided on our website [www.nfhcs.org](http://www.nfhcs.org) under Shared Documents.

NOT FORGOTTEN also has a Human Resource support team, W. Garnett & Associates (303) 658-9342 [wgarnett@wgarnett.com](mailto:wgarnett@wgarnett.com) who will handle any areas of grievance or concern that an employee may have. Employees have various options with NOT FORGOTTEN's Open Door Policy.

## **1-15 Drug-Free and Alcohol-Free Workplace**

To help ensure a safe, healthy and productive work environment for our employees and others, to protect Not Forgotten Home & Community Services property, and to ensure efficient operations, Not Forgotten Home & Community Services has adopted a policy of maintaining a workplace free of drugs and alcohol. This policy applies to all employees and other individuals who perform work for Not Forgotten Home & Community Services.

The unlawful or unauthorized use, abuse, solicitation, theft, possession, transfer, purchase, sale or distribution of controlled substances (including medical marijuana), drug paraphernalia or alcohol by an individual anywhere on Not Forgotten Home & Community Services premises, while on Not Forgotten Home & Community Services business (whether or not on Not Forgotten Home & Community Services premises) or while representing Not Forgotten Home & Community Services, is strictly prohibited. Employees and other individuals who work for Not Forgotten Home & Community Services also are prohibited from reporting to work or working while they are using or under the influence of alcohol or any controlled substances, which may impact the employee's ability to perform their job or otherwise pose safety concerns, except when the use is

pursuant to a licensed medical practitioner's instructions and the licensed medical practitioner authorized the employee or individual to report to work. However, this exception does not extend any right to report to work under the influence of medical marijuana or to use medical marijuana as a defense to a positive drug test, to the extent the employee is subject to any drug testing requirement, except as permitted by and in accordance with applicable law. This restriction does not apply to responsible drinking of alcohol at business meetings and related social outings.

Violation of this policy will result in disciplinary action, up to and including discharge.

Not Forgotten Home & Community Services maintains a policy of non-discrimination and will endeavor to make reasonable accommodations to assist individuals recovering from substance and alcohol dependencies, and those who have a medical history which reflects treatment for substance abuse conditions. However, employees may not request an accommodation to avoid discipline for a policy violation. We encourage employees to seek assistance before their substance abuse or alcohol misuse renders them unable to perform the essential functions of their jobs, or jeopardizes the health and safety of any Not Forgotten Home & Community Services employee, including themselves.

## **1-16 Workplace Violence**

Not Forgotten Home & Community Services is strongly committed to providing a safe workplace. The purpose of this policy is to minimize the risk of personal injury to employees and damage to Not Forgotten Home & Community Services and personal property.

Not Forgotten Home & Community Services does not expect employees to become experts in psychology or to physically subdue a threatening or violent individual. Indeed, Not Forgotten Home & Community Services specifically discourages employees from engaging in any physical confrontation with a violent or potentially violent individual. However, Not Forgotten Home & Community Services does expect and encourage employees to exercise reasonable judgment in identifying potentially dangerous situations.

Experts in the mental health profession state that prior to engaging in acts of violence, troubled individuals often exhibit one or more of the following behaviors or signs: over-resentment, anger and hostility; extreme agitation; making ominous threats such as bad things will happen to a particular person, or a catastrophic event will occur; sudden and significant decline in work performance; irresponsible, irrational, intimidating, aggressive or otherwise inappropriate behavior; reacting to questions with an antagonistic or overtly

negative attitude; discussing weapons and their use, and/or brandishing weapons in the workplace; overreacting or reacting harshly to changes in Not Forgotten Home & Community Services policies and procedures; personality conflicts with co-workers; obsession or preoccupation with a co-worker or supervisor; attempts to sabotage the work or equipment of a co-worker; blaming others for mistakes and circumstances; or demonstrating a propensity to behave and react irrationally.

### **Prohibited Conduct**

Threats, threatening language or any other acts of aggression or violence made toward or by any Not Forgotten Home & Community Services employee WILL NOT BE TOLERATED. For purposes of this policy, a threat includes any verbal or physical harassment or abuse, any attempt at intimidating or instilling fear in others, menacing gestures, flashing of weapons, stalking or any other hostile, aggressive, injurious or destructive action undertaken for the purpose of domination or intimidation. To the extent permitted by law, employees and visitors are prohibited from carrying weapons onto Not Forgotten Home & Community Services premises.

### **Procedures for Reporting a Threat**

All potentially dangerous situations, including threats by co-workers, should be reported immediately to any member of management with whom the employee feels comfortable. Reports of threats may be maintained confidential to the extent maintaining confidentiality does not impede Not Forgotten Home & Community Services ability to investigate and respond to the complaints. All threats will be promptly investigated. All employees must cooperate with all investigations. No employee will be subjected to retaliation, intimidation or disciplinary action as a result of reporting a threat in good faith under this policy.

If Not Forgotten Home & Community Services determines, after an appropriate good faith investigation, that someone has violated this policy, Not Forgotten Home & Community Services will take swift and appropriate corrective action.

If the employee is the recipient of a threat made by an outside party, that employee should follow the steps detailed in this section. It is important for Not Forgotten Home & Community Services to be aware of any potential danger in its offices. Indeed, Not Forgotten Home & Community Services wants to take effective measures to protect everyone from the threat of a violent act by employees or by anyone else.

## **1-17 Medical Marijuana Act**

Under Pennsylvania's Medical Marijuana Act, an employer may not discriminate against an applicant or employee based solely on his or her status as a qualifying medical marijuana user. However, an employer may discipline an employee for being under the influence of medical marijuana in the workplace.

If an employee believes that they have been discriminated against with regards, to Pennsylvania's Medical Marijuana Act, please contact our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412) 279-5000 to voice your concern.

## **1-18 Background Checks**

NOT FORGOTTEN has developed and is committed to maintaining background checks that comply with federal and state laws for individuals who provide childcare, are employed by a home care agency and referred by a home care agency to provide care.

The purpose of this program is to ensure that NOT FORGOTTEN's Mission, values and principles are met and that NOT FORGOTTEN remains in full compliance with all federal, state and local requirements, as well as those applicable requirements with contracted Managed Care Organizations.

In addition, the Corporate Compliance Program will assist NOT FORGOTTEN in maintaining the highest ethical standards in all aspects of service provision and business decisions.

Specific requirements and time frame for a background check is described, in detail, in NOT FORGOTTEN's Policy Manual.

## **1-19 Reporting/Investigation Procedures of Violations**

If you believe there has been a violation of the EEO policy or harassment, including sexual harassment, please use the following complaint procedure. NFHCS expects employees to make a timely complaint to enable NOT FORGOTTEN to investigate and correct any behavior that may be in violation of this policy. NOT FORGOTTEN's management is notified of any investigation.

- Report the incident to W. Garnett & Associates at (303)658-9342 [wgarnett@wgarnett.com](mailto:wgarnett@wgarnett.com) and they will investigate the matter and take corrective action.
- If the employee is not satisfied with the outcome of the investigation, they may escalate their concern to the Executive Director.

- The Executive Director or her/his representative will evaluate all the information of the investigation, meet with the employee and render a final decision. All complaints will be kept as confidential as practicable.
- If NFHCS determines that an employee's behavior is in violation of this policy, appropriate disciplinary action will be taken against the offending employee.
- Disciplinary action may be in the form of: issuance of a written warning, transfer, demotion, suspension of employment without pay, termination of employment or other appropriate actions.
- NFHCS prohibits retaliation against any employee for filing a good faith complaint under this policy or for assisting in a complaint investigation.
- If you perceive retaliation for making a good faith complaint or for your participation in the investigation, please follow the complaint procedure outlined above. The situation will be promptly investigated.
- Any employee having knowledge or suspicion of sexual harassment or other types of discrimination, whether or not as a victim, is required to report immediately such knowledge or suspicion to their supervisor or W. Garnett & Associates (303) 658-9342 [wgarnett@wgarnett.com](mailto:wgarnett@wgarnett.com).

## Section 2 - Operational Policies

### 2-1 Employee Classifications

For purposes of this handbook, all employees fall within one of the classifications below.

- **Full-Time Employee** - Employees who are regularly scheduled to work 35 (thirty-five) hours per week or more, but not to exceed 40 (forty) hours per week without prior approval. Full-time employees may be either non-exempt (hourly) or exempt (salaried) employees. Exempt employees may occasionally be required to work more than 40 hours in a given week.
- **Part-Time Employee** - Employees who are scheduled to work less than 35 (thirty-five) hours per week.
- **Temporary Employee** - Employees who are hired with a planned termination date and who is paid for only their hours worked. A temporary employee will not receive any benefits; holiday or vacation pay.
- **Exempt Employee** - Employees who are an executive, professional, administrator, or manager. Exempt employees are generally paid a salary, without overtime. This position may include a compensation package at varying levels.
- **Non-exempt Employee** - Employees who do not qualify for exempt status and are generally paid on an hourly basis, including overtime (all work over 40 hours within a week).
- **Interns** - Employees who are scheduled to work a minimum number of hours and work under the direction of a supervisor and acquire training that would be equivalent to an educational setting. They are provided minimum wage, overtime and other FLSA protections. No benefits are given.

### 2-2 Timekeeping Procedures

Employees must record their actual time worked for payroll and benefit purposes. Non-exempt employees must record the time work begins and ends, as well as the beginning and ending time of any departure from work for any non-work-related reason, on forms as prescribed by management. Non-exempt employees may not start work until their scheduled starting time.

Our specific timekeeping process is explained during your orientation. Our specific procedure for timekeeping and supplying timesheets to NOT FORGOTTEN is explained in our Policy & Procedures Manual which each employee is provided and can access on our website [www.nfhcs.org](http://www.nfhcs.org).

Altering, falsifying or tampering with time records is prohibited and subjects the employee to discipline, up to and including discharge.

**Reminder:** Not Forgotten's workweek runs from Sunday to Saturday. All signed timesheets are to be turned in weekly to Payroll. Timesheets are **DUE every Monday by NOON (12 p.m.)**. You may email your signed timesheets into [info@nfhcs.org](mailto:info@nfhcs.org) or fax your signed timesheet to (412) 279-5001. Your original signed timesheet must reach payroll no later than Wednesday.

Signed timesheets may also be mailed or dropped off at 101 W. Main Street, Carnegie, PA 15106. Please keep a copy of your timesheet for your own personal records. An employee's pay can be delayed until all appropriate documentation is provided and verified by the account manager as correct and properly processed. The processing of late documentation could be delayed until the pay period after all paperwork has been correctly processed.

Please note you are responsible for submitting your own timesheets and documentation. If you have any questions please contact Payroll; Cheryl Allen, or Janine Graham at (412) 279-5000.

If an employee does hourly work that is not directly with a client, or provides hourly administrative assistance, the employee is still required to complete a time card following the proper guidelines (Policy & Procedures Manual)

Exempt employees are required to record their daily work attendance and report full days of absence from work for reasons such as leaves of absence, sick leave or personal business.

It is the employee's responsibility to sign their time records to certify the accuracy of all time recorded. Any errors in the time record should be reported immediately to a supervisor, who will attempt to correct legitimate errors.

Any questions regarding your timekeeping please do not hesitate to contact our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412) 279-5000.

