



**La Vida**  
FELICIDAD

*Mi Vida · My Life*

# **EMPLOYEE HANDBOOK**

**Last Revision 7/25/2014**

**LA VIDA FELICIDAD, INC.  
EMPLOYEE HANDBOOK**

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## WELCOME

Welcome to La Vida Felicidad, Inc. We are very pleased that you have chosen to join our agency, (hereafter called “La Vida”). You are now a very important member of La Vida’s experienced professional staff who works diligently to promote La Vida’s mission. La Vida is a community-based, family centered non-profit agency that has established an exemplary reputation in large part due to the excellence of the agency staff. We strive to offer a work environment where employees can grow to the full extent of their interests and capabilities. As a non-profit agency specializing in providing services to individuals with special needs, we also work hard to respect individual staff needs with regard to family issues that involve childcare, elder care, and family members with special needs or disabilities.

La Vida operates within a comprehensive Quality Assurance program. You may hear others refer to this program as Focus on Excellence. We believe in creating effective and innovative systems that will not only achieve outcomes identified by our funding contracts, but also achieve our goals of maintaining high quality services for all individuals served. La Vida believes that the quality of services provided by human service organizations such as La Vida, directly impacts the individuals and the families who reside in the community. As an agency rich in a tradition of quality client services delivered through caring and compassionate methods, combined with accountability, we strive to keep high standards, to continually improve our services, and to promote a climate that attracts employees dedicated to improving the quality of life for persons served.

We welcome your contributions as we forge ahead and urge you to spend time learning the “La Vida Way” in order to honor what has come before. We welcome you encourage you and invite you to become an integrated part of our special team of individuals who promote a philosophy of outcome focused individual and family centered interventions. You are highly encouraged to participate in agency committees bringing forth new ideas to strengthen our agency.

Your commitment to excellence is appreciated and we thank you for joining La Vida’s team. Please read through the La Vida Employee Manual and bring any questions you may have to your supervisor, myself or the manager of Human Resources.

Sincerely

A handwritten signature in black ink that reads "Kathey Phoenix-Doyle". The signature is written in a cursive style with a large, looping initial "K".

Kathey Phoenix-Doyle  
Executive Director

## **MISSION STATEMENT**

The mission of La Vida Felicidad, Inc. is life quality for children and families, adults, and seniors, through advocacy and individualized services in collaboration with community partnerships.

## **PHILOSOPHY**

La Vida Felicidad, Inc., is a non-profit agency that provides social services to individuals throughout New Mexico. Currently, those receiving services include: at-risk seniors, persons with developmental disabilities, and children and families.

A commitment to improving life quality is what drives the agency. But we are careful when providing services to be respectful of consumer and family choices. We retain the right to make mistakes in our own lives, and sometimes are quite good at it. We hold a philosophy that consumers are entitled to the same human dignities that we so nonchalantly enjoy, including the right to make mistakes and/or choices that we might not agree with.

We care about the integrity of the services we provide in the community. We will not grow the agency at the expense of quality services. Expansion occurs because of a community need for the increase in services, and not for any self-serving reason.

We try to be politically correct in how we speak about the people we serve, but also try to remember that proper terminology is not the only way to be respectful to consumers. The attitudes we hold and the interactions we engage in say so much more about our true intentions. We hope our philosophy encourages retention of consumer-centered staff.

The agency also encourages that we all try to remember to treat each other with the same respect and non-intrusiveness that we hold for consumers. We respect employee needs, such as family issues that involve child care, elder care, and family members with disabilities. We actively recruit minorities and persons with disabilities. Workplaces benefit from input of people with diverse cultures, backgrounds, and life experience.

When funding sources change their rules and regulations, it is sometimes difficult to adjust, but we try to remember that the receipt of funds brings a commitment to the terms associated with the funds. We continue working with funding sources as long as the benefits of specific funds outweigh the compliance issues. We communicate the associated difficulties to the funding sources in a way that promotes change and dialogue. We also recognize that sometimes there are limited resources to optimally operate programs, but we do the best we can in providing services with these funding limitations.

We encourage working and partnering with other community agencies. There is never a reason for unnecessary duplication of services. Collaboration and good inter-agency relationships often improve the quality and scope of the services provided.

And last, but not least, we know that we are not indispensable to consumers and families. And we are not here to become indispensable. Whenever possible, we assist consumers and families to need us less in their lives, not more. We try to remember to not let our egos get in the way of consumer-centered and family-centered services.

## **THE LA VIDA WAY**

### **Guiding Ethics and Employee Code of Conduct for all La Vida Felicidad Employees**

This code serves as a living document and reflects the commitment of the employees of La Vida Felicidad. As employees, we remain aware of and are committed in providing all services within the framework of our code of ethics.

Our code identifies key values upon which our mission is based. It is reflective of our professional values and establishes a set of standards that are used to guide and evaluate employee practice. It is a code by which individuals served can hold us professionally accountable. It serves as a foundation for employees to gain a better understanding of our mission, values, ethical principles and professional standards.

**Respect:** Our work is based upon respect and dignity for both individuals served and employees. We promote the well-being, growth and best interests of everyone. We acknowledge that these factors are the driving force behind our work and are paramount when making recommendations and/or decisions concerning services or needs.

We are aware of the harm of stereotyping and discriminatory behaviors and are committed to guarding against such practices in order to protect the dignity and well-being of everyone. We respect differences in people, their ideas and opinions.

**Positive and Effective Communication:** We recognize the need for positive and effective communication within our everyday conversations. Through this communication we will have a better understanding between people and a more positive relationship with each other. We believe it is important to have good listening skills, and being able to adapt to different situations and scenarios to best support individuals we serve and each other.

**Accountable:** As employees we model accountability for individuals we serve, each other and other agencies. We engage in responsible use of agency technologies equipment and resources. Each employee is responsible for his/her actions and contributes to agency viability through effort, judgment, level of dedication and competence.

The agency supports employees through responsible labor practices, sensitivity to differences and recognition of effort. We provide equitable compensation based upon accomplishment and performance standards.

**Confidentiality:** We respect and are aware of privileged and confidential information shared with us by co-workers and individuals we serve. We will respect confidentiality in all areas it

applies whether verbal, written or electronically transmitted information. We will not release or disclose information entrusted to us except under the following exceptions:

- Authorized by client or by law
- Duty to warn or protect
- When child/adult/elder abuse, neglect, &/or exploitation is reported
- Threat of self-harm
- When an emergency exists

**Professionalism:** We are professional staff members who demonstrate a commitment to our agency and its mission. We represent the agency by making sound decisions through our behaviors and interactions with others. We are respectful in our words, actions, dress and communication.

We recognize that a close-knit family atmosphere describes many of La Vida's staff relationships, and we realize that personal information passes between and amongst peers and colleagues. Degrading or demoralizing gossip prevents productive team functioning and damages healthy work relationships. Therefore, we respect each other's privacy, integrity and expressed boundaries.

**Integrity:** We recognize integrity is indispensable to our mission. We act with honesty and adhere to the highest standards of moral and ethical conduct. Through our integrity, we create an environment of trust which is essential to our personal and professional well-being. Our integrity shows in how we conduct ourselves as we sustain a culture that is based upon ethical conduct. We expect our actions to be consistent with our words, and our words to be consistent with our intentions. We accept our responsibilities and hold ourselves accountable for our words and actions.

**Quality Services:** We weave our code of ethics throughout our services performed to provide a high quality of services provided for each person served. Through our respect, integrity, accountability and professionalism we remain true to our mission.

### **Procedure for Code of Ethics Violations**

Any violation of a Code of Ethics should be immediately reported to your immediate supervisor or the Executive Director. The Quality Assurance Director will investigate allegations of Code of Ethics violations and will present findings and recommendations to the Executive Director.



## INTRODUCTION

**This employee manual is not an employment contract or part of an employment contract, expressed or implied.** La Vida Felicidad, Inc., (La Vida) a private, non-profit 501 (c) 3 organization is an employment at-will organization. This means that either La Vida or the employee, with or without reason, may terminate employment with La Vida at any time with or without notice. This employment at-will policy cannot be modified by a written statement in this manual or by a verbal or written statement made by La Vida management.

This manual is a collection of policies and procedures which serve as a guideline for La Vida employees. The employee manual contents also serve to notify staff of general protocols and expectations.

In an effort to stay current with employee needs, policies within this handbook are reviewed periodically and modified to deal with new situations and conditions. Although we try to inform employees of changes in policies, La Vida may modify or eliminate any policy or practice in whole or in part, or in general application from time to time and without prior notice. All provisions in this handbook are subject to revisions of applicable local, state and federal laws. Any provision that may become unlawful under subsequent laws shall become void and unenforceable. Failure of employees to abide by La Vida's employee and program manual policies and procedures may lead to disciplinary action, up to and including termination.

All policies are approved by La Vida's Board of Directors and are indicated as such throughout the employee manual.

New and/or revised policies and procedures will be distributed for insertion as they are finalized and approved.

**The policies, procedures, practices and benefits described in this manual replace all earlier written and unwritten employment policies, procedures, practices and benefits.**

## **SECTION 1: EMPLOYMENT**

### **EQUAL EMPLOYMENT OPPORTUNITY AND AFFIRMATIVE ACTION POLICY STATEMENT**

La Vida is committed to a policy of equal employment opportunity. La Vida will make every effort to recruit, select, promote, compensate, discipline and/or discharge individuals in full compliance with applicable laws prohibiting discrimination based on race, color, religion, national origin, age, ancestry, sexual orientation, gender identity, sex, spousal affiliation, veteran status, disability or serious medical condition as those terms are defined by applicable state and federal laws and regulations and will take affirmative action to employ and advance in employment qualified individuals with disabilities. Neither representative nor employee of La Vida Felicidad, Inc., will discriminate against an applicant for employment or an employee because of race, color, religion, gender, sexual orientation, gender identity, national origin, age, disability, or because of the person's veteran or marital status.

It is the policy of La Vida to attempt to ensure that the work environment is free from legally protected harassment. Harassment based upon race, color, religion, sex, national origin, sexual orientation, gender identity, veteran status, disability or any other protected status is a form of discrimination. It is the policy of La Vida to undertake affirmative action, consistent with its obligations under federal and state law, to identify underutilized minorities and women, persons with disabilities, and Vietnam era veterans, special disabled veterans and all covered veterans. La Vida will apply good faith efforts to achieve prompt and full utilization of minorities and women in all segments of its workforce where deficiencies exist. The Executive Director is the Equal Employment/Affirmative Action officer and supervises equal employment and affirmative action programs.

### **APPLICATION FOR EMPLOYMENT**

Employment applications should be completed in detail and signed by the applicant to verify its accuracy and completeness. La Vida may investigate any information included in an employment application or submitted cover letter and/or resume and may deny or later terminate the employment of anyone providing false or incomplete information. The completed employment application and any other submitted information will be made part of the personnel file of those applicants accepted for employment.

### **STUDENTS AND VOLUNTEERS**

Students and volunteers serve at the pleasure of the agency and are utilized and may be dismissed based upon agency discretion.

## **EMPLOYEE AND NON-EMPLOYEE CLASSIFICATIONS/BENEFIT ELIGIBILITY**

**SALARIED FULL-TIME:** employees are those who work a regular schedule of at least 37.5 hours per week with a daily 30-minute lunch break. Generally, they are eligible for La Vida's benefit package including paid leave, subject to the terms, conditions and limitations of each benefit program.

**SALARIED PART-TIME:** employees are those who regularly work at least 24 hours per week but less than 37.5 hours per week are eligible for prorated benefits including paid leave.

**WAGED FULL TIME:** employees are those who are not assigned to a TEMPORARY status and who are regularly scheduled to work 30 hours or more per week. These employees are eligible for health insurance; and receive all legally mandated benefits (such as Social Security and Worker's Compensation insurance).

**TEMPORARY** employees are those who are hired as interim replacements, to temporarily supplement the work force, due to increased demand or absenteeism. Employment assignments in this category are of a limited duration and less than 1,000 hours per year. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. While temporary employees receive all legally mandated benefits (such as Social Security and Worker's Compensation insurance), they are ineligible for any of La Vida's other benefit programs.

**On-call employees (substitutes):** employees who are not regularly scheduled and are called to work on an as-needed basis do not qualify for benefits or paid leave. These employees will be called at the discretion of management. No more than 30 hours per week may be worked under this classification.

**Volunteers:** individuals or groups contributing time, talents or equipment with no expectation of compensation or employee benefits. Volunteers are not considered employees of La Vida Felicidad, Inc.

**Contractors/Consultants:** independent contractors as defined in accordance with IRS rules. Independent contractors are not entitled to employee benefits. An independent contractor's contract will stipulate the terms of the contractor/consultant relationship as well as expected outcomes.

**INDEPENDENT CONTRACTORS ARE NOT CONSIDERED EMPLOYEES OF LA VIDA FELICIDAD, Inc.**

## **NEW EMPLOYEES**

The first six months of employment will include a 90 day performance review, new employee training as applicable and frequent supervisor feedback. A six month performance review may be

completed at the supervisor's discretion. Dismissal may occur at any time. All employees are expected to demonstrate competence and the ability to work harmoniously with others during employment.

## **VERIFICATION OF MINIMUM JOB REQUIREMENTS**

New employees are hired in accordance with stated minimum job requirements and will provide documentation confirming that requirements are met prior to job placement. Documentation may include, but is not limited to:

- Official educational transcripts
- Training certifications
- Proof of current NM State licensures
- Current NM State Driver License
- Motor Vehicle Records Check
- Proof of liability insurance
- Social Security Card

All new hire documentation and proof of licensure are retained in the employee's personnel record.

Under certain circumstances, new employees who have not completed required educational or training documentation (such as proof of licensure/certifications), or who are in the process of fulfilling such requirements, must complete such within the specified period identified within the new hire offer letter. Exceptions must have the approval of the Executive Director.

## **EMPLOYMENT HISTORY VERIFICATION**

All staff must submit an employment history which will be verified by La Vida Felicidad, Inc. An "employment history" means a written summary for the most recent seven year employment period with names, addresses and telephone numbers of former employers as well as the individual's immediate supervisors, the reason for leaving employment and an explanation of any periods of non-employment.

All staff must provide **three (3) employment or character references**, not to include persons related to the applicant. La Vida Felicidad, Inc. reserves the right to check reference of all employment candidates.

## **DISCLOSURE OF CRIMINAL CONVICTIONS**

Applicants for employment must disclose prior criminal convictions. Employees must disclose criminal convictions occurring subsequent to employment. Failure to do so may result in discharge from employment.

At the time of employment, applicants must complete La Vida's application form which requests disclosure of prior criminal convictions. The applicant's signature will serve as attestation of truth.

Employees must immediately disclose criminal convictions which occur while employed by La Vida. Disclosure must be made directly to the employee's immediate supervisor or Human Resources.

## **EMPLOYMENT FORMS**

Employees will be required to fill out forms regarding employment. These forms include: an employment eligibility verification form to determine citizenship and a W-4 form for determining tax withholding allowances and dependent deductions. Employees who are hired to work in positions that have direct contact with La Vida's program participants must also provide the agency a certificate stating the employee is free of tuberculosis in a transmissible form in compliance with the State of New Mexico Department of Health Licensing Regulations. This certificate must have been obtained not more than ninety (90) days prior to the date of employment at La Vida. If there is a positive reading for tuberculosis the employee must present a physician's statement that he/she is free from tuberculosis in a transmissible form prior to active employment. After the employee receives a copy of this employment manual, he/she will be asked to sign a verification receipt.

## **CRIMINAL HISTORY SCREENING**

The New Mexico Department Of Health (DOH) and Children, Youth and Families Department (CYFD), prohibits the employment of individuals with a conviction of certain crimes including prior history of child or adult abuse, violent crimes, neglect, or mistreatment.

New Mexico State Law and La Vida require all employees to be fingerprinted and reserve the right to require independent contractors to be fingerprinted if they are contracted to provide direct care services to clients. These employees must undergo a nationwide criminal history screen. The purpose is to determine whether employees are eligible to provide services for the persons we serve.

In addition, La Vida reserves the right to terminate or withdraw an offer of employment based on results of internal criminal background checks conducted through the New Mexico Court System and/or the NM Department of Health's Criminal Caregivers Screening Registry and in compliance with the Fair Credit Reporting Act (FCRA).

## **DRIVING RECORD INVESTIGATION**

Many positions at La Vida require the employee to operate a motor vehicle and therefore to have a valid New Mexico Driver's License. We strive to ensure the safety of individuals served who are provided services at La Vida. Therefore, any employee who will be operating an agency vehicle or operating a vehicle on behalf of La Vida will have his/her driving record checked upon his/her hiring and every year thereafter. Prior to active employment, all employees who are hired to work in positions which require operating an agency vehicle or operating a vehicle on behalf of La Vida must provide La Vida with a copy of the employee's current, valid New Mexico driver's license, and proof of current vehicle liability insurance. (Also see "Use of Vehicles" in Section 7). Driving records will be reviewed on a monthly basis by Human Resources in order to maximize safety.

## **NEW EMPLOYEE ORIENTATION**

La Vida Felicidad, Inc. provides new hire orientation for new employees. Orientation covers the agency's mission, organizational structure, employee introductions and certain policies and procedures.

During the first week of employment, each new employee will be oriented to La Vida's mission, programs, employee and program policies and procedures, organizational structure, his/her work location, employee benefits, health and safety practices, and introduced to co-workers. The Human Resource department will conduct new employee orientation.

Elements of new hire orientation will be documented, including a receipt of manual for employee and program policy manuals.

The employee's supervisor or their designee will provide programmatic and/or on the job training.

Employees will receive necessary equipment and resources to meet job responsibilities as soon as is appropriate.

## **REMOVAL OF BARRIERS**

La Vida Felicidad, Inc. promotes accessibility for persons served, personnel and stakeholders within its organization by continuing to be actively involved in a process to remove architectural, attitudinal, environmental, communication, and other barriers.

## **SECTION 2: WORKING AT LA VIDA FELICIDAD, INC.**

### **IMMIGRATION LAW COMPLIANCE**

La Vida is committed to employing United States citizens, permanent residents of the United States, and other individuals who are legally authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility. Former employees who are rehires must also complete the form if they have not completed an I-9 with La Vida within the past three years, or if their previous I-9 is no longer retained or valid.

### **ADA COMPLIANCE POLICY**

La Vida continues to uphold its commitment to non-discrimination in all of its employment practices by striving to ensure that any individual with a disability will have equal access to any employment opportunity available to a similarly situated individual who is non-disabled. Accordingly, La Vida has incorporated the provisions of The Americans With Disabilities Act of 1990 and the State regulations of disability discrimination into its existing non-discriminatory practices.

All of La Vida's officers, directors and supervisors share in the responsibility of implementing and adhering to all components of this policy. This includes, but is not limited to, reasonably accommodating disabled individuals in recruitment, advertising, testing, hiring, training, termination, benefits, compensation and other terms, conditions and privileges of employment.

Any acts of unlawful discrimination should be promptly reported to the Executive Director. If an allegation of unlawful discrimination is made against the Executive Director, such allegation should be promptly reported to the President of the Board of Directors. An investigation will occur and appropriate action taken. Reasonable efforts shall be made to protect an employee and/or applicant from any type of coercion, intimidation, interference, or discrimination should she/she file a complaint or assist in an investigation of such a complaint in conjunction with upholding this policy.

### **SMOKING POLICY**

Smoking in La Vida's building by participants, visitors and employees of La Vida is prohibited. Smoking is also prohibited in the agency's vehicles and in any other satellite office or other agency areas. Smoking areas have been designated a reasonable distance away from La Vida buildings, entrances, windows and ventilations systems.