## **2-3 Working Hours and Schedule**

Not Forgotten Home & Community Services business office is located at 101 West Main Street Carnegie, PA 15106. Our normal business hours are Monday, Wednesday and Thursday 8 a.m. to 4 p.m., Tuesday 8 a.m. to 8 p.m. and Friday 1:30 to 4:30 p.m.

NOT FORGOTTEN Account Managers will facilitate the matching and scheduling of individuals with employees based on, but not limited to, the following variables:

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- client's ISP requirements and goals,
- client's preferences,
- staff's availability,
- staff and client compatibility, and
- staff and client proximity.

Scheduling of hours will vary from case to case. If an employee would like to request more hours, or more cases, they are to contact their supervisor. NOT FORGOTTEN cannot guarantee staff particular cases, number of hours or particular hours of the day, since this is based on individual needs. The more flexible an employee's schedule, the more flexibility Account Managers have to assign individuals to them.

The employee will be assigned a work schedule and will be expected to begin and end work according to the schedule. To accommodate the needs of our agency, at some point we may need to change individual work schedules on either a short-term or long-term basis.

Employees will be provided meal and rest periods as required by law. A supervisor will provide further details.

## 2-4 Overtime

Like most successful agencies, we experience periods of extremely high activity. During these busy periods, additional work is required from all of us. Supervisors are responsible for monitoring business activity and requesting overtime work if it is necessary. Effort will be made to provide employees with adequate advance notice in such situations.

Any non-exempt employee who works overtime will be compensated at the rate of one and one-half times (1.5) his/her normal hourly wage for all time worked in excess of forty (40) hours each week, unless otherwise required by law.

Employees may work overtime **only with prior management authorization.**

## 2-5 Your Paycheck

The employee will be paid bi-weekly for all the time worked during the past pay period.

Payroll stubs itemize deductions made from gross earnings. By law, NOT FORGOTTEN is required to make deductions for Social Security, federal income

tax and any other appropriate taxes. These required deductions also may include any court-ordered garnishments. Payroll stubs also will differentiate between regular pay received and overtime pay received.

If there is an error in an employee's pay, the employee should bring the matter to the attention of the Director of Finance immediately so NOT FORGOTTEN can resolve the matter quickly and amicably.

NOT FORGOTTEN prefers to process all payroll checks via direct deposit but they may also be mailed to the employee's residence of record. Paychecks will only be directly handed to the employee, unless authorization is received BEFORE a check is accepted by another person.

## **2-6 Direct Deposit**

NOT FORGOTTEN prefers all employees use direct deposit. If an employee does not use direct deposit, their check will be mailed to them, or they make pick up their check at our Office located at 101 W. Main St. Carnegie, PA 15106.

Employees must pick up their own paycheck. We will not hand over a paycheck to an unauthorized individual, unless provision is made prior to payday.

## **2-7 Expenses**

Expenses:

The following is a guide to NOT FORGOTTEN's expense policy and procedures for the reporting and reimbursement of expenses. Any manager who approves expense reports should be familiar with this policy—authorizing an expense report indicates to NOT FORGOTTEN that the expenses reported are legitimate, reasonable, and complies with this policy. Any employee claiming expenses must also be familiar with this policy. If there are any questions, please refer to the Executive Director for final approval.

### [Expense Reimbursement](#)

Persons traveling on Not Forgotten business with prior approval will be given specific details as to what transportation, hotel accommodation, meals, and limited incidentals (for example, taxis and telephone calls) are covered that meet reasonable and adequate reimbursement.

### [Expense Reimbursement](#)

NFHCS will reimburse staff at the Internal Revenue Service Standard Mileage Rate (57.5) for up to 20 miles per day per individual including 3 to 1 individuals. NFHCS will approve special events facilitated by NFHCS for any mileage over 20 miles. Travel expense sheets are due at the end of the pay period by Monday morning 8 a.m.

### Activity Expense Reimbursement

NFHCS is committed to providing excellent service to our Individuals. Many ISPs include socialization and interacting in the community. This can sometimes cost money for the employee to participate with the individuals.

In these cases, where an employee must pay an entrance fee, ticket, or other payment in order to gain access to an area in which the individual wishes to go, or participate in, (\$10.00) per individual, per day will be reimbursed, if the expenses are reported correctly and on-time. The individual is responsible for paying his or her own way.

NOT FORGOTTEN is not responsible for paying any costs or fees for the client. Activity Expense Reimbursements sheets, with original receipts, should be mailed or dropped off to 101 W. Main St. Carnegie, PA 15106 and received by Monday at 12 noon.

Please keep a copy of all items sent to Office for reimbursement.

### **2-8 Salary Advances**

NFHCS does not permit advances on paychecks or against accrued paid time off. Advance pay for vacation must be requested in writing at least two weeks prior to the vacation period.

### **2-9 Your Employment Records**

In order to obtain their position, employees provided us with personal information, such as address and telephone number. This information is contained in the employee's personnel file.

All employee should keep his or her personnel file up to date by informing the HR Specialist, in writing, of any changes. The employee should also inform the HR Specialist of any specialized training or skills he or she may acquire in the future, as well as any changes to any required licenses.

Unreported changes of address, marital status, etc. can affect withholding tax and benefit coverage. Further, an "out of date" emergency contact or an inability

to reach the employee in a crisis could cause a severe health or safety risk or other significant problem.

## **2-10 Record Retention**

NFHCS acknowledges its responsibility to preserve information relating to litigation, audits and investigations. Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against NFHCS and its employees and possible disciplinary action against responsible individuals (up to and including discharge of the employee).

Each employee has an obligation to contact our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412)279-5000 to inform her of potential or actual litigation, external audit, investigation or similar proceeding involving NFHCS that may have an impact on record retention protocols.

## **2-11 Travel Time for Non-Exempt Employees**

### **Overnight, Out-of-Town Trips**

Non-exempt employees will be compensated for time spent traveling (except for meal periods) during their normal working hours, on days they are scheduled to work and on unscheduled work days (such as weekends). Non-exempt employees also will be paid for any time spent performing job duties during otherwise non-compensable travel time; however, such work should be limited absent advance management authorization.

### **Out-of-Town Trips for One Day**

Non-exempt employees who travel out of town for a one-day assignment will be paid for all travel time, except for, among other things: (i) time spent traveling between the employee's home and the local railroad, bus or plane terminal; and (ii) meal periods.

### **Local Travel**

Non-exempt employees will be compensated for time spent traveling from one job site to another job site during a workday. The trip home, however, is non-compensable when an employee goes directly home from his/her final job site, unless it is much longer than his/her regular commute home from the regular worksite. In such case, the portion of the trip home in excess of the regular commute is compensable.

### **Commuting Time**

Under the Portal to Portal Act, travel from home to work and from work to home is generally non-compensable. However, if a non-exempt employee regularly reports to a worksite near his/her home, but is required to report to a worksite farther away than the regular worksite, the additional time spent traveling is compensable.

If compensable travel time results in more than 40 hours worked by a non-exempt employee, the employee will be compensated at an overtime rate of one and one-half times the regular rate.

To the extent that applicable state law provides greater benefits, state law applies.

## **2-12 Safe Harbor Policy for Exempt Employees**

It is Not Forgotten Home & Community Services policy and practice to accurately compensate employees and to do so in compliance with all applicable state and federal laws. To ensure proper payment and that no improper deductions are made, employees must review pay stubs promptly to identify and report all errors.

Those classified as exempt salaried employees will receive a salary which is intended to compensate them for all hours they may work for Not Forgotten Home & Community Services. This salary will be established at the time of hire or classification as an exempt employee. While it may be subject to review and modification from time to time, such as during salary review times, the salary will be a predetermined amount that will not be subject to deductions for variations in the quantity or quality of the work performed.

Under federal and state law, salary is subject to certain deductions. For example, unless state law requires otherwise, salary can be reduced for the following reasons:

- full-day absences for personal reasons;
- full-day absences for sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing wage replacement benefits for such absences (deductions also may be made for the exempt employee's full-day absences due to sickness or disability before the employee has qualified for the plan, policy or practice or after the employee has exhausted the leave allowance under the plan);
- full-day disciplinary suspensions for infractions of our written policies and procedures;

- Family and Medical Leave Act absences (either full- or partial-day absences);
- to offset amounts received as payment from the court for jury and witness fees or from the military as military pay;
- the first or last week of employment in the event the employee works less than a full week; and
- any full work week in which the employee does not perform any work.

Salary may also be reduced for certain types of deductions such as a portion of health, dental or life insurance premiums; state, federal or local taxes; social security; or voluntary contributions to a 401(k) or pension plan.

In any work week in which the employee performed any work, salary will not be reduced for any of the following reasons:

- partial day absences for personal reasons, sickness or disability;
- an absence because Not Forgotten Home & Community Services has decided to close a facility on a scheduled work day;
- absences for jury duty, attendance as a witness, or military leave in any week in which the employee performed any work (subject to any offsets as set forth above); and
- any other deductions prohibited by state or federal law.

However, unless state law provides otherwise, deductions may be made to accrued leave for full- or partial-day absences for personal reasons, sickness or disability.

If employees believe they have been subject to any improper deductions, they should immediately report the matter to a supervisor. If the supervisor is unavailable or if the employee believes it would be inappropriate to contact that person (or if the employee has not received a prompt and fully acceptable reply), they should immediately contact Executive Director or any other supervisor in Not Forgotten Home & Community Services with whom the employee feels comfortable.

## **2-13 Performance Review**

Depending on the employee's position and classification, NOT FORGOTTEN endeavors to review performance annually. However, a positive performance evaluation does not guarantee an increase in salary, a promotion or continued employment. Compensation increases and the terms and conditions of employment, including job assignments, transfers, promotions, and demotions, are determined by and at the discretion of management.

In addition to these formal performance evaluations, NOT FORGOTTEN encourages employees and supervisors to discuss job performance on a frequent and ongoing basis.

## **2-14 Job Postings**

NFHCS is dedicated to assisting employees in managing their careers and reaching their professional goals through promotion and transfer opportunities. This policy outlines the on-line job posting program which is in place for all employees. To be eligible to apply for an open position, employees must meet several requirements:

- Should be a current, regular, full-time or part-time employee
- Been in your current position for at least six months
- Maintain a performance rating of satisfactory or above
- Should not be on an employee conduct/performance-related probation or warning
- Must meet the job qualifications listed on the job posting
- Required to provide the employee's manager with notice prior to applying for the position

If the employee finds a position of interest on the job posting website ([www.nfhcs.org](http://www.nfhcs.org)) and meets the eligibility requirements, an on-line job posting application must be completed in order to be considered for the position. Not all positions are guaranteed to be posted. NFHCS reserves the right to seek applicants solely from outside sources or to post positions internally and externally simultaneously.

For more specific information about the program, please contact your supervisor or our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412) 279-5000.

## **2-15 HIPPA**

This policy applies only to those employees who receive, file, and transmit HIPAA Protected Health Information (PHI), such as receiving medical claims to process or working with healthcare providers to manage care.

It does not apply to those employees, such as supervisors, who only receive medical information directly from an employee for other benefits, such as reporting a workers' compensation injury, applying for sick leave, or qualifying for a reasonable accommodation.

When employees in the human resources department or supervisors need to obtain medical information directly from a healthcare provider for sick leave, a medical leave, a pregnancy leave, or for a reasonable accommodation, the employee whose information is sought is to sign a release authorizing the disclosure in accordance with HIPAA. If there is any question as to which privacy policy to apply, please contact the Executive Director.