## **DRUG AND SUBSTANCE ABUSE POLICY**

The Drug-Free Workplace Act of 1988 requires that all institutions receiving federal contracts of \$25,000 or more, and all institutions receiving federal grants, provide a drug-free workplace. La Vida supports this requirement and is committed to a philosophy of maintaining a drug-free work environment for the safety and efficiency of agency employees and program participants. La Vida forbids the consumption, possession, sale, purchase of/or being under the influence of alcohol, illegal drugs, or inappropriate use of over the counter/prescription drugs at La Vida facilities, in its vehicles, or while conducting its business at any time in any place.

Reasonable suspicion of being under the influence of the above named substances will be investigated by your supervisor and/or program director. Violation of this policy is cause for disciplinary action up to and including termination from employment.

La Vida reserves the right to have employees tested and screened for drug and/or alcohol use upon reasonable suspicion which suggests a violation of La Vida's drug and alcohol policy set forth above. A reasonable suspicion occurs when La Vida has specific, contemporaneous and/or articulable observations of behavior, appearance, odors and/or speech that suggest drug or alcohol use. In the event of a motor vehicle accident while driving a La Vida vehicle a mandatory drug/alcohol screen will occur at the expense of the agency.

## **ATTENDANCE**

In an effort to provide quality care to individuals and families served, to be respectful of co-workers, and to meet the needs of community and family members, we ask that employees make every effort to ensure regular attendance and promptness. Individuals served and their families rely on our attendance and punctuality when receiving services from us. Additionally, co-workers suffer the consequences of employee absences and tardiness. Therefore, employees are required to report to work on time and on a dependable basis. If an employee must be absent due to illness or other reason, the employee is required to report his/her impending absence or late arrival to his/her supervisor personally, prior to the start of the employee's regular work schedule or as soon thereafter as possible. An employee should always keep his/her supervisor advised on his/her planned return-to-work date. Employees failing to directly notify their supervisor or designee PRIOR to an absence may be subject to disciplinary action and leave without pay.

If a physician's documentation is required, the employee will be notified. Absence of two consecutive days or three non-consecutive days, during which no notification is given to an employee's supervisor or permission obtained, is considered job abandonment and voluntary resignation.



## **TIME SHEETS**

All employees, other than salaried full-time or salaried part-time employees, are required to keep a time sheet. This sheet is an employee's bill to the agency for services rendered, and as such, must be complete and accurate.

NON-EXEMPT employees may not work before their scheduled starting time or after their scheduled quitting time unless approved by their supervisor. Marking the time sheet of another employee, altering time sheets, repeatedly neglecting to follow proper time sheet procedures or failing to obtain proper authorization from supervisor as required by this policy will not be tolerated.

Any employees whose status is “non-exempt” according to FLSA may NOT work more than forty (40) hours per work week without their supervisor’s prior approval. The work week is defined as Saturday through Friday. With supervisory approval, start and end times may vary throughout the week to accommodate the needs of service.

## **FLEXIBLE WORK WEEK**

La Vida believes it is important to provide services to the community within typical business hours in an effort to accommodate the needs of individuals served and their families. Typical business hours for the community are Monday through Friday from 8:00 AM to 5:00 PM. La Vida also believes it is important to accommodate the needs of the staff.

Therefore, suggested daily work hours for SALARIED FULL-TIME employees at La Vida are: 7:30 AM to 3:30 PM with a 30 minute lunch, 8:00 AM to 4:00 PM with a 30 minute lunch, 8:30 AM to 4:30 PM with a 30 minute lunch, and 9 AM to 5 PM with a 30 minute lunch. La Vida requests that employees work with their supervisors in arranging a work schedule that best meets the needs of their program and that fits within these parameters. .

Additionally, in keeping with La Vida’s policy of respecting individual staff needs with regard to family issues that involve childcare, elder care, and family members with special needs, employees may request an individualized work schedule that differs from the suggested daily work hours. Every effort will be made to accommodate these special requests. In case of a conflict between program needs and staff requests, La Vida reserves the right to maintain staff schedules that meet the needs of the individuals served and their families receiving services from La Vida.

## **JOB DESCRIPTIONS**

All agency positions have a written job description. Each employee shall be provided a copy of the job description for his/her position. Job descriptions shall be reviewed annually and updated as needed to reflect appropriate changes or modifications in job duties and responsibilities.

## **SERVICE WITH THE AGENCY**

Length of service is the length of an employee's continuous employment with La Vida. An employee's length of continuous service with La Vida, as well as the employment relationship, shall terminate if one of the following occurs:

- If the employee quits or retires.
- If the employee is discharged or otherwise terminates his/her employment.
- If the employee is absent from work for two (2) consecutive or three (3) non-consecutive working days without properly notifying La Vida and being excused.
- If the employee fails to report for work following a leave of absence or vacation, unless the extended absence is excused by his/her supervisor.

\* In the event an employee leaves and returns to La Vida service with six (6) months or less break in service the employee's original hire date will be used for length of service date.

## **RESIGNATION BY EMPLOYEE**

To facilitate the smooth transition of services to individuals served, La Vida encourages employees to give a minimum of two weeks written notice of resignation. If applicable, WAGED employees are requested to submit their resignation, in writing, to their supervisor, giving a minimum of two weeks notice. If applicable, SALARIED FULL-TIME employees are requested to submit their resignation, in writing, to their supervisor, giving a minimum of one-month notice.

## **EXIT INTERVIEW**

An employee is expected to participate in an exit interview with the Human Resources Manager or his/her designee on the employee's last day of employment. Either prior to or during the exit interview arrangements shall be made for the return of Agency property, including but not limited to Agency-issued credit cards, office keys, company manuals and any additional Agency-owned or issued property.

Employees may choose the continuation or waiver of comprehensive medical coverage and dental coverage under COBRA. Specific information will be provided at the exit interview. Also see the COBRA section of the handbook below for specific information.

In order to receive a disbursement of any amounts due from the Retirement Plan, the employee is required to contact the Retirement Provider to complete the necessary paperwork. Specific information will be provided at the exit interview.

Employees leaving the Agency must return any Agency-issued property before their final paycheck can be issued. An employee's final pay check will be in the form of a paper check and not direct deposit. The final pay check will be available to be picked up during the next regular pay period following the employees termination date.

## **NATURE OF EMPLOYMENT**

Employment with La Vida is voluntarily entered into, and the employee is free to resign, "**at-will**", at any time, with or without cause, unless an express written contract has been executed, in which case the contract governs the nature of employment. Similarly, La Vida may terminate the employment relationship with an employee "at-will", at any time, with or without notice or cause, unless an express written contract has been executed, in which case the contract governs the nature of employment, so long as there is no violation of applicable federal or state law.

Policies set forth in this handbook are not intended to constitute contractual obligations of any kind or a contract of employment between La Vida and any of its employees.

## **PROFESSIONAL DEVELOPMENT**

La Vida strongly believes that an important factor in delivering quality services to its program participants is the training and professional development provided for employees. Therefore, La Vida will encourage the professional growth and development of all employees as follows:

- Strive to maintain a library of resources on the premises, which ideally will include books, periodicals, videotapes and DVD's available to all personnel.
- Training utilizing a variety of techniques, such as employee meetings, webinars, ongoing seminars, guest speakers and review of professional literature.
- Based on the availability of funds and budgetary limitations, La Vida will provide a budget allocation for professional development, pay for relevant educational experiences outside of the agency, such as workshops, conferences and travel to other agencies when the training has been approved by the Executive Director and is in the interest of the agency.
- Encourage employees to affiliate with universities and professional groups to provide internship programs and student training with the goal of training students new to the field as well as developing close and mutually beneficial relationships with the academic and professional community.
- Attempt to share training and expertise with other professionals, as appropriate, through activities such as inclusion in scheduled in-service trainings and presentations at professional conferences.

## **CHANGE OF ADDRESS, MARITAL STATUS OR DEPENDENTS**

It is the responsibility of each employee to report changes to the Human Resources Department in any of the following:

- Address
- Telephone number
- Number of dependents
- Marital status and/or name change

Reporting these changes will help ensure that employment related documents are accurate and will also assist employees to receive paychecks and related documents in a timely manner.

## **OVERTIME**

Time and one-half (1-½) shall be paid for all hours worked by NON-EXEMPT hourly employees in excess of 40 hours in the regularly established workweek. However, it is the agency's policy not to allow overtime, unless there is prior written approval from the Executive Director through the employee's supervisor.

## **FILLING AGENCY VACANCIES**

Openings for position vacancies will be posted internally at La Vida for a minimum of five working days. These position vacancies may also be advertised simultaneously through the media. Attempts will be made to interview applicants for these vacancies from within the agency and the local population but such interviews may be extended to other geographical areas to assure obtaining the best-qualified candidates.

La Vida will make every effort to communicate open positions to the community; and will participate in such community awareness efforts as job fairs, listings in local publications and other local recruitment efforts.

Positions advertised through print media should include the words “Equal Opportunity Employer” as well as “Persons with disabilities encouraged to apply” within the text of the advertisement. This will help notify those seeking employment, as well as the general community, of La Vida’s commitment to The Americans With Disabilities Act (ADA) and to La Vida’s equal employment opportunity policy.

## **NEPOTISM**

### **Part One**

For the purpose of this policy, a relative is defined to include spouses, domestic partners, parents, children, brothers, sisters, brothers-and sisters-in-law, father- and mothers-in-law, stepparents,

stepbrothers, stepsisters, and stepchildren. This policy also applies to individuals who are not legally related but who reside with another employee.

1. Employees may not hold a job over which a member of their immediate family will supervise them. Immediate family includes the following: husband, wife, son, son-in-law, daughter, daughter-in-law, father, father-in-law, mother, mother-in-law, brother, brother-in-law, sister, sister-in-law, grandparents, and grandchildren.

## **Part Two**

**EMPLOYMENT OF SPOUSES:** With respect to the employment of relatives, La Vida Felicidad, Inc. reserves the right to:

- a. Refuse to place one spouse under the direct supervision of the other spouse where such has the potential for creating an adverse effect on supervision, safety, security, or morale.
- b. Refuse to place both spouses in the same department or program.