Only employees within the human resources department who are assigned to handle health, dental, and disability claims may access PHI. Employees who handle workers' compensation claims, medical leaves, 401(k) plans, vacation benefits, education benefits, and other benefits, but are not assigned to health, dental, or disability claims, are not to access PHI.

Employees with access to PHI will comply at all times with the HIPAA Health Information Privacy Policy and any state law with stricter standards. Examples of the lawful use of PHI include disclosing PHI to healthcare providers who request it in connection with treatment, for payment of bills, to determine the individual contribution for health coverage, to conduct quality assessment and improvement activities, to credential healthcare providers, or to engage in care coordination or case management.

The entire HIPPA policy is enclosed in the Not Forgotten Home & Community Services Policy and Procedures Manual.

## Section 3 - Benefits

### 3-1 Benefits Overview

In addition to good working conditions and competitive pay, it is NOT FORGOTTEN's policy to provide a combination of supplemental benefits to all full-time eligible employees. In keeping with this goal, each benefit program has been carefully devised. These benefits include time-off benefits, such as vacations, sick days and holidays, insurance and other plan benefits. We are constantly studying and evaluating our benefits programs and policies to better meet present and future requirements. These policies have been developed over the years and continue to be refined to keep up with changing times and needs.

The entire benefit options for employees will be provided at orientation. The details of each plan is spelled out in the official plan documents, which are available for review upon request from the Office Manager and during your orientation. Additionally, the provisions of the plans, including eligibility and benefits provisions, are summarized in the summary plan descriptions ("SPDs") for the plans (which may be revised from time to time). In the determination of benefits and all other matters under each plan, the terms of the official plan documents shall govern over the language of any descriptions of the plans, including the SPDs.

Further, NFHCS (including the officers and administrators who are responsible for administering the plans) retains full discretionary authority to interpret the terms of the plans, as well as full discretionary authority with regard to administrative matters arising in connection with the plans and all issues concerning benefit terms, eligibility and entitlement.

While NOT FORGOTTEN intends to maintain these employee benefits, it reserves the absolute right to modify, amend or terminate these benefits at any time and for any reason.

If employees have any questions regarding benefits, they should contact the Office Manager.

### 3-2 Paid Holidays

Full-time employees will be paid for the following holidays:

- New Year's Day
- Memorial Day
- Independence Day
- Labor Day

- Thanksgiving Day
- Christmas Day
- Floater (Holiday- used at employee's discretion)
- If one of the above holidays falls on a Saturday, it is normally observed on the preceding Friday. If a holiday falls on a Sunday, it is normally observed on the following Monday.
- Full-time employees will receive holiday pay for any observed holiday that falls on one of their regularly scheduled workdays. If a holiday falls on a day that you are not scheduled to work, you will not be eligible to receive holiday pay.
  - Example: You normally work a 12-hour shift Monday, Tuesday and Wednesday. The holiday falls on Thursday; you will not have a paid holiday.
  - Holiday pay will be calculated based upon the employee's regular hourly rate of pay, times the number of hours that the employee would otherwise have worked on the observed holiday.
    - Example: If you are normally scheduled to work a 10-hour shift on the day of the observed holiday, however you do not work, you will be paid for 10 hours at your straight time rate.
- Residential employees who work on a holiday will receive time and a half (1 1/2) their pay rate.
- Employees who are on a pre-approved leave of absence will not receive holiday pay.
- Employees will not receive more than 1 1/2 their regular hourly rate when working on a holiday.
- Habilitation staff should contact families to make arrangements for another day if your scheduled day falls on a holiday.
- In calculating time, a day is 12:00 a.m. to 12:00 a.m.
  - An example of holiday pay that may split between a regular day's work and a holiday:
    - Employee begins work at 8 p.m. prior to a holiday. At 12:00 a.m. on the day of the holiday the employee continues to work until 8 a.m.
    - The employee would be paid at their regular hourly rate from 8 p.m. to 12:00 a.m. Beginning at 12:00 a.m. until 8 a.m. the employee would be paid 1 1/2 times their regular hourly rate.

If an employee calls off before or after a holiday, they will not be eligible for Holiday Pay.

NFHCS benefits (PTO, Paid Holidays and Bereavement) are set by NOT FORGOTTEN and qualifications for eligibility are different from requirements for health benefits.

Any questions regarding Paid Holidays please contact our HR Specialist [vkarasz@nfhcs.org](mailto:vkarasz@nfhcs.org) (412)279-5000.

### 3-3 Personal Time Off

#### **Purpose of Paid Time Off (PTO)**

The purpose of Paid Time Off (PTO) is to provide Not Forgotten Home and Community Services employees with flexible paid time off from work that can be used for such needs as vacations, personal, doctor appointments, school appointments, volunteerism, family illness and other activities of the employee's choice. Not Forgotten's goal is to reduce unscheduled absences and the need for supervisory oversight.

This is a revised PTO policy and will oversee all prior policies.

#### **Guidelines for PTO Use**

- Each full-time employee, who averages 35 hours per week, will be granted PTO based on their length of service defined below.

#### **Years of Service**

0-1 year	40 hours (91 <sup>st</sup> Day)
2-5 years	80 hours (2 Weeks)
6-10 years	120 hours (3 Weeks)
10 (max)	160 hours

- Part-time, temporary employees, contract employees, provisional and interns are not eligible for PTO benefits.
- PTO cannot be used by new employees until their 91st day of employment.
- PTO is granted each year on an employee's anniversary date of hire.
- **Unused PTO does not carry over to the next year.**
- PTO requests are accepted and granted on a first-come first-serve basis. This will confirm that NFHCS has coverage for all individuals.
- All Habilitation staff must make arrangements with families first when requesting PTO. Habilitation staff tracking and approval of PTO request will be done by the Executive Director.
  - **Habilitation staff who provide a service for their own child or relative, who work a holiday, must obtain approval from the**

**Executive Director prior to working the holiday to receive time and a half for the day. If approval is not obtained prior to working the holiday, the workday is considered unauthorized and will be paid at the regular day rate.**

- NFHCS appreciates as much notice as possible, therefore requests should be two weeks in advance of time requested off.
- Employees are required to request PTO through our payroll system. Any request for PTO should be made in no less than 4- or 8-hour increments.
- Residential PTO requests MUST be approved by Program Lead/or Director of Programs. If neither of those supervisors are available, contact the HR Department.
  - **Full and part time residential staff, who work a holiday will be paid time and a half for the day and will not be included in overtime calculation.**
- If an employee needs to take an emergency personal day, they must notify their supervisor immediately. A text is not acceptable; the employee must notify their supervisor by telephone. If the supervisor is not available, please contact HR so that they may assist in contacting the supervisor. Habilitation employees please contact the family first, and HR.
- If an employee does not have access to log into the payroll system, it will then be the employee's responsibility to contact HR for assistance.
- Termination or resignation, you will not be paid for any unused PTO.
- Request for PTO prior to the start of a requested and approved unpaid leave of absence must be used to cover hours missed before the start of the unpaid leave.
- An employee may only take 3 unscheduled/emergency PTO days off within the year.
- If a PTO request, places an employee into overtime, those overtime hours will not be calculated at 1 1/2 times an employee's pay rate. Those hours will be calculated at the employee's regular pay rate.
- Under NFHCS Family and Medical Leave Act (FMLA) policy, the employee must use any unused PTO time at the start of the FMLA program and will be paid during that time or until all the PTO has been used.
- Employees are responsible for monitoring and using their PTO throughout the course of the year.
- PTO requests will not be used in lieu of for employees who have given their two weeks' notice of employment.

### 3-4 Pittsburgh Paid Sick Time

#### Eligibility

Not Forgotten Home & Community Services provides paid sick time to employees who work for at least 35 hours in the calendar year in accordance with the Paid Sick Days Act (the 'Ordinance' in the City of Pittsburgh). For employees who are eligible for sick time under the general Sick Days policy and/or any other applicable sick time/leave law or ordinance, this policy applies solely to the extent it provides greater benefits/rights on any specific issue or issues than the general Sick Days policy and/or any other applicable sick time/leave law or ordinance.

#### Earned Time

Employees begin earning paid sick time pursuant to this policy on March 15, 2020 or at the start of employment, whichever is later. Employees earn one (1) hour for every 35 hours worked, up to a maximum earning of 40 hours each calendar year. Exempt employees are assumed to work 40 hours in each workweek unless their normal workweek is less than 40 hours, in which case paid sick time earned based upon that normal workweek. For purposes of this policy, the calendar year is on the consecutive 12-month period beginning January 1 and ending on December 31.

#### Usage

Employees may use paid sick time on the 91<sup>st</sup> calendar day following commencement of employment. Paid sick time may be used in the smaller of hourly increments or the smallest increment that the payroll system uses to account for absences or use of other time. Employees may not use more than their maximum hours of paid sick time in any calendar year. Employees may use paid sick time for absences due to:

- their mental or physical illness, injury or health condition; their personal need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; their personal need for preventive medical care;
- care of a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; care of a family member who needs preventive medical care; or
- closure of the employee's place of business by order of a public official due to a public health emergency or the employee's need to care for a

child who school or place of care has been closed by order of a public official due to a public health emergency, or care for a family member when it has been determined by the health authorities having jurisdiction or by a health care provider that the family member's presence in the community may jeopardize the health of others because of the family member's exposure to a communicable disease, whether or not the family member has actually contracted the communicable disease.

For purposes of this policy, family member includes:

- a biological, adopted or foster child, stepchild or legal ward, a child of a domestic partner, or a child to whom the employee stands in loco parentis;
- a biological, foster, stepparent or adoptive parent or legal guardian of the employee or the employee's spouse or domestic partner or a person who stood in loco parentis when the employee was a minor child;
- a person to whom the employee is legally married under the laws of any state;
- a grandparent or spouse or domestic partner of a grandparent;
- a grandchild;
- a biological, foster or adopted sibling;
- a domestic partner; or
- any individual for whom the employee has received oral permission from the employer to care for at the time of the employee's request to make use of sick time.

An employee's use of paid sick time will not be conditioned upon searching for or finding a replacement worker.

Unless the employee advises others, Not Forgotten Home & Community Services will assume, subject to applicable law that employees want to use available paid sick time for absences for reasons set forth above and they will be paid for such absences to the extent they have paid time available.

### **Notice and Documentation**

Requests to use paid sick time may be made orally, in writing or electronically (e.g., via email), and whenever possible, the request must include the expected duration of the absence. When the use of paid sick time is foreseeable, the employee is required to make a good faith effort to provide notice of the need for such time to their immediate supervisor or Not Forgotten's HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412) 279-5000, seven (7) days in advance of the use of the paid sick time or as early as possible under the circumstances and make a

reasonable effort to schedule the use of earned paid sick time in a manner that does not unduly disrupt operations. When the use of paid sick time is not foreseeable, the employee is required to provide notice to their immediate supervisor or Not Forgotten's HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412) 279-5000 at least one (4) hour prior to the start of the workday or as soon as possible under the circumstances.

For paid sick time of three (3) or more full consecutive days, Not Forgotten Home & Community Services may require reasonable documentation that the paid sick time has been used for a covered purpose. Documentation signed by a health care professional indicating that sick time is necessary shall be considered reasonable documentation. Documentation provided to Not Forgotten Home & Community Services should not explain the nature of the illness or health condition.