## **OUTSIDE EMPLOYMENT**

On occasion, employees of La Vida may decide to seek employment outside of their regular working hours. La Vida has no objection to outside employment, so long as it does not interfere with work assigned and does not represent a conflict of interest in employment (see conflict of interest policy).

## **SECTION 3: COMPENSATION POLICIES**

### **PATRIOT ACT**

In conformance with the US Patriot Act, La Vida is mandated to verify identity of all employees or independent contractors by one of the following documents:

Acceptable identification must be one of the following:

- A valid driver's license
- A valid state identification card
- Military identification card
- Un-expired passport
- Non resident alien card

All requests for direct deposit must be accompanied by:

- Documentation from financial institution with valid account number AND individual's name on the account.

In the event of a name change, employees or independent contractors must show official proof of such change before a name change can occur within the agency.

### **PAYCHECKS**

Pay periods are bi-monthly, on the 15<sup>th</sup> and 30<sup>th</sup> of each month.

In the event a payday falls on a day off or holiday, the payday will be on the day prior to the holiday. Employees are asked to inquire with their supervisor if this circumstance occurs.

Direct Deposit is available at La Vida. Employees have the option of choosing a savings and/or checking account. Please see a representative in the Human Resources department to obtain the appropriate form.

By signing a release form, an employee may have his/her paycheck released to another designated person. If an employee is absent, away from the agency or not scheduled to work on the day the checks are distributed, he/she may ask to have his/her check mailed to his/her home address or may obtain his/her check at a later date. While every attempt is made to mail paychecks prior to our actual pay day, La Vida is not responsible for any delay in mail delivery which could cause an individual to receive a pay check after pay day.

Federal and state payroll deductions will be made by La Vida for each employee. Remember that forms for tax deductions must be updated if there is a change in dependency status.

## **LOST PAYCHECKS**

It is the policy of La Vida to wait five (5) working days before issuing a stop payment on a lost check.

If an employee should lose his/her paycheck, the employee should report the loss to the Director of Finance and Administration within 24 hours of the issuance of the check. Employees will be required to fill out an affidavit for lost, stolen or destroyed checks. If the check has not cleared within the five day waiting period, the employee will receive a replacement check as soon as possible thereafter.

If, however, the original check was late being received in the mail, and the employee receives the original paycheck after being issued a replacement check, s/he must return the original paycheck to La Vida. In this case, La Vida will assume responsibility for any bank charges in connection with the stop payment.

Lost checks that have been endorsed by the employee and/or have cleared the bank will be the responsibility of the employee.

## **PAYROLL DEDUCTIONS**

Federal and state laws require La Vida to make certain deductions from the wages of all employees, except those persons who have a **PROFESSIONAL SERVICE CONTRACT** (Independent Contractor):

1. **Social Security/Medicare (FICA):** Employees pay tax on wages each pay period based on the current applicable dollar. The agency contributes a matching amount and percentage established by the federal government. The amount in Social Security tax as required by federal law.
2. **Federal Income Tax:** At the time of hire, employees are required to prepare a W-4 Withholding Exemption Form. In accordance with federal law, La Vida deducts the employee's tax from his/her wages. This money is reported and forwarded to the United States Government. A report of income tax and Social Security deductions made from the employee's wages is given to the employee on a W-2 form after the end of the year.
3. **State Income Tax:** At the time of hire, employees are required to prepare a state income tax W-4 Withholding Form. In accordance with state law, the agency deducts this tax from the employee's wages. This money is reported and forwarded to the State Treasurer's office. A report of state income tax deducted from the employee's wages will be given to the employee on the appropriate W-2 Form after the end of the year.
4. **Garnishments:** La Vida will abide by any court ordered garnishment of wages or reimbursement for services rendered by independent contractors.

5. Other Deductions: La Vida deducts from the wages of eligible employees, the cost of twenty percent (20%) of the medical and twenty percent (20%) dental coverage premium for the employee, the full cost of the medical and dental coverage premium for the employee's spouse and/or dependents, if applicable, less fifty percent (50%) of the premium of the second person covered by the employee.

## **TRAVEL REIMBURSEMENT**

La Vida will reimburse for travel by its employees when the travel has been approved by the employee's supervisor and is in the interest of the agency.

For regular authorized travel by an employee in his/her own vehicle, within La Vida's service area, the employee shall keep a trip-by-trip log of mileage on the agency's Travel Reimbursement Request Form. The Travel Reimbursement Request Form must be submitted to the employee's supervisor on the 1<sup>st</sup> working day of the month. All travel reimbursement requests must be received with supervisor approval by the Finance Department by the 5<sup>th</sup> of the month for processing. Reimbursement amounts due the employee shall be paid within 30 days of receipt of the Travel Reimbursement Request Form. Mileage reimbursement rate is dependent upon funding sources received. An employee's supervisor will notify the employee of the current rate used. In the event the mileage reimbursement rate is changed, 30 days notice will be given to employees. Mileage reimbursements totaling less than Five Dollars (\$5.00) shall be retained by the employee until such a time as mileage reimbursement totals Five Dollars (\$5.00) or more.

La Vida will not reimburse employees for auto repairs, parts, damages, traffic violations or other unusual expenses incurred on or as a result of the authorized travel. Mileage reimbursement is designed to compensate for overall maintenance of an employee's vehicle. (Mileage rate is subject to change due to amount allowed by contract funding source)

## **REIMBURSEMENTS/SPECIAL CHECK REQUEST**

If an employee purchases an item or supplies for work related activities with his/her own money, a Request for Reimbursement form needs to be completed and submitted for approval within thirty (30) days of the purchase. A receipt must accompany the request. Every effort should be made to have the receipt show only those expenses for which reimbursement is requested.

When payment is requested for the purchase of items or supplies, a Special Check Request must be submitted, detailing the item(s) to be purchased, its use, the vendor or company to whom the check is to be made, the exact amount of purchase and such request must be submitted for approval. If the Special Check Request is \$100 or above the request must be sent to the Executive Director for approval.

## **SEVERANCE PAY**

Severance pay is at the discretion of Executive Director as the occasion arises, including termination due to a reduction in work force.



## **SECTION 4: BENEFITS**

### **GROUP INSURANCE**

La Vida is pleased to offer the following insurance programs to all employees working at least 30 hours weekly.

1. Group Health Coverage
2. Dental plan
3. Vision Plan
4. Life Insurance

The Agency provides payment of eighty percent (80%) of the premium for Group Health Coverage, and eighty percent (80%) for Dental Coverage and Vision Coverage for each employee. Coverage will begin on the 1<sup>st</sup> day of the month following the employee's date of hire.

At an employee's 10 year anniversary of service with La Vida they will receive 100% premium coverage of "employee only" health insurance by La Vida in the month following their anniversary date. In the event that the employee is not currently enrolled in the health plan, they will be able to enroll during the next open enrollment period.

WAGED employees may become eligible for Group Health Coverage if the following condition has been met:

- Upon quarterly review of employee's hours worked, the average number of hours worked is 30 hours or greater.

If a WAGED employee becomes disqualified for Group Health Insurance due to a decrease in average number of hours per quarter, s/he will be notified of disqualification and be offered continuation of coverage through COBRA rights. (See section "Continuation of Coverage".)

Each employee may purchase optional Health Coverage, Dental insurance and Vision insurance at a group rate for immediate family members and/or Domestic Partners who qualify and La Vida will pay fifty percent (50%) of the premium of the second person covered by the employee. Participation in the insurance program is contingent upon meeting all eligibility standards and acceptance through official enrollment. La Vida reserves the right to modify, terminate, suspend or cancel any of the above listed programs without notice when, in the opinion of management, circumstances require. Employees are required to give thirty (30) days written notice should they choose to discontinue medical coverage for any reason. Failure to give La Vida thirty (30) days written notice of discontinuation may result in the employee being responsible for one hundred percent (100%) of the hospitalization and medical insurance premium.

The Agency offers each SALARIED employee who has been employed for 30 days an employer-paid basic group term life policy in the amount of \$20,000. Each SALARIED employee may purchase an additional \$20,000 for spouse and \$10,000 per child and is responsible for one hundred

percent (100%) of the additional premium, which premium amounts shall be deducted from the employee's paychecks.

The benefit schedules and other details of the programs are available from the Group Insurance booklet that is provided to each employee when insurance coverage takes effect.

## **SUPPLEMENTAL INSURANCE PLANS**

La Vida offers Supplemental Insurance Plans to all employees as well as PART-TIME employees. These plans include Disability Insurance, Life Insurance, Cancer Insurance, Critical Illness Insurance, Accident Insurance and Hospital Confinement Insurance. The employee is responsible for one hundred percent (100%) of all Supplemental Insurance Premiums, which premium amounts shall be deducted from the employee's paychecks.

## **CONTINUATION OF GROUP HEALTH COVERAGE**

### COBRA (Consolidated Omnibus Budget Reconciliation Act of 1986)

If you are an employee of La Vida covered by its group health plan, you have a right to choose this continuation coverage if you lose your group health coverage because of a reduction in your hours of employment or the termination of your employment for any reason other than for gross misconduct (including voluntary resignation, involuntary termination, retirement and layoff).

If you are the covered spouse of an employee, you have the right to choose continuation coverage for yourself if you lose group health coverage for any of the following four reasons:

1. Death of the covered employee.
2. Termination for any reason, other than gross misconduct or reduction in the employee's hours of employment.
3. Divorce or legal separation from the employee.
4. Covered employee becomes entitled to Medicare coverage.

In the case of a covered dependent child of an employee, he or she has the right to continuation coverage if group health coverage is lost for any of the following five reasons:

- The death of the employee.
- The termination of the employee's employment (for reasons other than gross misconduct) or a reduction in the employee's hours of employment.
- Parents' divorce or legal separation.
- Employee becomes entitled to Medicare.
- The dependent ceases to be a "dependent child" under the terms of the group health plan.

Should an employee who meets the necessary requirements elect to continue the coverage, it will continue up to the limits provided by law. Upon separation from employment with La Vida, an employee may elect to continue coverage for benefits elected during employment, at his/her own expense. A check for the total applicable premium plus handling charges (if applicable) must be received by La Vida's Third Party Administrator, Conexis in order for the insurance to remain in force for the following month. Failure to provide payment will result in discontinuation of coverage. Conexis contact information: 6191 North State Hwy 161, Suite 400, Irving, TX 75038; phone 877-452-6272,

Failure to Notify. If an employee fails to notify La Vida within 60 days of the occurrence of a qualifying event or if the employee does not elect continued coverage, the employee's health coverage under the Group Plan will cease.

### **403(b) RETIREMENT PLAN**

La Vida has a 403(b) Retirement Plan for its SALARIED employees. To be eligible, an employee must have one year of service with La Vida and be a SALARIED employee. Each eligible participant may elect to contribute any percentage or amount of their salary towards the plan. La Vida will match the employee's contribution up to three percent (3%) above his/her annual salary prorated monthly towards La Vida's 403(b) retirement plan. WAGED employees are eligible for elective deferrals only. Monies contributed are held in a Trust until a participant's retirement, death, disability or severance from employment, except in the case of certain extreme financial hardship.

La Vida will pay the applicable set up fee when an employee is enrolled in the plan. However, this set up fee shall only be paid once by La Vida. (E.g. if a plan participant drops out and then sometime later wants to participate in the plan, the employee will be responsible for the set up fee). The initial contribution will be made the first pay period of the following month.

Active SALARIED employees age 55 or older may withdraw the vested portion of employer contributions made on behalf of the employee. The employee's vested account is the percentage of the account to which they are entitled to at any point in time. The employee has a 100% vested account when they reach normal retirement age prior to termination of employment. **Elective deferrals are 100% vested at all times.** The employee's vested percentage for any matching contributions by La Vida or non-elective contributions is determined by the following table based on the number of years of service (a 12-month period during which the employee completes 1,000 hours of service) the employee has completed.

<b>Years of Service</b>	<b>Vested Interest</b>
2	20%
3	40%
4	60%
5	80%
6	100%

Any part of the matching or non-elective contributions which is not vested will be forfeited when the employee terminates employment.

Employees should consult with their tax advisor to determine their personal tax situation before taking any distribution from the Plan. *Please see a Director for reference to the 403B Plan Summary for details on withdrawing contributions and the tax amounts required.*

## **STATUTORY BENEFITS**

Some of the benefits to which an employee is entitled is established by law and administered by federal and state agencies. Among these are: **Worker's Compensation, Social Security, and Unemployment Compensation.**

La Vida pays the full cost of an employee's Worker's Compensation insurance and an employee's Unemployment Compensation benefits except with respect to Professional Service Contracts. La Vida also contributes to an employee's Social Security benefits except with respect to Professional Service Contracts (Independent Contractors).

## **WORKERS' COMPENSATION**

All employees are covered from their first day of employment under workers' compensation insurance, which covers industrial injury or disease/illness resulting from work activity or the work environment. There is no cost to the employee for this insurance. All lost time, medical expenses and loss of life or dismemberment from an injury arising out of or in the course of work are compensated through worker's compensation.

If you experience a life/limb threatening injury on the job, first seek immediate medical attention at the nearest emergency room or wherever it is available. All employees must then notify their supervisor as well as La Vida Human Resources Department within 24 hours of the time the injury occurred.

If the injury is not life/limb threatening, the employee should contact La Vida to discuss the selection of a health care provider. La Vida reserves the right to either initially select an authorized health care provider or give that right to first selection to the injured worker. If La Vida waives that right, the injured worker can seek immediate medical attention at the nearest emergency room, primary care physician, or one of the approved medical providers through New Mexico Mutual Casualty. The initial selection is in effect for at least the first 60 days.

La Vida must notify the employee in writing of its decision to select the initial healthcare provider or to give that selection to the worker. If written notice is not given to the worker, the selection of the worker will be considered the selection of the employer as well. La Vida reserves the right to require a drug test and/or alcohol test at the time treatment is sought, in certain instances.

Emergency Medical Care is not to be considered a choice of treating health care provider by the Employer or Worker.

The employee is responsible for writing the Notice of Accident or Occupational Disease Disablement Form and getting it the Human Resources Manager at La Vida within 15 days. Verbal notice may constitute actual notice, but only if it puts the employer on notice regarding the time, place and circumstances of a work accident. An employer's knowledge of an injury, without relation to a work accident is insufficient notice. Written notice is not required if the employer or supervisor has actual knowledge of the accident. Notice must be given to the employer or supervisor. Notice to a co-worker is not considered valid notice.

The First Report of Injury is completed by La Vida and is sent to the insurance carrier. This starts the workers' compensation claim.

There is a seven day waiting period for payment of compensation. The first installment is no later than 14 days after the worker has missed seven days of lost time from work, whether or not the days are consecutive. Remaining installments are paid bimonthly.

The party that did not make the initial selection has the right of second selection. After at least 60 days, a redirection of medical care to another health care provider, who will remain the authorized treating health care provider for the remainder of the injury. A Notice of Change of Healthcare Provider will be completed. The first appointment with the new health care provider can be no sooner than 10 days from the receipt by the other party the notice of change.

The party receiving the Notice of Change of Health Care Provider can file an objection with the NM Workers' Compensation Administration. The Administration will set a hearing before a Judge within 7 days. A Notice of Health Care Provider Disagreement can be filed by either party at any time if there is a disagreement on the choice of health care provider. The party filing the disagreement will bear the burden showing that the change in healthcare provider is not reasonable or necessary.

An injured worker is required to notify the employer/insurer within (15) days of any return to work release. If the injured worker is working (even part-time) they are required to notify the insurance company. If the injured worker is missing time from work, it is very important that they contact their adjuster after every doctor's visit.

For further information on injuries while on-the-job, please contact the Human Resources Department at (505) 565-1614. You may ask to speak with the Human Resources Manager for further details.

Family and Medical Leave will run concurrently with any leave associated with a workers' compensation injury.

## **SECTION 5: LEAVE POLICY**

Upon hire, salaried employees begin accruing Vacation and Sick Leave. A major priority of the agency is the continuity of service to the families and individuals we serve. The agency gives every possible consideration to an employee's wishes concerning the usage of their leave time; however, **request for leave must be approved by the employee's immediate supervisor prior to using leave.** Requests for time off will be granted based upon program, department and client coverage needs and circumstances.

- Supervisors must be informed when an employee will take leave and have the discretion to approve or deny leave, except as is in accordance with the Family and Medical Leave Act (FMLA) and Domestic Abuse Leave.
- Employees are responsible for obtaining supervisor approval and submitting a Leave Request according to agency procedure.
- If it is not possible for an employee to complete a Leave Request Form prior to taking leave, a completed and signed Leave Request Form must be submitted to the Supervisor no later than two (2) business days upon return from unexpected leave. Failure to do so may result in delayed receipt of pay and/or disciplinary action.

### **VACATION LEAVE**

Vacations are intended to provide employees with a reasonable period of time off each year. Therefore, at least 10 days of vacation must be used each year. Leave accrual will occur two times per year, July 1<sup>st</sup> and January 1<sup>st</sup> based on the following leave accrual schedule. When an employee becomes eligible for a higher vacation/sick leave accrual rate because of their service anniversary, the higher accrual rate will be prorated beginning on the first day of the following pay period at time of anniversary.

Employees must submit a written vacation request on a Leave Request form to their supervisors prior to being granted vacation time or receiving vacation pay. Salaried employees may request vacation leave for ½ day (4 hours) or more.

La Vida Felicidad cannot guarantee that time requested for vacation will be granted. If necessary for sufficient staffing, employees may be asked to reschedule vacation times. The Executive Director, Program Director and/or the employee's direct supervisor have the authority to approve or reject requests for leave.

Vacation is earned on an accrual basis. The amount of vacation earned depends on the employee's years of service. Salaried employees may carry up to 45 days of total vacation leave. After accrual of 45 days, subsequent days will roll over into the employee's Sick Leave.

## **SICK LEAVE**

La Vida Felicidad, Inc. recognizes that employees need days off from work from time to time to address their medical needs. For this purpose, salaried employees will accrue sick leave based on tenure. (See Leave Accrual Schedule). All unused sick leave is accumulated from year to year, up to a total of sixty (60) working days as protection against loss of personal income in the event of extended disability absence due to sickness or injury. In the event a salaried employee exceeds 60 days of sick leave, additional accrued sick leave will go into the employees Long Term Leave Bank. Employees will not receive payment for accumulated sick or long term leave upon separation of employment.

Employees are expected to schedule planned medical appointments in a manner that minimizes disruption of workflow. Medical appointments if at all possible should be scheduled in early morning or late afternoon to avoid the use of a full day of Sick Leave. Further, employees must use Sick Leave for its intended purpose. Supervisors will monitor employee use of Sick Leave for patterns of misuse. Such misuse shall not be tolerated. Misuse of Sick Leave may include: using more time than accrued; not scheduling appointments early/late as encouraged above; consistently and/or unnecessarily using all the time that you accrue.

## **PAID HOLIDAYS**

La Vida provides paid holidays each year for salaried employees. Eligible employees will be given a paid day off for each designated holiday listed below:

New Year's Day	Labor Day
Martin Luther King Day	Thanksgiving Day
Good Friday	Day after Thanksgiving
Memorial Day	Christmas Eve
Independence Day	Christmas Day
Floating Holiday*	

\*The floating holiday may be any day chosen by the employee with supervisory approval  
If one of the above holidays falls on a Saturday, the preceding Friday will be designated as the holiday day off. If the holiday falls on a Sunday, than the following Monday will be designated as the holiday day off.