### **Payment**

Paid sick time will be paid at the same base rate of pay and with the same benefits, including health care benefits, as the employee would have earned at the time of their use of the paid sick time, but no less than the applicable minimum wage, unless otherwise required by applicable law. Use of paid sick time is not considered hours worked for purposes of calculating overtime.

### **Carryover and Payout**

Employees may carry over up to 40 hours of earned, unused paid sick time to the following calendar year. Unused paid sick time will not be paid at separation.

For example: An employee carries over 40 hours of sick time to the next year. They continue to earn sick time as noted above. By the end of the year, they have 80 hours of sick time. ONLY 40 hours may be carried over to the next year. Any questions please contact W. Garnett & Associates [wgarnett@wgarnett.com](mailto:wgarnett@wgarnett.com) (303) 658-9342.

### **Enforcement and Retaliation**

Not Forgotten Home & Community Services prohibits retaliation or discrimination against employees because they have exercised rights protected under the Ordinance. Such rights include but are not limited to the right to use sick time pursuant to the Ordinance; the right to file a complaint with the Mayor's Office of Equity; the right to inform any person about any employer's alleged violations of this Ordinance; and the right to inform employees of their potential rights under the Ordinance. Employees may file a complaint if sick time is denied or if they are subjected to retaliation for requesting or taking sick time.

Questions about right and responsibilities under the law can be answered by W. Garnett & Associates [wgarnett@wgarnett.com](mailto:wgarnett@wgarnett.com) (303) 658-9342.

### 3-5 Workers' Compensation

On-the-job injuries are covered by our Workers' Compensation Insurance Policy, which is provided at no cost. If employees are injured on the job, no matter how slightly, they should report the incident immediately to their supervisor or our HR Specialist [vkabasz@nfhcs.org](mailto:vkabasz@nfhcs.org) (412) 279-5000. Failure to follow NFHCS procedures may affect the ability of the employee to receive Workers' Compensation benefits.

This is solely a monetary benefit and not a leave of absence entitlement. Employees who need to miss work due to a workplace injury must also request a formal leave of absence. See the Leave of Absence sections of this handbook for more information.

For Assistance in Scheduling Appointments, Please Call Premier Comp Toll Free 24 hours/7 days a week at 1-888-594-4001

The following sites are for your use in case of an accident.

<b>NAME</b>	<b>ADDRESS</b>	<b>PHONE</b>	<b>AREA OF SPECIALTY</b>
MedExpress (Multiple locations)	3516 Saw Mill Run Blvd. Pittsburgh, PA 15227  (412) 884-0327	1-888-594-4001	Occupational Medicine/Urgent Care
AFC Urgent Care	874 Butler St. Pittsburgh, PA 15223  (412) 781-5600	1-888-594-4001	Occupational Medicine/Urgent Care
Wm. M Castillo, MD	3101 Brownsville Rd. Pittsburgh, PA 15227	1-888-594-4001	General Surgery

Greater Pittsburgh Orthopedic Association  (Multiple locations)	2100 Jane St. Suite 501  Pittsburgh, PA 15203  (412) 431-5604	1-888-594-4001	Orthopedics
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Any questions regarding workers' compensation please do not hesitate to contact our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412) 279-5000.

### 3-6 Jury Duty

NOT FORGOTTEN realizes that it is the obligation of all U.S. citizens to serve on a jury when summoned to do so. All employees will be allowed time off to perform such civic service as required by law. Employees are expected, however, to provide proper notice of a request to perform jury duty and verification of their service.

Employees also are expected to keep management informed of the expected length of jury duty service and to report to work for the major portion of the day if excused by the court. If the required absence presents a serious conflict for management, employees may be asked to try to postpone jury duty.

Employees (non-exempt) on jury duty leave will be paid for three days of their jury duty service. Exempt employees will be paid their full salary for any week in which time is missed due to jury duty.

Any monies received from jury duty is to be remitted to NOT FORGOTTEN.

### 3-7 Bereavement Leave

We know the death of a family member is a time when employees wish to be with their families. If the employee is a full-time employee and loses a close relative, he or she will be allowed paid time off of up to 3 days to assist in attending to his or her obligations and commitments. If an employee needs to use more than the allotted 3 days of paid time off, they may use PTO or be unpaid for their bereavement time.

For the purposes of this policy, a close relative includes a spouse, domestic partner, child, parent, sibling or any other relation required by applicable law. Paid leave days only may be taken on regularly scheduled, consecutive workdays following the day of death. Employees must inform their supervisors

prior to commencing bereavement leave. In administering this policy, NFHCS may require verification of death.

### 3-8 Voting Leave

The state of Pennsylvania does not require that employees are provided with time to vote, but NFHCS believes it is in the interest of our employees to have ample time to vote.

If an employee needs time before or after their regularly scheduled work day, **they need to notify their supervisor at least two days prior to the voting day** if they wish to have accommodations made for voting.

Any questions regarding this policy, please contact our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412)279-5000.

### 3-9 COBRA

#### Continuation of Benefits

Under the federal Consolidated Omnibus Budget Reconciliation Act (COBRA), employees may be allowed to continue their health insurance benefits, at the employee's expense, for up to 18 months after experiencing a qualifying event as outlined below. Longer periods of coverage may be available dependent upon the qualifying event.

To qualify for COBRA continuation coverage, an employee must have a qualifying event that causes the employee to lose group health coverage. The following are qualifying events for:

#### Employees

- Voluntary or involuntary termination of employment for reasons other than gross misconduct
- Reduction in numbers of hours worked

#### Spouses

- Loss of coverage by the employee because of one of the qualifying events listed above
- Covered employee becomes eligible for Medicare

- Divorce or legal separation of the covered employee
- Death of the covered employee

#### Dependent Children

- Loss of coverage because of any of the qualifying events listed for spouses
- Loss of status as a dependent child under the plan rules

Any questions regarding COBRA, please do not hesitate to contact our HR Specialist [vkabasz@nfhcs.org](mailto:vkabasz@nfhcs.org) (412) 279-5000.

## **Section 4 - Leaves of Absence**

### **4-1 Personal Leave**

If employees are ineligible for any other NFHCS leave of absence, NFHCS, under certain circumstances, may grant a personal leave of absence without pay. A written request for a personal leave should be presented to management at least two (2) weeks before the anticipated start of the leave. If the leave is requested for medical reasons and employees are not eligible for leave under the federal Family and Medical Leave Act (FMLA) or any state leave law, medical certification also must be submitted. The request will be considered on the basis of staffing requirements and the reasons for the requested leave, as well as performance and attendance records.

Normally, a leave of absence will be granted for a period of up to eight (8) weeks. However a personal leave may be extended if, prior to the end of leave, employees submit a written request for an extension to management and the request is granted. During the leave, employees will not earn vacation, personal days or sick days. We will continue health insurance coverage during the leave if employees submit their share of the monthly premium payments to NFHCS in a timely manner, subject to the terms of the plan documents.

When the employee anticipates returning to work, he or she should notify management of the expected return date. This notification should be made at least one week before the end of the leave.

Upon completion of the personal leave of absence, NFHCS will attempt to return employees to their original job or a similar position, subject to prevailing business considerations. Reinstatement, however, is not guaranteed.

Failure to advise management of availability to return to work, failure to return to work when notified or a continued absence from work beyond the time approved by NOT FORGOTTEN will be considered a voluntary resignation of employment.

Personal leave runs concurrently with any NFHCS provided benefit.

### **4-2 Military Leave**

If employees are called into active military service or enlist in the uniformed services, they will be eligible to receive an unpaid military leave of absence. To be eligible for military leave, employees must provide management with advance notice of service obligations unless they are prevented from providing such notice by military necessity or it is otherwise impossible or unreasonable to provide such notice. Provided the absence does not exceed applicable statutory

limitations, employees will retain reemployment rights and accrue seniority and benefits in accordance with applicable federal and state laws. Employees should ask management for further information about eligibility for Military Leave.

If employees are required to attend yearly Reserves or National Guard duty, they can apply for an unpaid temporary military leave of absence not to exceed the number of days allowed by law (including travel). They should give management as much advance notice of their need for military leave as possible so that Not Forgotten Home & Community Services can maintain proper coverage while employees are away.

## **4-3 Family and Medical Leave**

### **The Leave Policy**

Employees may be entitled to a leave of absence under the Family and Medical Leave Act (FMLA). This policy provides employees information concerning FMLA entitlements and obligations employees may have during such leaves. If employees have any questions concerning FMLA leave, they should contact our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412) 279-5000.

#### **I. Eligibility**

FMLA leave is available to "eligible employees." To be an "eligible employee," an employee must: 1) have been employed by NOT FORGOTTEN for at least 12 months (which need not be consecutive); 2) have been employed by NOT FORGOTTEN for at least 1,250 hours of service during the 12-month period immediately preceding the commencement of the leave; and 3) be employed at a worksite where 50 or more employees are located within 75 miles of the worksite.

Special hours of service eligibility requirements apply to airline flight crew employees.

#### **II. Entitlements**

As described below, the FMLA provides eligible employees with a right to leave, health insurance benefits and, with some limited exceptions, job restoration.

##### **A. Basic FMLA Leave Entitlement**

The FMLA provides eligible employees up to 12 workweeks of unpaid leave for certain family and medical reasons during a 12-month period. The 12-month period is determined based on the calendar year. Leave may be taken for anyone, or for a combination, of the following reasons:

- To care for the employee's child after birth or placement for adoption or foster care;
- To care for the employee's spouse, son, daughter or parent (but not in-law) who has a **serious health condition**;
- For the employee's own serious health condition (including any period of incapacity due to pregnancy, prenatal medical care or childbirth) that makes the employee unable to perform one or more of the essential functions of the employee's job; and/or
- Because of any **qualifying exigency** arising out of the fact that an employee's spouse, son, daughter or parent is a military member on covered active duty or called to covered active duty status (or has been notified of an impending call or order to covered active duty) in the Reserves component of the Armed Forces for deployment to a foreign country in support of contingency operation or Regular Armed Forces for deployment to a foreign country.

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 either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities. 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.

**Qualifying exigencies** may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, caring for the parents of the military member on covered active duty and attending post-deployment reintegration briefings.

## **B. Additional Military Family Leave Entitlement (Injured Servicemember Leave)**

In addition to the basic FMLA leave entitlement discussed above, an eligible employee who is the spouse, son, daughter, parent or next of kin of a **covered servicemember** is entitled to take up to 26 weeks of leave during a single 12-month period to care for the servicemember with a serious injury or illness. Leave to care for a servicemember shall only be available during a single-12 month period and, when combined with other FMLA-qualifying leave, may not

exceed 26 weeks during the single 12-month period. The single 12-month period begins on the first day an eligible employee takes leave to care for the injured servicemember.

A "**covered servicemember**" is a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status or is on the temporary retired list, for a serious injury or illness. These individuals are referred to in this policy as "current members of the Armed Forces."

**Covered servicemembers** also include a veteran who is discharged or released from military services under condition other than dishonorable at any time during the five years preceding the date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation or therapy for a serious injury or illness. These individuals are referred to in this policy as "covered veterans."

The FMLA definitions of a "serious injury or illness" for current Armed Forces members and covered veterans are distinct from the FMLA definition of "serious health condition" applicable to FMLA leave to care for a covered family member.