Vacation and Sick Leave will be accrued on the following schedule:

**Hired prior to 07/01/2014**

<b>Length of Service</b>	<b>Vacation</b>	<b>Sick</b>	<b>Total Leave</b>	<b>Total Leave w/holidays</b>
0-2 years	17	5	22 days	33 days
2-5 years	25	7	32 days	43 days
5-10 years	27	7	34 days	45 days
10+ years	28	7	35 days	46 days

**Hired after 07/01/2014**

<b>Length of Service</b>	<b>Vacation</b>	<b>Sick</b>	<b>Total Leave</b>	<b>Total Leave w/holidays</b>
0-2 years	15	5	20 days	31 days
2-5 years	21	7	29 days	40 days
5-10 years	25	7	32 days	43 days
10+ years	28	7	35 days	46 days

**NEW HIRES**

Newly hired salaried employees will accrue leave beginning with their initial hire date, but will not be allowed to use leave until they have completed three months of continuous employment. If a new employee is sick and needs to miss work, Leave With Out Pay (LWOP) will be taken.

**BEREAVEMENT LEAVE**

Five (5) days leave with pay will be granted to salaried employees for a death in the immediate family. The term "immediate family" includes husband, wife, domestic partner, children, parents, brother or sister. Three (3) days leave with pay will be granted to salaried employees for a death in the extended family. The term "extended family" includes grandparents, father-in-law, mother-in-law, sister-in-law, brother-in-law or grandchild as well as parents or siblings of a domestic partner. One (1) day leave with pay will be granted to salaried employees for the death of an uncle, aunt, niece, or nephew as well as the grandparents of a spouse or domestic partner. Additional leave without pay may be granted at the discretion of the Executive Director. For employees who are on vacation, sick leave, or otherwise approved leave at the time of such death then the bereavement leave begins on the day the employee is scheduled to return to work. Each employee is personally responsible for advising the supervisor when a death in the family occurs. La Vida understands there may be special circumstances in how a family member is defined and leave may be granted accordingly by the supervisor with prior approval from the Executive Director.



## **CIVIC LEAVE**

La Vida encourages employees to fulfill their civic responsibilities by serving jury duty when required. La Vida will pay a salaried employee the amount that would have been earned with La Vida during the period of jury duty. (The employee can choose to receive their normal salary during the period of jury duty and submit the amount of the jury pay to La Vida Felicidad, Inc. as soon as it is received or the employee can keep the jury pay and use vacation days for the period of jury duty.) Employees must show the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits. Either La Vida or the employee may request an excuse from jury duty if, in La Vida's judgment, the employee's absence would create serious operational difficulties. On any day or half-day that the employee is not required to serve, the employee will be expected to return to work.

## **DOMESTIC ABUSE LEAVE**

Employees who are victims of domestic abuse may use accrued paid leave or unpaid leave to obtain or attempt to obtain an order of protection or other judicial relief from domestic abuse, to meet with law enforcement officials, to consult with attorneys or victim advocates, or to attend court proceedings related to the domestic abuse of him/herself or a family member. Verification in the form of police reports, copies of protection orders, written statements from attorneys and/or victim advocates shall be presented as documentation for requested leave.

In the event that domestic abuse leave is taken in an emergency, the employee or his/her designee shall give notice to the immediate supervisor or Human Resources within 24 hours of commencing domestic abuse leave.

Definition: "Domestic Abuse" for purposes of this policy means an incident of stalking or sexual assault whether committed by a household member or not, or any incident by a household member against another household member that results in:

- Physical harm
- Severe emotional distress
- Bodily injury or assault
- A threat causing imminent fear of bodily injury by any household member
- Criminal damage to property
- Repeatedly driving by a residence or work place
- Telephone harassment
- Harassment or
- Harm or threatened harm to children

Confidentiality: La Vida Felicidad, Inc. will keep all information confidential including information that the employee or employee's family member was involved in a domestic abuse incident, and/or that the employee requested or took Domestic Abuse leave. Verification documents will be kept confidential. With the employee's consent, La Vida Felicidad, Inc. will

disclose the information and/or cooperate with law enforcement and administrative agencies in dealing with issues of Domestic Abuse. La Vida Felicidad, Inc. will otherwise only disclose this information in compliance with a legal requirement or proper court or agency order.

No Retaliation: La Vida Felicidad, Inc. will not penalize or retaliate against an employee for requesting or taking Domestic Abuse leave. La Vida Felicidad, Inc. will not withhold benefits coverage from an employee during the time he/she is on Domestic Abuse Leave. Time taken for Domestic Abuse Leave will not be included in calculating eligibility for benefits.

## **VOTING LEAVE**

All employees are encouraged to vote and make arrangements to do so on their own time. If the polls open two (2) hours or more before and employee is required to be at work or close two (2) hours or more after his/her day is completed, La Vida Felicidad does not allow time off to vote.

Up to two (2) hours off will be allowed to each employee to vote in national, state and local elections when polling times do not meet the requirements stated above. *For example if an employee is scheduled to work 8:00-4:00 the polls may open by 6:00 am or close before 6:00 pm in order to be eligible for time off to vote.* The employee's supervisor will determine at what time during the day an employee may take voting leave.

## **MILITARY LEAVE**

A military leave of absence will be granted if an employee enlists, is inducted, or is recalled to active duty in the Armed Forces of the United States for a period of not more than four years. Employees who perform and return from military service in the Armed Forces, the Military Reserves, or the National Guard shall have and retain such rights with respect to reinstatement, vacation, and compensation. Employees with one year or more of service will be protected against loss of income as a result of participation in annual encampment or training duty in the U.S. Military Reserves or the National Guard. In these circumstances, La Vida Felicidad will pay the difference between what an employee earns from the government for military service and what the employee would have earned as normal straight-time earning on the job. This difference will be paid for up to two weeks in a calendar year.

## **FAMILY/MEDICAL LEAVE OF ABSENCE**

La Vida grants unpaid personal leaves of absence in accordance with "Family and Medical Leave Act" of 1993, 103-3, 29 CFR 825.

This Act provides that La Vida will grant up to twelve (12) weeks of leave for family and medical reasons in a twelve (12) month period that begins on the first day on which an employee takes family or medical leave. The family and medical leave will be unpaid leave unless the employee

has a personal leave balance available to use during the period of leave. At the conclusion of the leave of absence, the employee will be guaranteed reinstatement to either the same or similar position at the same rate of pay and the same benefits.

To be eligible for a Family/Medical Leave of Absence, an employee must have worked for La Vida at least 12 months and at least 1250 hours during the year preceding the start of family/medical leave.

An eligible employee is entitled to family/medical leave for one or more of the following reasons:

1. the birth and care of a child of the employee;
2. the placement of a child with the employee for adoption or foster care;
3. to care for the spouse, son, daughter, or parent of the employee if such spouse, son, daughter or parent has a serious health condition; or
4. because of a serious health condition that makes the employee unable to work.

An employee on family and medical leave will be paid for the leave only as follows:

- (1) Any available balance of personal leave shall be applied against a period of family and medical leave, which is taken for any qualifying reason;

Employees must provide their immediate supervisor with a 30-day advance notice for the birth or adoption of a child or planned medical treatment. (This advance notice should be in writing.) In cases where the employee cannot provide 30 days advance notice, such as in the cases of premature birth, notice must be given as soon as practicable, or usually within one to two business days. In cases of medical emergencies, notice may be given in person or by telephone within one or two days.

Requests for a family/medical leave relating to the employee's serious health condition may be made by the employee and must be substantiated by medical certification from the employee's health care provider, which must provide for an estimated duration of the leave required. An employee on medical leave is expected to return to work as soon as it is determined that he/she is medically able. He/she must have a certification from his/her health care provider giving complete clearance to return to work.

The ordinary maximum length of time for a family/medical leave of absence is 12 weeks. Extensions may be made only with the approval of the Executive Director.

La Vida shall guarantee a position to an employee on a family/medical leave for up to 12 weeks or the duration of any approved extension of family and medical leave. The guaranteed position will be the same position the employee left at the beginning of the family/medical leave of absence, if possible. The position will be in the same location, with the same responsibilities, authority, pay, and benefits, if possible. However, in some instances, it may be impossible to return to the specific position left at the beginning of the leave. In these cases, the employee will be offered an equivalent position at the same rate of pay, with the same benefits, and, if possible, the same duties,

authority and responsibility. If the employee declines to accept an alternative position, the employee's employment will be terminated. There usually can be no guarantee of the same hours. If an employee does not return from family and medical leave after 12 weeks or after the conclusion of an approved extension of leave, the employee will be considered to have resigned.

The employee must notify the Executive Director in writing at least ten (10) working days prior to the end of the family/medical leave of his/her intention to return. (If the leave is of short duration, i.e., 10-15 days, this 10-day notice may be waived. The intent of the notice requirement is to allow the department supervisor time to make any needed scheduling arrangements. Ideally, the employee on family/medical leave will stay in touch regularly with the department supervisor regarding his/her progress and plans.) When family and medical leave is taken for an employee's own serious health condition, the written notification shall be accompanied by a certification from a health care provider indicating that the employee may return to work and verifying the proposed date of return. Failure to provide this certification may result in termination.

### Benefits During Family/Medical Leave

1. La Vida will continue medical insurance coverage and continue to deduct any of the employee's contributions from the paycheck as long as the employee is receiving pay. During the time of the leave of absence in which there is no pay, the employee is responsible for making arrangements for payments for the portion of medical, accident and/or life insurance payments, which are ordinarily deducted from the employee's pay.
2. Participation in the 403(b) retirement plan is maintained by La Vida as long as the employee is receiving pay.
3. If an employee is due for an annual performance evaluation and wage or salary review while on an approved family/medical leave, the evaluation will be completed upon the employee's return and any wage or salary increase will be effective in the pay period following the employee's return, if applicable.

### **SICK LEAVE POOL**

The purpose of the Sick Leave Pool is to alleviate hardship that may be cause to employees who are unable to work because of a catastrophic illness or emergency

#### Donating to the Sick Leave Pool

- Donations can be made to the Sick Leave Pool from an employee Sick Leave or Long Term Leave Bank.
- Donations may be made in ½ day (4 hour) increments.
- A maximum donation of 10 days can be made during a fiscal year.
- After donating, an employee must have minimum of 5 days remaining in their Sick Leave bank.
- Donations to the Sick Leave Pool may be made at any time by completing an authorization form provided by Human Resources.
- It is not guaranteed that an employee who donates to the Sick Leave Pool will be granted paid leave from the Sick Leave pool should they make a request.