### **C. Intermittent Leave and Reduced Leave Schedules**

FMLA leave usually will be taken for a period of consecutive days, weeks or months. However, employees also are entitled to take FMLA leave intermittently or on a reduced leave schedule when medically necessary due to a serious health condition of the employee or covered family member or the serious injury or illness of a covered servicemember. Qualifying exigency leave also may be taken on an intermittent basis.

### **D. No Work While on Leave**

The taking of another job while on family/medical leave or any other authorized leave of absence is grounds for immediate discharge, to the extent permitted by law.

### **E. Protection of Group Health Insurance Benefits**

During FMLA leave, eligible employees are entitled to receive group health plan coverage on the same terms and conditions as if they had continued to work.

### **F. Restoration of Employment and Benefits**

At the end of FMLA leave, subject to some exceptions including situations where job restoration of "key employees" will cause NOT FORGOTTEN substantial and

grievous economic injury, employees generally have a right to return to the same or equivalent positions with equivalent pay, benefits and other employment terms. NOT FORGOTTEN will notify employees if they qualify as "key employees," if it intends to deny reinstatement, and of their rights in such instances. Use of FMLA leave will not result in the loss of any employment benefit that accrued prior to the start of an eligible employee's FMLA leave.

### **G. Notice of Eligibility for, and Designation of, FMLA Leave**

Employees requesting FMLA leave are entitled to receive written notice from NOT FORGOTTEN telling them whether they are eligible for FMLA leave and, if not eligible, the reasons why they are not eligible. When eligible for FMLA leave, employees are entitled to receive written notice of: 1) their rights and responsibilities in connection with such leave; 2) NOT FORGOTTEN's designation of leave as FMLA-qualifying or non-qualifying, and if not FMLA-qualifying, the reasons why; and 3) the amount of leave, if known, that will be counted against the employee's leave entitlement.

NOT FORGOTTEN may retroactively designate leave as FMLA leave with appropriate written notice to employees provided NOT FORGOTTEN failure to designate leave as FMLA-qualifying at an earlier date did not cause harm or injury to the employee. In all cases where leaves qualify for FMLA protection, NOT FORGOTTEN and employee can mutually agree that leave be retroactively designated as FMLA leave.

## **III. Employee FMLA Leave Obligations**

### **A. Provide Notice of the Need for Leave**

Employees who take FMLA leave must timely notify NOT FORGOTTEN of their need for FMLA leave. The following describes the content and timing of such employee notices.

#### **1. Content of Employee Notice**

To trigger FMLA leave protections, employees must inform NOT FORGOTTEN of the need for FMLA-qualifying leave and the anticipated timing and duration of the leave, if known. Employees may do this by either requesting FMLA leave specifically, or explaining the reasons for leave so as to allow NOT FORGOTTEN to determine that the leave is FMLA-qualifying. For example, employees might explain that:

- a medical condition renders them unable to perform the functions of their job;

- they are pregnant or have been hospitalized overnight;
- they or a covered family member are under the continuing care of a health care provider;
- the leave is due to a qualifying exigency caused by a military member being on covered active duty or called to covered active duty status to a foreign country; or
- if the leave is for a family member, that the condition renders the family member unable to perform daily activities or that the family member is a covered service member with a serious injury or illness.

Calling in "sick," without providing the reasons for the needed leave, will not be considered sufficient notice for FMLA leave under this policy. Employees must respond to NOT FORGOTTEN's questions to determine if absences are potentially FMLA-qualifying.

If employees fail to explain the reasons for FMLA leave, the leave may be denied. When employees seek leave due to FMLA-qualifying reasons for which NOT FORGOTTEN has previously provided FMLA-protected leave, they must specifically reference the qualifying reason for the leave or the need for FMLA leave.

## **2. Timing of Employee Notice**

Employees must provide 30 days' advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, or the approximate timing of the need for leave is not foreseeable, employees must provide NOT FORGOTTEN notice of the need for leave as soon as practicable under the facts and circumstances of the particular case. Employees' who fail to give 30 days' notice for foreseeable leave without a reasonable excuse for the delay, or otherwise fail to satisfy FMLA notice obligations, may have FMLA leave delayed or denied.

### **B. Cooperate in the Scheduling of Planned Medical Treatment (Including Accepting Transfers to Alternative Positions) and Intermittent Leave or Reduced Leave Schedules**

When planning medical treatment, employees must consult with NFHCS and make a reasonable effort to schedule treatment so as not to unduly disrupt NFHCS operations, subject to the approval of an employee's health care provider. Employees must consult with NFHCS prior to the scheduling of treatment to work out a treatment schedule that best suits the needs of both NOT FORGOTTEN and the employees, subject to the approval of an employee's health care provider. If employees providing notice of the need to take FMLA leave on an intermittent basis for planned medical treatment neglect to fulfill this obligation, NOT FORGOTTEN may require employees to attempt to make

such arrangements, subject to the approval of the employee's health care provider.

When employees take intermittent or reduced work schedule leave for foreseeable planned medical treatment for the employee or a family member, including during a period of recovery from a serious health condition or to care for a covered servicemember, NOT FORGOTTEN may temporarily transfer employees, during the period that the intermittent or reduced leave schedules are required, to alternative positions with equivalent pay and benefits for which the employees are qualified and which better accommodate recurring periods of leave.

When employees seek intermittent leave or a reduced leave schedule for reasons unrelated to the planning of medical treatment, upon request, employees must advise NOT FORGOTTEN of the reason why such leave is medically necessary. In such instances, NOT FORGOTTEN and the employee shall attempt to work out a leave schedule that meets the employee's needs without unduly disrupting NOT FORGOTTEN's operations, subject to the approval of the employee's health care provider.

### **C. Submit Medical Certifications Supporting Need for FMLA Leave (Unrelated to Requests for Military Family Leave)**

Depending on the nature of FMLA leave sought, employees may be required to submit medical certifications supporting their need for FMLA-qualifying leave. As described below, there generally are three types of FMLA medical certifications: an **initial certification**, a **recertification** and a **return to work/fitness for duty certification**.

It is the employee's responsibility to provide NOT FORGOTTEN with timely, complete and sufficient medical certifications. Whenever NOT FORGOTTEN requests employees to provide FMLA medical certifications, employees must provide the requested certifications within 15 calendar days after NOT FORGOTTEN's request, unless it is not practicable to do so despite an employee's diligent, good faith efforts. NOT FORGOTTEN will inform employees if submitted medical certifications are incomplete or insufficient and provide employees at least seven calendar days to cure deficiencies. NOT FORGOTTEN will deny FMLA leave to employees who fail to timely cure deficiencies or otherwise fail to timely submit requested medical certifications.

With the employee's permission, NOT FORGOTTEN (through individuals other than an employee's direct supervisor) may contact the employee's health care provider to authenticate or clarify completed and sufficient medical certifications. If employees choose not to provide NOT FORGOTTEN with authorization allowing

it to clarify or authenticate certifications with health care providers, NOT FORGOTTEN may deny FMLA leave if certifications are unclear.

Whenever NOT FORGOTTEN deems it appropriate to do so, it may waive its right to receive timely, complete and/or sufficient FMLA medical certifications.

### **1. Initial Medical Certifications**

Employees requesting leave because of their own, or a covered relation's, serious health condition, or to care for a covered servicemember, must supply medical certification supporting the need for such leave from their health care provider or, if applicable, the health care provider of their covered family or service member. If employees provide at least 30 days' notice of medical leave, they should submit the medical certification before leave begins. A new initial medical certification will be required on an annual basis for serious medical conditions lasting beyond a single leave year.

If NOT FORGOTTEN has reason to doubt initial medical certifications, it may require employees to obtain a second opinion at NOT FORGOTTEN'S expense. If the opinions of the initial and second health care providers differ, NOT FORGOTTEN may, at its expense, require employees to obtain a third, final and binding certification from a health care provider designated or approved jointly by NOT FORGOTTEN and the employee.

### **2. Medical Recertification**

Depending on the circumstances and duration of FMLA leave, NOT FORGOTTEN may require employees to provide recertification of medical conditions giving rise to the need for leave. NOT FORGOTTEN will notify employees if recertification is required and will give employees at least 15 calendar days to provide medical recertification.

### **3. Return to Work/Fitness for Duty Medical Certifications**

Unless notified that providing such certifications is not necessary, employees returning to work from FMLA leaves that were taken because of their own serious health conditions that made them unable to perform their jobs must provide the NOT FORGOTTEN with medical certification confirming they are able to return to work and the employees' ability to perform the essential functions of the employees' position, with or without reasonable accommodation. NOT FORGOTTEN may delay and/or deny job restoration until employees provide return to work/fitness for duty certifications.

### **D. Submit Certifications Supporting Need for Military Family Leave**

Upon request, the first time employees seek leave due to qualifying exigencies arising out of the covered active duty or call to covered active duty status of a military member, NOT FORGOTTEN may require employees to provide: 1) a copy of the military member's active duty orders or other documentation issued by the military indicating the military member is on covered active duty or call to covered active duty status and the dates of the military member's covered active duty service; and 2) a certification from the employee setting forth information concerning the nature of the qualifying exigency for which leave is requested. Employees shall provide a copy of new active duty orders or other documentation issued by the military for leaves arising out of qualifying exigencies arising out of a different covered active duty or call to covered active duty status of the same or a different military member.

When leave is taken to care for a covered servicemember with a serious injury or illness, NOT FORGOTTEN may require employees to obtain certifications completed by an authorized health care provider of the covered servicemember. In addition, and in accordance with the FMLA regulations, NOT FORGOTTEN may request that the certification submitted by employees set forth additional information provided by the employee and/or the covered servicemember confirming entitlement to such leave.

#### **E. Substitute Paid Leave for Unpaid FMLA Leave**

Employees must use any accrued paid time while taking unpaid FMLA leave.

The substitution of paid time for unpaid FMLA leave time does not extend the length of FMLA leave and the paid time will run concurrently with an employee's FMLA entitlement.

Leaves of absence taken in connection with a disability leave plan or workers' compensation injury/illness shall run concurrently with any FMLA leave entitlement.

#### **F. Pay Employee's Share of Health Insurance Premiums**

During FMLA leave, employees are entitled to continued group health plan coverage under the same conditions as if they had continued to work. Unless NOT FORGOTTEN notifies employees of other arrangements, whenever employees are receiving pay from NOT FORGOTTEN during FMLA leave, NOT FORGOTTEN will deduct the employee portion of the group health plan premium from the employee's paycheck in the same manner as if the employee was actively working.

If FMLA leave is unpaid, employees must pay their portion of the group health premium through a 'pay as you go' method.

NOT FORGOTTEN's obligation to maintain health care coverage ceases if an employee's premium payment is more than 30 days late. If any employee's payment is more than 15 days late, NOT FORGOTTEN will send a letter notifying the employee that coverage will be dropped on a specified date unless the co-payment is received before that date. If employees do not return to work within 30 calendar days at the end of the leave period (unless employee cannot return to work because of a serious health condition or other circumstances beyond their control), they will be required to reimburse NOT FORGOTTEN for the cost of the premiums that NOT FORGOTTEN paid for maintaining coverage during their unpaid FMLA leave.