- Donations to the Sick Leave Pool have no tax consequences and are not deductible as a charitable contribution.
- Donations made to the Sick Leave Pool will remain confidential.

#### Eligibility Requirements to Access the Sick Leave Pool

- All employees are eligible to request leave from the sick leave pool.
- Employees receiving workers compensation pay are not eligible to request leave from the Sick Leave Pool.
- Employees may request leave from the sick leave pool if they anticipate they will have exhausted all of their vacation, sick, long term leave banks.
- An employee may request leave from the Sick leave pool whether or not they have donated to the Sick Leave Pool.

#### Requesting Leave from the Sick Leave Pool

- To request leave from the Sick Leave Pool, there must be a documented request. The request should include the reason for the request, how much time is being requested, the expected return date to work, and any supporting documentation. All information will be presented to the Executive Director for consideration.
- Employees requesting leave may be asked to meet with or provide the Executive Director with additional informal. All documentation will be filed in the employee's personnel file and will remain confidential
- A maximum equivalent to 15 days of paid leave may be granted for any one request. If needed, an employee can submit multiple requests.
- An employee who withdraws paid leave from the Sick Leave Pool shall not be required to replace those hours.
- While using paid leave from the Sick Leave Pool, the employee will continue to accrue leave and benefits.

#### Considerations when granting leave from the sick leave pool

La Vida Felicidad's Executive Director will be responsible for granting employee requests to receive leave from the Sick Leave Pool. When determining whether or not to grant an employee's request for paid leave, the Executive Director will take into consideration all relevant information regarding the employee and their request including:

- The circumstances surrounding the request for paid leave (must be catastrophic medical situation)
- The employee's tenure and employment standing with La Vida Felicidad
- The employee's leave use history
- The frequency of requests from the sick leave pool
- Feedback from the employees supervisor
- Agency business needs

The Executive Director will document the decision-making process; ensure that all requests are considered and that there is a level of consistency and uniformity in the decision-making process. The process will be free from unlawful discrimination.

Exceptions for Worker's Compensation Absences

In the case of lost time for injuries which are work related and/or illnesses covered under Workers' Compensation as required by law, it is the policy of La Vida to guarantee an employee's same position if that person is off work for a period up to 12 weeks due to a work related accident or disease. If the absence exceeds 12 weeks, La Vida will return the employee to the same position only if it is available, to a similar position if available, or to a layoff status until an appropriate position becomes available.

**INCLEMENT WEATHER**

In the event of inclement weather, La Vida Felicidad will follow the lead of the local school district. If school is closed, delayed or dismissed early due to inclement weather, the agency will be closed, delay opening or dismiss early. This will be considered administrative paid leave by all employees. It is the responsibility of the employee to note the inclement weather paid leave on their time sheet.

**SEPARATION OF EMPLOYMENT**

Upon separation of employment, an employee will be paid out any earned vacation leave according to the following schedule:

<b>Tenure of Service</b>	<b>Days Paid Out</b>
0-2 years	5 days
2-5 years	10 days
5-10 years	15 days
10+ years	20 days

**LEAVE WITHOUT PAY**

La Vida Felicidad provides generous levels of vacation and sick leave. Only in rare circumstances will leave without pay be granted. A written request for leave without pay must indicate the reason(s) leave with pay is necessary; the amount of time needed, and recommended coverage of employee's position during the leave. No such leave may be taken without written, prior approval of the employee's supervisor and Executive Director. Employees are required to exhaust all available paid leave prior to accessing leave without pay.

## **SECTION 6: SAFETY, SECURITY AND HEALTH**

La Vida, as an employer and a responsible member of the community, recognizes the importance and necessity of safety. A safe work environment is essential to progress toward both immediate and long-term goals. A safe work environment is dependant on the attitudes and actions of every employee, every day. Being alert will help prevent accidents to employees and others. Employees are to report accident hazards or potential accident hazards immediately to their supervisor.

### **JOB SAFETY**

Employees are expected to cooperate with La Vida in all safety and health procedures. La Vida may provide additional safety training as needed or may post rules and regulations on the bulletin board. The agency will be as safe as employees make it. Employees are encouraged to submit safety suggestions.

### **GENERAL SAFETY RULES AND REGULATIONS**

The general safety rules and regulations are as follows:

- Each employee shall comply with occupational safety and health standards and all rules; regulations and orders that are applicable to his/her own action and conduct.
- All unsafe conditions should be reported to an employee's supervisor at once.
- All injuries, however slight, should be reported to an employee's supervisor within 24 hours if possible. First Aid supplies are available at all locations. Supervisors must report all injuries to Human Resources.

### **REASONABLE ACCOMMODATION POLICY**

Reasonable accommodations are provided for employees who have a medical condition that necessitates such accommodation to enable them to perform their essential job functions. Because medical conditions are the subject of a person's privacy, the provision of such accommodations are not published to or discussed with other employees. Accommodations are individually developed on a case-by-case basis.

No employee is perceived or assumed to be in need of an accommodation. It is the responsibility of the employee who needs accommodation to notify his or her supervisor or HR of such need, and to cooperate in exploring whether a reasonable accommodation is possible and if so, what the accommodation can be. Not all requested accommodations may be reasonable or even possible. However, La Vida is committed to engaging in a meaningful dialog with the employee to determine what accommodation can be reached. The accommodation process often requires the input of the employee's health care provider (s).

La Vida is committed to providing equal employment opportunities to individuals with disabilities, those regarded as having disabilities and those associated with individuals with disabilities. Accordingly, we do not discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment. La Vida complies with all federal and state laws concerning the employment of persons with disabilities and acts in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC).

La Vida will engage in the interactive process to find reasonable accommodation for qualified individuals with a disability to enable them to perform the essential functions of a job, unless doing so causes an undue hardship to the company, or a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation.

Individuals who are active illegal drug users are excluded from coverage under La Vida's Americans with Disabilities Act (ADA) policy.

While employed, or during the application, interview or recruitment process, please contact the Human Resources Department to request a religious accommodation, to request a reasonable accommodation under the ADA, or to request a reasonable accommodation if you are an employee with a disability caused or contributed to by pregnancy.

Please contact the Human Resources for the applicable form and further instructions on how to proceed in requesting a reasonable accommodation.

## **WORKPLACE VIOLENCE**

La Vida is committed to providing a work environment that is free from violence. Any acts or threatened acts of violence will not be tolerated. For purposes of this policy, violent behavior is defined as:

- Physically harming or threatening to harm an individual, community member, group of individuals, or relatives of those individuals.
- The possession on company property of weapons of any kind, unless specifically authorized by the Executive Director of La Vida, or the brandishing of any object that could reasonably be perceived as a weapon.
- Loud, angry or disruptive behavior that is not a part of the typical work environment.
- Callous or intentional disregard for the physical safety or well being of others.
- Intentional destruction of La Vida, community member or employee property.
- Commission of a felony or misdemeanor on La Vida property.
- Any other conduct that a reasonable person would perceive as constituting a threat of violence.

Any employee who is subjected to, witnesses or has knowledge of violent behavior of any of the types listed above, or has reason to believe that violent behavior may occur at or in connection with the activities of La Vida, is required to report it promptly to his or her supervisor or the



Executive Director. Employees can raise concerns and make reports without fear of reprisal, and La Vida will treat such reports as confidential to the extent circumstances permit.

## **GOOD HOUSEKEEPING**

A clean work environment reflects well on La Vida and the employees who work here. When each person helps keep the agency clean, both efficiency and safety will increase.

## **USE OF EQUIPMENT AND FACILITIES**

All employees are required to properly maintain and utilize La Vida Property. Willful abuse or mishandling of property, including technical resources, will not be tolerated and may be grounds for discipline up to and including termination. All computer files, electronic mail, electronic data, etc. established and/or developed by La Vida employees, are the complete and total property of La Vida Felicidad, Inc. Management shall have access to all La Vida property including computers, laptops, agency cell phones, email, passwords, desks, files, etc. and reserves the right to search at any times.

All equipment assigned to employees must be returned to La Vida upon the employee's termination from employment. Failure to do so may result in a payroll deduction in accordance with a written agreement in place between the employee and La Vida.

## **CELL PHONE**

Cell phones are available for management and home visitation and transportation staff to enhance safety and address agency needs. Staff is responsible for assigned cell phones.

- Staff are expected to carry a cell phone when traveling to home visits or transporting clients. Cell phones are to be used for emergency purposes or to communicate important information to other staff.
- Phones are provided for safety first, in order to access emergency assistance, or to communicate employee whereabouts.
- Cell phones are issued for agency related business only.
- Employees are expected to use office desk phones when at a La Vida Felicidad office.
- Personal use charges are limited to emergencies and are the financial responsibility of the employee when incurred.
- Upon termination from employment, employees must return cell phones and related equipment including phone chargers to their supervisor or Human Resources. Failure to do so may result in a payroll deduction in the amount equivalent to the non-returned equipment.
- Employees must follow all State/Federal laws regarding the usage of cell phones while operating a motor vehicle.

If an employee responsible for management, home visitation or transportation/community access with individuals chooses not to use a company cell phone they may be eligible for a \$25 stipend for use of their personal cell phone for agency business conducted away from the office.

## **FIRE PREVENTION**

Each year thousands of businesses are damaged by fire. Many of these fires could have been prevented. Employees are to be alert at all times for potential hazards and report them at once to his/her supervisor. Please note these rules:

- Employees shall observe the "No Smoking Policy."
- In case of smoke or fire, notify the nearest member of management, giving location and information that is necessary and call the local fire department.
- Employees shall not attempt to extinguish electrical fires unless they are trained and qualified to fight fires.

**Please note: The use of space heaters is permitted however employees must ensure that the heater has three (3) feet clearance in all directions from combustibles, is not used under tables or desks or likenesses thereof, is not left on unattended, and is unplugged when not in use. Space heaters must be UL listed and must turn off when tipped over.**

## **ACCESS TO COMPANY PREMISES**

If an employee wishes to use the facilities after normal work hours, s/he should notify and receive approval from his/her immediate supervisor.