#### **IV. Exemption for Highly Compensated Employees**

NOT FORGOTTEN may choose not to return highly compensated employees (highest paid 10% employees at a worksite or within 75 miles of that worksite) to their former or equivalent positions following a leave if restoration of employment will cause substantial economic injury to NOT FORGOTTEN. (This fact specific determination will be made by NOT FORGOTTEN on a case by case basis.) NOT FORGOTTEN will notify employees if they qualify as a 'highly compensated' employee, and if NOT FORGOTTEN intends to deny reinstatement, and in that case, of an employee's right in such instances.

#### **V. Questions and/or Complaints about FMLA Leave**

If you have questions regarding this FMLA policy, please contact our Office Manager. NOT FORGOTTEN is committed to complying with the FMLA and, whenever necessary, shall interpret and apply this policy in a manner consistent with the FMLA.

The FMLA makes it unlawful for employers to: 1) interfere with, restrain or deny the exercise of any right provided under FMLA; or 2) discharge or discriminate against any person for opposing any practice made unlawful by FMLA or involvement in any proceeding under or relating to FMLA. If employees believe their FMLA rights have been violated, they should contact our Office Manager immediately.

NOT FORGOTTEN will investigate any FMLA complaints and take prompt and appropriate remedial action to address and/or remedy any FMLA violation. Employees also may file FMLA complaints with the United States Department of Labor or may bring private lawsuits alleging FMLA violations.

#### **VI. Coordination of FMLA Leave with Other Leave Policies**

The FMLA does not affect any federal, state or local law prohibiting discrimination, or supersede any State or local law that provides greater family or medical leave rights. For additional information concerning leave entitlements and obligations that might arise when FMLA leave is either not available or exhausted, please consult NOT FORGOTTEN's other leave policies in this Handbook or contact our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412) 279-5000.

#### **4-4 Maternity Leave**

Maternity leave can be claimed by full-time employees who have worked at NOT FORGOTTEN for at least 12 consecutive months, prior to the birth of a child. Employees may use accrued PTO to offset time away from their position.

If employees do not have sufficient PTO to offset the days they are away from work; they may use unpaid leave and submit a request for personal leave while they are on maternity leave. Employees may also request to use Family Medical Leave (FMLA) if they meet all the requirements for FMLA use.

Any questions regarding maternity leave please contact our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412) 279-5000.

## Section 5 - General Standards of Conduct

### 5-1 Workplace Conduct

NOT FORGOTTEN endeavors to maintain a positive work environment. Each employee plays a role in fostering this environment. Accordingly, we all must abide by certain rules of conduct, based on honesty, common sense and fair play.

Because everyone may not have the same idea about proper workplace conduct, it is helpful to adopt and enforce rules all can follow. Unacceptable conduct may subject the offender to disciplinary action, up to and including discharge. The following are examples of some, but not all, conduct which can be considered unacceptable:

1. Obtaining employment on the basis of false or misleading information.
2. Stealing, removing or defacing NFHCS property or a co-worker's property, and/or disclosure of confidential information.
3. Completing another employee's time records.
4. Violation of safety rules and policies.
5. Violation of NFHCS Drug and Alcohol-Free Workplace Policy.
6. Fighting, threatening or disrupting the work of others or other violations of NFHCS Workplace Violence Policy.
7. Failure to follow lawful instructions of a supervisor.
8. Failure to perform assigned job duties.
9. Violation of the Punctuality and Attendance Policy, including but not limited to irregular attendance, habitual lateness or unexcused absences.
10. Gambling on NFHCS property.
11. Willful or careless destruction or damage to NFHCS assets or to the equipment or possessions of another employee.
12. Wasting work materials.
13. Performing work of a personal nature during working time.
14. Violation of the Solicitation and Distribution Policy.
15. Violation of NFHCS Harassment or Equal Employment Opportunity Policies.
16. Violation of the Communication and Computer Systems Policy.
17. Unsatisfactory job performance.
18. Any other violation of NFHCS policy.

Obviously, not every type of misconduct can be listed. Note that all employees are employed at-will, and NFHCS reserves the right to impose whatever discipline it chooses, or none at all, in a particular instance. NFHCS will deal with

each situation individually and nothing in this Employee Handbook should be construed as a promise of specific treatment in a given situation.

The observance of these rules will help to ensure that our workplace remains a safe and desirable place to work.

## **5-2 Punctuality and Attendance**

Employees are hired to perform important functions at NOT FORGOTTEN. As with any group effort, operating effectively takes cooperation and commitment from everyone. Therefore, attendance and punctuality are very important. Unnecessary absences and lateness are expensive, disruptive and place an unfair burden on fellow employees and supervisors. We expect excellent attendance from all employees. Excessive absenteeism or tardiness will result in disciplinary action up to and including discharge.

We do recognize, however, there are times when absences and tardiness cannot be avoided. In such cases, employees are expected to notify supervisors as early as possible, but no later than the start of the work day. Your supervisor will give you specific instructions on how to go about contacting other affected parties (participant and fellow staff) if they will be absent or late. Your supervisor will let you know if there is a case where the procedure may be different from this.

Asking another employee, friend or relative to give this notice is improper and constitutes grounds for disciplinary action. Employees should call, stating the nature of the illness and its expected duration, for every day of absenteeism.

Unreported absences of three (3) consecutive work days generally will be considered a voluntary resignation of employment with NOT FORGOTTEN.

## **5-3 Unscheduled Absence**

One absence from work without notifying your supervisor or management may be considered a voluntary resignation or abandonment. It is the discretion of management to consider the circumstances and evaluate the individual situation. Due to the nature of the position and safety considerations for participants, termination of the employee may be an option when unscheduled absence occurs.

Any questions regarding your responsibility with contacting management when you will be absent, please contact our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412) 279-5000.

## 5-4 Disciplinary Action

Disciplinary action at NOT FORGOTTEN is intended to fairly and impartially correct behavior and performance problems early on and to prevent reoccurrence.

Disciplinary action may involve any of the following: verbal warning, written warning, suspension with or without pay and termination of employment depending on the severity of the problem and the frequency of occurrence. NOT FORGOTTEN reserves the right to administer disciplinary action at its discretion and based upon the circumstances.

NOT FORGOTTEN recognizes that certain types of employee behavior are serious enough to justify termination of employment, without observing other disciplinary action first.

These violations include but are not limited to:

- Workplace violence,
- Violence toward a client or their family,
- Harassment,
- Theft of any kind,
- Insubordinate behavior,
- Vandalism or destruction of NOT FORGOTTEN property,
- Presence on NOT FORGOTTEN property during non-business hours without approval of management,
- Use of NOT FORGOTTEN equipment and/or NOT FORGOTTEN vehicles without prior authorization,
- Indiscretion regarding personal work history, skills or training,
- Divulging NOT FORGOTTEN's business practices or any other confidential information in violation of NOT FORGOTTEN's Protective Agreement Policy and
- Any misrepresentation of NOT FORGOTTEN to a customer, a prospective customer, the general public or an employee.
- Employees are not permitted to sleep at any time during their shift unless permitted by administration.

## 5-5 Suspension

Suspension of an employee may be considered prior to termination. Suspension allows for a more thorough investigation of a NFHCS offense. Suspensions may be up to 5 days with or without pay.

Any questions about suspensions, please contact our HR Specialist [vkabasz@nfhcs.org](mailto:vkabasz@nfhcs.org) (412) 279-5000.

## **5-6 Health and Safety**

The health and safety of employees and others on NOT FORGOTTEN property are of critical concern to NOT FORGOTTEN. NOT FORGOTTEN intends to comply with all health and safety laws applicable to our business. To this end, we must rely upon employees to ensure that work areas are kept safe and free of hazardous conditions. Employees are required to be conscientious about workplace safety, including proper operating methods, and recognize dangerous conditions or hazards. Any unsafe conditions or potential hazards should be reported to management immediately, even if the problem appears to be corrected. Any suspicion of a concealed danger present on NOT FORGOTTEN's premises, or in a product, facility, piece of equipment, process or business practice for which NOT FORGOTTEN is responsible should be brought to the attention of management immediately.

Periodically, NOT FORGOTTEN may issue rules and guidelines governing workplace safety and health. NOT FORGOTTEN may also issue rules and guidelines regarding the handling and disposal of hazardous substances and waste. All employees should familiarize themselves with these rules and guidelines, as strict compliance will be expected.

Any workplace injury, accident, or illness must be reported to the employee's supervisor as soon as possible, regardless of the severity of the injury or accident.

## **5-7 Building Security**

Employees are not permitted on NOT FORGOTTEN's property after hours without prior authorization from their supervisor. All Main Office employees must be sure to shut down, or otherwise lock their work stations, clear their work areas, secure all sensitive documents and information, set the motion detector alarm and lock all appropriate doors, including main entrance and (closing) garage doors before leaving the premises.

Any questions regarding building security please speak to our HR Specialist [vkabasz@nfhcs.org](mailto:vkabasz@nfhcs.org) (412) 279-5000.

## **5-8 Emergency Closings**

At times, emergencies such as severe weather, fires or power failures can disrupt NOT FORGOTTEN'S operations. In extreme cases, these circumstances may require NOT FORGOTTEN to close for the day. The decision to close or delay regular operations will be made in coordination with the Pittsburgh Public Schools.

If the Schools are closed, we will be closed. If there is a two-hour delay, we will follow that also. Please be aware that residential staff will need to stay at their designated assignment until their relief is able to get their safely. In those circumstances, staff will be compensated accordingly.

When NOT FORGOTTEN is closed, exempt employees will be paid in accordance with federal and state wage and hour requirements. Non-exempt employees may use available PTO or take the day as unpaid.

Any questions regarding this policy, please do not hesitate to speak to our HR Specialist [vkabasz@nfhcs.org](mailto:vkabasz@nfhcs.org) (412) 279-5000.

## **5-9 Smoking**

Smoking, including the use of e-cigarettes, is prohibited on NOT FORGOTTEN premises and in all NOT FORGOTTEN vehicles.

Smoking may take place only in designated smoking areas outside NOT FORGOTTEN facilities. Smoking with participants is not permitted, unless approved in advance for those employees that work with participants that smoke.

## **5-10 Hiring Relatives/Employee Relationships**

A familial relationship among employees can create an actual or at least a potential conflict of interest in the employment setting, especially where one relative supervises another relative. To avoid this problem, NOT FORGOTTEN may refuse to hire or place a relative in a position where the potential for favoritism or conflict exists.

In other cases, such as personal relationships where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or discharged from employment, at the discretion of NOT FORGOTTEN. Accordingly, all parties to any type of intimate personal relationship must inform management.

If two employees marry, become related, or enter into an intimate relationship, they may not remain in a reporting relationship or in positions where one individual may affect the compensation or other terms or conditions of employment of the other individual. NOT FORGOTTEN generally will attempt to identify other available positions, but if no alternate position is available, NOT FORGOTTEN retains the right to decide which employee will remain with NOT FORGOTTEN.

For the purposes of this policy, a relative is any person who is related by blood or marriage, or whose relationship with the employee is similar to that of persons who are related by blood or marriage.

### **5-11 Dress Code**

Employees of NOT FORGOTTEN are expected to present a clean and professional appearance while conducting business, in or outside of the office. Dressing in a fashion that is clearly unprofessional, provocative, deemed unsafe, or that negatively affects NOT FORGOTTEN's reputation or image is not acceptable.

NOT FORGOTTEN has expressly banned any work-out clothing including but not limited to– bike shorts, yoga pants, exercise leggings, exercise pants, running pants, sweat pants. Employees are not to wear any shorts, leggings only if you wear that is long enough to covers your posterior, no shirts that are low cut, no mini-skirts, no tee shirts with any offensive signs or language on them.

Employees will be notified if their attire does not meet requirements, at which time they are expected to take corrective action. If corrective action is not taken, or if the offense is reoccurring, Not Forgotten reserves the right to take disciplinary action up to, and including termination.

Some employees will be required to attend client meetings with family, care givers, supports coordinators, and or other business meetings. For these meetings, employees are expected to dress in a business or business casual manor. If you are not sure what type of dress is required, please ask your supervisor or our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412) 279-5000.

### **5-12 Visitors in the Workplace**

For general safety, insurance and other business considerations, only authorized visitors are allowed in the workplace. When making arrangements for visitors, employees should request that visitors enter through the main reception area of the office, classroom or event space and sign in and sign out with their name (legible), time in and time out, as well as a phone number at the front desk or appropriate area, and check in with the lead staff person.

Any questions, please do not hesitate to speak to our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412) 279-5000.

### 5-13 Gifts

Advance approval from Executive Director is **required** before an employee may accept or solicit a gift of any kind from a vendor, client or another NFHCS employee. Employees are not permitted to give unauthorized gifts to participants.

Any questions regarding gifts, please contact our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412) 279-5000.

### 5-14 Personal Visits and Telephone Calls

Disruptions during work time can lead to errors and delays. Therefore, personal telephone calls must be kept to a minimum, and only be made or received after working time, or during lunch or break time.

For safety and security reasons, employees are prohibited from having personal guests visit or accompanying them anywhere in Not Forgotten Home & Community Services facilities other than the reception areas.

### 5-15 Solicitation and Distribution

NOT FORGOTTEN does not allow any solicitation or distribution of literature on NOT FORGOTTEN properties or a client's property.

### 5-16 Inspections

NOT FORGOTTEN reserves the right to require employees while on NOT FORGOTTEN property, or on client property, to agree to the inspection of their persons, personal possessions and property, personal vehicles parked on NOT FORGOTTEN or client property, and work areas. This includes lockers, vehicles, desks, cabinets, work stations, packages, handbags, briefcases and other personal possessions or places of concealment, as well as personal mail sent to NOT FORGOTTEN or to its clients. Employees are expected to cooperate in the conduct of any search or inspection.

## **5-17 Bulletin Boards**

Important notices and items of general interest are continually posted on our bulletin board. Employees should make it a practice to review it frequently. This will assist employees in keeping up with what is current at NOT FORGOTTEN. To avoid confusion, employees should not post or remove any material from the bulletin board.

## **5-18 Personal Property**

NOT FORGOTTEN assumes no risk for any loss or damage to personal property and recommends that all employees have personal insurance policies covering the loss of personal property left at the main office, or at any event space used for NOT FORGOTTEN events, classes or programming. Reasonable attempts will be made to return found items to the owner.

## **5-19 Operation of Vehicles**

All employees authorized to drive NOT FORGOTTEN owned or leased vehicles or personal vehicles in conducting NOT FORGOTTEN business must possess a current, valid driver's license, current personal automobile insurance and an acceptable driving record. Any change in license status or driving record must be reported to management immediately.

An employee must have a valid driver's license in his or her possession while operating a vehicle off or on NOT FORGOTTEN property. It is the responsibility of every employee to drive safely and obey all traffic, vehicle safety, and parking laws or regulations. Drivers must demonstrate safe driving habits at all times.

NOT FORGOTTEN owned or leased vehicles may be used only as authorized by management.

## **Portable Communication Device Use While Driving**

Employees who drive on NOT FORGOTTEN business must abide by all state or local laws prohibiting or limiting portable communication device (PCD) use, including cell phones or personal digital assistants, while driving. Further, even if use is permitted, employees may choose to refrain from using any PCD while driving. "Use" includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a

call is absolutely necessary while the employee is driving, and permitted by law, the employee must use a hands-free option and advise the caller that he/she is unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs.

Since this policy does not require any employee to use a PCD while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving is prohibited in all circumstances.

## **5-20 Use of Facilities, Equipment and Property, Including Intellectual Property**

### Use of Equipment

NOT FORGOTTEN will provide employees with the equipment needed to do their job. None of this equipment should be used for personal use, nor removed from the physical confines of NOT FORGOTTEN - unless it is approved for a job that specifically requires use of our equipment outside the physical facility.

### Use of Computer, Mail and Phone

NOT FORGOTTEN's property, including computers, phones, electronic mail, and voice mail, should be used only for conducting company business. Incidental and occasional personal use of company computers, phones, or electronic mail and voice mail systems is permitted, but information and messages stored in these systems will be treated no differently from other business-related information and messages

### Use of Internet/Intranet

Employees are responsible for using the Internet and Intranet in a manner that is ethical and lawful. Use of the Internet/Intranet must solely be for business purposes and must not interfere with employee productivity.

### Use of Computer Software

NOT FORGOTTEN does not condone the illegal duplication of software. The copyright law is clear. The copyright holder is given certain exclusive rights, including the right to make and distribute copies. Title 17 of the U.s. Code states

that "it is illegal to make or distribute copies of copyrighted material without authorization" (Section 106). The only exception is the user's right to make a backup copy for archival purposes (Section 117).

### Return of Company Property

Any NOT FORGOTTEN property issued to employees, such as computer equipment, keys, or company credit card, must be returned to NOT FORGOTTEN at the time of termination. Employees will be responsible for any lost or damaged items.

### Use of Network Resource's

As a NOT FORGOTTEN Employee, you will be provided access to NOT FORGOTTEN's Computer Network Access. Access should be used only for conducting company business, information and messages stored in these systems will be treated no differently from other business-related information and messages. Unauthorized use of the Network for purposes other than conducting NOT FORGOTTEN business is strictly prohibited.

### Computer Network Password Policy

As a NOT FORGOTTEN employee, you will be provided access to NOT FORGOTTEN's Computer Network, the Outcomes for Billing System and NOT FORGOTTEN email through passwords provided to you. These passwords are strictly confidential and it is against company policy to give your passwords to any other individual. This includes allowing or giving an individual your personal passwords to access NOT FORGOTTEN Systems.

## **5-21 Personal and Company-Provided Portable Communication Devices**

NOT FORGOTTEN provided portable communication devices (PCDs), including cell phones and personal digital assistants, should be used primarily for business purposes. Employees have no reasonable expectation of privacy in regard to the use of such devices, and all use is subject to monitoring, to the maximum extent permitted by applicable law. This includes as permitted the right to monitor personal communications as necessary.

Some employees may be authorized to use their own PCD for business purposes. These employees should work with the IT department to configure their PCD for business use. Communications sent via a personal PCD also may subject to monitoring if sent through NOT FORGOTTEN's networks and the PCD must be provided for inspection and review upon request.

All conversations, text messages and e-mails must be professional. When sending a text message or using a PCD for business purposes, whether it is a NFHCS provided or personal device, employees must comply with applicable NFHCS guidelines, including policies on sexual harassment, discrimination, conduct, confidentiality, equipment use and operation of vehicles. Using a NFHCS issued PCD to send or receive personal text messages is prohibited at all times and personal use during working hours should be limited to emergency situations.

If an employee who uses a personal PCD for business resigns or is discharged, the employee will be required to submit the device to the IT department for resetting on or before his or her last day of work. At that time, the IT department will reset and remove all information from the device, including but not limited to, NFHCS information and personal data (such as contacts, e-mails and photographs). The IT department will make efforts to provide employees with the personal data in another form (e.g., on a disk) to the extent practicable; however, the employee may lose some or all personal data saved on the device.

Employees may not use their personal PCD for business unless they agree to submit the device to the IT department on or before their last day of work for resetting and removal of NFHCS information. This is the only way currently possible to ensure that all NFHCS information is removed from the device at the time of termination. The removal of NFHCS information is crucial to ensure compliance with NFHCS confidentiality and proprietary information policies and objectives.

Please note that whether employees use their personal PCD or a NFHCS issued device, NFHCS electronic communications policies, including but not limited to, proper use of communications and computer systems, remain in effect.

### **Portable Communication Device Use While Driving**

Employees who drive on NFHCS business must abide by all state or local laws prohibiting or limiting PCD (cell phone or personal digital assistant) use while driving. Further, even if usage is permitted, employees may choose to refrain from using any PCD while driving. "Use" includes, but is not limited to, talking or listening to another person or sending an electronic or text message via the PCD.

Regardless of the circumstances, including slow or stopped traffic, if any use is permitted while driving, employees should proceed to a safe location off the road and safely stop the vehicle before placing or accepting a call. If acceptance of a call is absolutely necessary while the employee is driving, and permitted by law,

the employee must use a hands-free option and advise the caller that he/she is unable to speak at that time and will return the call shortly.

Under no circumstances should employees feel that they need to place themselves at risk to fulfill business needs.

Since this policy does not require any employee to use a cell phone while driving, employees who are charged with traffic violations resulting from the use of their PCDs while driving will be solely responsible for all liabilities that result from such actions.

Texting and e-mailing while driving is prohibited in all circumstances.

## **5-22 Use of Social Media**

NOT FORGOTTEN respects the right of any employee to maintain a blog or web page or to participate in a social networking, Twitter or similar site, including but not limited to Facebook and LinkedIn. However, to protect NOT FORGOTTEN interests and ensure employees focus on their job duties, employees must adhere to the following rules:

Employees may not post on a blog or web page or participate on a social networking platform, such as Twitter or similar site, during work time or at any time with NOT FORGOTTEN equipment or property.

All rules regarding confidential and proprietary business information apply in full to blogs, web pages and social networking platforms, such as Twitter, Facebook, LinkedIn or similar sites. Any information that cannot be disclosed through a conversation, a note or an e-mail also cannot be disclosed in a blog, web page or social networking site.

Whether an employee is posting something on his or her own blog, web page, social networking, Twitter or similar site or on someone else's, if the employee mentions NOT FORGOTTEN and also expresses either a political opinion or an opinion regarding NOT FORGOTTEN actions that could pose an actual or potential conflict of interest with NOT FORGOTTEN, the poster must include a disclaimer. The poster should specifically state that the opinion expressed is his/her personal opinion and not NOT FORGOTTEN's position. This is necessary to preserve NOT FORGOTTEN's good will in the marketplace.

Any conduct that is impermissible under the law if expressed in any other form or forum is impermissible if expressed through a blog, web page, social networking, Twitter or similar site. For example, posted material that is discriminatory, obscene, defamatory, libelous or violent is forbidden. NOT FORGOTTEN policies apply equally to employee social media usage.

NOT FORGOTTEN encourages all employees to keep in mind the speed and manner in which information posted on a blog, web page, and/or social networking site is received and often misunderstood by readers. Employees must use their best judgment. Employees with any questions should review the guidelines above and/or consult with their manager. Failure to follow these guidelines may result in discipline, up to and including discharge.

## **5-23 Use of Communications and Computer Systems**

### Open Communication

Each employee is to update supervisors weekly on the participants they service. If any unusual incident occurs, staff needs to call their supervisor immediately. All changes in cell phone or emails need to be given to the supervisor and office staff immediately.

NOT FORGOTTEN encourages employees to discuss any issues they may have with a supervisor. If the concern, problem, or issue is not properly addressed employees should contact the Program Manager. Any information discussed in an Open Communication meeting is considered confidential, to the extent possible while still allowing management to respond to the problem. Retaliation against any employee for appropriate usage of Open Communication channels is unacceptable.

### Staff Meetings

In order to keep the communication channels, open, NOT FORGOTTEN will schedule staff meetings. Employees will receive communications from Human Resources about the agenda and discussion.

### Internet/Intranet Sites

NOT FORGOTTEN runs both an internet and intranet website where employees can find organizational announcements, news/events, forms, trainings, manuals, and other important and/or required documents. The employee is encouraged to access these resources to answer any questions regarding policies and procedures, and is required to access these when the completion of trainings is requested.

### Computer/Information Technology Support

NOT FORGOTTEN is moving toward a paperless structure and therefore requires employees to use computer and network systems to access their billing, payroll, training, and other documentation. The IT Department is also available to assist

employees with NOT FORGOTTEN related functions such as password reset, assistance accessing and using applications, NOT FORGOTTEN email set up on devices, and other services.

## Suggestions

NOT FORGOTTEN encourages all employees to bring forward their suggestions and ideas about making NFHCS a better place to work, while enhancing service to NOT FORGOTTEN individuals. Any employee who sees an opportunity for improvement is encouraged to discuss it with management. Management can help bring ideas to the attention of the people in the organization that will be responsible for possibly implementing them. All suggestions are valued.

## 5-24 Camera Phones/Recording Devices

At no time should any employee use a camera phone or any recording device to record or take pictures of our individuals.

## 5-25 Publicity/Statements to the Media

All media inquiries regarding the position of NOT FORGOTTEN as to any issues must be referred to the Executive Director. Only the Executive Director is authorized to make or approve public statements on behalf of NOT FORGOTTEN. No employee, unless specifically designated by the Executive Director, is authorized to make statements on behalf of NOT FORGOTTEN. Any employee wishing to write and/or publish an article, paper, or other publication on behalf of NOT FORGOTTEN must first obtain approval from the Executive Director.

## 5-26 Confidential Company Information

As an employee of NOT FORGOTTEN, you may have access to Agency and client/consumer (also known as 'NOT FORGOTTEN Participants') information. It is your responsibility, as an employee, to keep all Agency and client information confidential. This includes ensuring that any confidential information you may have it secured in order to prevent theft or misuse of that information. Under no circumstances should any confidential information reside on your personal electronic devices/equipment including but not limited to personal computers, external hard drives, flash drives, or any other personal storage devices. In addition, no Agency or client information should be communicated, transmitted, or stored on your personal email accounts.

## Required Action

If you suspect that any information or devices with information including your credentials (user id's/passwords) have been compromised, lost or stolen while under your care, custody and control, or you suspect or are aware of any unauthorized use of your credentials, or other breach in security you are required to immediately contact Sonja Garnett-Williams, Executive Director or our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412) 279-5000.

Failure to abide by the rules and procedures set forth in this document may result in disciplinary action up to and including termination of employment.

## **5-27 Conflict of Interest and Business Ethics**

It is NOT FORGOTTEN's policy that all employees avoid any conflict between their personal interests and those of NOT FORGOTTEN. The purpose of this policy is to ensure that NOT FORGOTTEN's honesty and integrity, and therefore its reputation, are not compromised. The fundamental principle guiding this policy is that no employee should have, or appear to have, personal interests or relationships that actually or potentially conflict with the best interests of NOT FORGOTTEN.

It is not possible to give an exhaustive list of situations that might involve violations of this policy. However, the situations that would constitute a conflict in most cases include but are not limited to:

1. holding an interest in or accepting free or discounted goods from any organization that does, or is seeking to do, business with NOT FORGOTTEN, by any employee who is in a position to directly or indirectly influence either NOT FORGOTTEN's decision to do business, or the terms upon which business would be done with such organization;
2. holding any interest in an organization that competes with NOT FORGOTTEN;
3. being employed by (including as a consultant) or serving on the board of any organization which does, or is seeking to do, business with NOT FORGOTTEN or which competes with NOT FORGOTTEN; and/or
4. profiting personally, e.g., through commissions, loans, expense reimbursements or other payments, from any organization seeking to do business with NOT FORGOTTEN.

A conflict of interest would also exist when a member of an employee's immediate family is involved in situations such as those above.

This policy is not intended to prohibit the acceptance of modest courtesies, openly given and accepted as part of the usual business amenities, for example,

occasional business-related meals or promotional items of nominal or minor value.

It is your responsibility to report any actual or potential conflict that may exist between you (and your immediate family) and NOT FORGOTTEN.

## **5-28 Grievances**

Not Forgotten recognizes that there are times when the need arises for employees to express concerns or complaints in a formal manner. The following procedures will ensure that nonunion employees receive a fair and unbiased review of workplace concerns.

### **Informal discussion with supervisor**

Employee concerns should first be discussed with the employee's immediate supervisor. Many concerns can be resolved informally when an employee and supervisor take time to review the concern and discuss options to address the issue.

### **Written complaint to supervisor**

If the employee is not satisfied with the results of the informal discussion in Step 1, the employee may submit a written complaint within five days to his or her immediate supervisor to include:

- The nature of the grievance.
- Detailed information including evidence of the issue, witnesses, related policies, etc.
- The remedy or outcome desired.

The immediate supervisor will have five working days to respond to the employee in writing.

If the employee complaint is regarding illegal harassment, discrimination or retaliation, the employee should submit the written complaint directly to Human Resources.

### **Written complaint to senior management**

If the employee is not satisfied with the response from the immediate supervisor, the employee may submit a written complaint to senior management for review. A copy should also be sent to Human Resources. The request for review should include:

- An explanation of the grievance and details of all previous efforts to resolve the issue.
- A copy of the written complaint submitted to the immediate supervisor.
- A copy of the immediate supervisor's written response to the employee's complaint.
- Detailed information regarding the employee's dissatisfaction with the immediate supervisor's response.

Senior management will consult with the employee's immediate supervisor, Human Resources and any other relevant parties to evaluate the grievance and provide a written response to the employee within five days. The outcome of the review by senior management will be final unless new evidence or other circumstances warrant additional review of the complaint.

### **Recordkeeping**

Human resources will maintain records of the grievance process confidentially and securely.

### **5-29 References**

NOT FORGOTTEN will respond to reference requests through the Human Resources Department. NOT FORGOTTEN will provide general information concerning the employee such as date of hire, date of discharge, and positions held.

Requests for reference information must be in writing, and responses will be in writing. Please refer all requests for references to the Human Resources Department.

Only the Human Resources Department may provide references.

### **5-30 If You Must Leave Us**

Should an employee decide to leave NOT FORGOTTEN, we ask that he or she provides their supervisor with at least two (2) weeks advance notice of departure. Thoughtfulness will be appreciated.

At the discretion of the Executive Director, an employee that provides their two-week notice and then works those two weeks, without using PTO and at the same high level of performance, will be rewarded with one extra week of their average pay.

All NOT FORGOTTEN, property including, but not limited to, keys, security cards, parking passes, laptop computers, fax machines, uniforms, etc., must be returned at separation. Employees also must return all of NOT FORGOTTEN's Confidential Information upon separation.

To the extent permitted by law, employees will be required to repay NOT FORGOTTEN, (through payroll deduction, if lawful) for any lost or damaged NOT FORGOTTEN, property. As noted previously, all employees are employed at-will and nothing in this handbook changes that status.

### **5-31 Exit Interviews**

Employees who resign are requested to participate in an exit interview with the Human Resources Representative, if possible.

### **5-32 A Few Closing Words**

This handbook is intended to give employees a broad summary of things they should know about NOT FORGOTTEN. The information in this handbook is general in nature and, should questions arise, any member of management should be consulted for complete details.

While we intend to continue the policies, rules and benefits described in this handbook, NOT FORGOTTEN, in its sole discretion, may always amend, add to, delete from or modify the provisions of this handbook and/or change its interpretation of any provision set forth in this handbook.

Employees should not hesitate to speak to management or our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412)279-5000 if they have any questions about NOT FORGOTTEN or its personnel policies and practices.

## General Handbook Acknowledgment

This Employee handbook is an important document intended to help you become acquainted with Not Forgotten Home & Community Services. This document is intended to provide guidelines and general descriptions only; it is not the final word in all cases. Individual circumstances may call for individual attention.

Because the Not Forgotten Home & Community Services operations may change, the contents of this handbook may be changed at any time, with or without notice, in an individual case or generally, at the sole discretion of management.

Please read the following statements and sign below to indicate your receipt and acknowledgment of this Employee handbook. **This count as 2 HOURS towards Training hours.**

**I have received and read a copy of Not Forgotten Home & Community Services Employee handbook. I understand that the policies, rules and benefits described in it are subject to change at the sole discretion of the Not Forgotten Home & Community Services at any time.**

**I further understand that my employment is terminable at will, either by myself or the Not Forgotten Home & Community Services, with or without cause or notice, regardless of the length of my employment or the granting of benefits of any kind.**

**I understand that no representative of Not Forgotten Home & Community Services other than Executive Director may alter "at will" status and any such modification must be in a signed writing.**

**I understand that my signature below indicates that I have read and understand the above statements and that I have received a copy of the Not Forgotten Home & Community Services Employee handbook.**

Employee's Printed Name: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_

The signed original copy of this acknowledgment should be given to management - it will be filed in your personnel file.

## Receipt of Non-Harassment Policy

It is Not Forgotten Home & Community Services policy to prohibit intentional and unintentional harassment of any individual by another person on the basis of any protected classification including, but not limited to, race, color, national origin, disability, religion, marital status, veteran status, sexual orientation or age. The purpose of this policy is not to regulate our employees' personal morality, but to ensure that in the workplace, no one harasses another individual.

If an employee feels that he or she has been subjected to conduct which violates this policy, he or she should immediately report the matter to our HR Specialist [vkarabasz@nfhcs.org](mailto:vkarabasz@nfhcs.org) (412) 279-5000.

If the employee is unable for any reason to contact this person, or if the employee has not received a satisfactory response within five (5) business days after reporting any incident of what the employee perceives to be harassment, the employee should contact the Executive Director of Not Forgotten Home and Community Services.

If the person toward whom the complaint is directed is one of the individuals indicated above, the employee should contact any higher-level manager in his or her reporting hierarchy. Every report of perceived harassment will be fully investigated and corrective action will be taken where appropriate. All complaints will be kept confidential to the extent possible, but confidentiality cannot be guaranteed. In addition, NFHCS will not allow any form of retaliation against individuals who report unwelcome conduct to management or who cooperate in the investigations of such reports in accordance with this policy.

If an employee feels he or she has been subjected to any such retaliation, he or she should report it in the same manner in which the employee would report a claim of perceived harassment under this policy. Violation of this policy including any improper retaliatory conduct will result in disciplinary action, up to and including discharge. All employees must cooperate with all investigations.

I have read and I understand Not Forgotten Home & Community Services Non-Harassment Policy.

Employee's Printed Name: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.

### **Acknowledgement**

Employee's Printed Name: \_\_\_\_\_

Employee's Signature: \_\_\_\_\_

Position: \_\_\_\_\_

Date: \_\_\_\_\_

The signed original copy of this receipt should be given to management - it will be filed in your personnel file.