## **SOLICITATION**

Solicitation is potentially annoying to employees. Many staff prefer not to confront their co-workers on their own about their discomfort with solicitation. Therefore, La Vida has taken a strong stance on solicitation to maximize the comfort level of the working environment at La Vida.

In order to minimize the possibility of disruption of operations and annoyance of employees, the following are La Vida's rules regarding solicitation:

- Solicitation for monetary gain by an employee of his/her fellow employees, during the working time of either employee, shall not be tolerated.
- Solicitation by an employee of his/her fellow employees during the working time on behalf of any individual, organization, club or cause is not allowed, unless there is prior approval from the Executive Director through the immediate supervisor.

## **SECTION 7: GENERAL POLICIES**

### **USE OF VEHICLES**

Many positions at La Vida require that employees are able to drive as an essential function of their position. Employees who work in such positions will be required at the time of their hiring to provide La Vida a current, valid New Mexico driver's license, valid proof of auto insurance and must possess a good driving record for the most recent three year period.

See also La Vida Driver's Manual.

Employment in positions which require driving shall be contingent on the employee's ability to maintain a good driving record and be insurable by the agency's liability insurance carrier to drive the agency vans or personal vehicle. Upon the request of La Vida, and at a minimum of no less than once a year, employees who drive personal vehicles for work must present proof of current vehicle liability insurance. The following rules apply to La Vida's vehicles:

- The vehicle is to be driven only by those employees who are specifically authorized to do so.
- Any employee who is authorized to drive an agency vehicle shall not allow any other unauthorized use of the vehicle.
- Any employee who is assigned to drive a La Vida vehicle is to report any deficiencies to his/her supervisor.
- La Vida vehicles are to be operated in accordance with all applicable laws and in a courteous manner at all times.

If an employee who is required to drive as an essential function of his/her position has his/her driver's license suspended or revoked for any reason or receives a moving violation that may affect his/her good driving record, he/she must notify his/her supervisor immediately. The employee may be subject to reassignment to a non-driving position, may be put on unpaid leave or may be discharged.

Any accident involving an employee or La Vida vehicle being used on agency business shall be timely and thoroughly reported to the Executive Director and Incident Management Coordinator.

### **AGENCY CREDIT CARD**

Agency credit cards are intended for the purpose of conducting agency business. Any personal use of the agency credit card will lead to disciplinary action up to and including termination from employment.

## **CONFIDENTIALITY**

It is the policy of La Vida to maintain confidential and accurate records on program participants and employees. Any information regarding the condition, treatment or status of program participants shall be confidential as set forth by HIPAA.

### HIPAA Compliance and Mitigation

La Vida Felicidad, Inc. is a covered entity under the Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule. La Vida policies and procedures must comply with the requirement of the Rule and train all employees in the application of these policies and procedures. These policies and procedures are updated whenever the HIPAA Privacy Rule changes or when LA Vida privacy practices change, provided those practices are in compliance with the HIPAA privacy rule.

La Vida does not require clients to waive their rights under the HIPAA Privacy Rule as a condition of the provision of services. Further, La Vida mitigates, to the extent practical, any harmful effect it is aware of from the use or disclosure of protected client health information that violate La Vida's privacy policies and procedures, whether the use or disclosure was made by a La Vida employee or a La Vida business associate.

La Vida does not intimidate, threaten, coerce, discriminate against or take any retaliatory action against any individual for the exercise of any rights set forth in La Vida's HIPAA privacy policies and procedures.

### Inadvertent Disclosure

Employees who fail to comply with La Vida's privacy policies and procedures are subject to disciplinary action in accordance with La Vida's employee policy. The Chief Privacy Officer (CPO) maintains documentation of sanctions that are applied if any.

Non-employee workforce members who inadvertently disclose protected client information (PCI) will be given a written notice and additional training. As applicable, the non-employee may be subject to the incident being reported to their licensing board.

### Deliberate Disclosure

An employee may be discharge from employment if unauthorized deliberate disclosure of PCI is determined during the agency internal investigation process.

Staff and clients are assured against adverse impact or retaliatory actions as a result of participating in an agency internal investigation and in accordance with La Vida policies.

## **ACCURACY OF RECORDS**

Falsifying agency records, including but not limited to personnel records, time sheets, injury reports, incident reports or program records will not be tolerated and employees who engage in falsification of records may be subject to disciplinary action.

## **INQUIRIES**

La Vida will verify a former employee's dates of employment and position and abuse, which has been substantiated. If a former employee executes a written release, the employee's supervisor may provide a prospective or future employee with an opinion reference.

## **PERSONAL APPEARANCE AND CONDUCT**

Employees' personal appearance and professional conduct are very important in building a positive and credible public perception and confidence in the agency and its services. Employees are expected to maintain high standards of professional conduct and personal appearance at all times in carrying out job duties and in the preservation of the professional integrity of the work place. Extremes in dress, personal appearance and conduct is offensive to many people receiving services from La Vida and will therefore not be acceptable or tolerated.

## **PROFESSIONAL LIABILITY INSURANCE**

La Vida carries coverage for professional liability insurance. However, such coverage has many exclusions and is limited. Therapists are encouraged to procure their own professional liability insurance privately.

## **CARE OF PERSONAL BELONGINGS**

La Vida does not assume responsibility for the loss of an employee's money or personal belongings, nor is such loss covered by the agency's insurance. Each employee should safeguard his/her personal belongings.

## **ELECTRONIC MAIL/INTERNET ACCESS**

Computers, internet access and email accounts are La Vida property. Internet and electronic mail access are provided to La Vida employees as a research and communication tool in order to contribute to the agency's knowledge base, facilitate electronic mail communications between staff and external business partners, and to obtain information useful to conducting business or providing services. Professional judgment is expected of all employees who access these modes of information exchange through the use of agency equipment.

All electronic communications and data created, stored, sent or received using La Vida systems or equipment are and will remain the property of La Vida.

## E-mail Use:

- E-mail addresses may be published.
- E-mail transmissions are unsecured and may be subject to management search
- E-mail transmissions and internet activities may be considered a matter of record for investigative purposes.
- The confidentiality of any message should not be assumed as La Vida may monitor employees' e-mail without notice
- Under no circumstances should e-mail be utilized to transmit confidential information without proper security precautions. HIPAA must be followed at all times.
- La Vida's policies regarding harassment in the work place environment apply fully to the agency's email system. The following are strictly prohibited: obscene, vulgar or profane language, offensive or sexually explicit material; anonymous messages; use of an alias or misrepresentation of title or authority; harassment of any kind including discriminatory or sexual; purchase or sale of personal items.
- All information-sharing policies apply including: media relations, confidentiality, harassment, consent to release information, HIPAA protocols and any others.
- Employees should write e-mails with no less care, judgment and responsibility than they would use for letters or any other agency correspondence.

## **SOCIAL NETWORKING**

La Vida recognizes employees engage in social networking while off duty. For purposes of this policy, social networking includes all types of posting on the internet including but not limited to: Facebook, Twitter, Google, MySpace, chat rooms, YouTube, and similar media. La Vida respects the rights of staff to engage in different forums on their own while off duty.

Employees who engage in social networking should be mindful of their postings. If employees identify their employer as La Vida Felicidad, Inc. they must follow these guidelines:

- Employees must be clear when expressing their views on a social network. Employees must state in clear terms their views are their own and not one of La Vida Felicidad, Inc. (Ex. I work for La Vida Felicidad, Inc. and everything I write is my personal opinion and is not a direct reflection of my Employer).
- Employees are prohibited from disclosing confidential information about individuals they support and proprietary information of La Vida or to a third party that has disclosed information to the company.
- Employees are prohibited from making statements about La Vida, their co-workers, our customers, our competitors, our agents or partners that could be considered harassing, threatening, libelous, or defaming in any way.

**It is important to remember when engaging in social networking your readers may assume you are speaking on behalf of La Vida Felicidad, Inc. Please make sure all communication is transparent, ethical, accurate and respectful.**

## **PUBLIC/MEDIA RELATIONS**

La Vida will make efforts to explain its services to the public through public appearance and media releases in order to heighten public awareness of its programs and attempt to increase understanding and support.

The Executive Director welcomes suggestions for media releases. Any media releases shall be approved by the Executive Director prior to being released. Public awareness appearances shall be approved by the Executive Director.

## **CONFLICT OF INTEREST**

It is the policy of La Vida that no employee or his/her relatives gain any undue advantage, financial or otherwise, by virtue of using his/her position, confidential information or his/her relationships with program participants or fellow employees. At no time shall an employee's behavior reflect negatively on the agency or raise a question as to a potential conflict of interest.

If a question or situation arises that poses a potential conflict of interest, the employee shall provide the Executive Director with the details of the same in the form of a written memorandum. The Executive Director shall investigate and will respond in writing within ten (10) days of receipt of the written memorandum.

The following are guidelines concerning conflicts of interest:

- La Vida shall not contract with or otherwise conduct business for remuneration with a member of the Board of Directors, unless there is an exception granted by the Executive Director within the parameters of any applicable funding source, with such action being ratified by the Board of Directors.
- A member of the Board of Directors or his/her immediate family member are ineligible for employment or independently contracting with La Vida unless there is an exception granted by the Executive Director within the parameters of any applicable funding source, with such action being ratified by the Board of Directors.
- Employees are not to accept gratuities of a substantial nature from La Vida's individuals served or their families.
- Employees will not solicit for private employment from La Vida's individuals served or their families.
- Employees will not borrow or lend money to, individuals or families who receive services from La Vida

If a consumer or his/her family requests private therapy with a specific therapist or requests additional homemaker/personal care services, the Executive Director is to be notified, in writing, by the employee to whom the request was made. The following guidelines will be followed by the Executive Director in considering such a request; however, the Executive Director has the discretion to approve or disapprove the request:

- Reasonable assurance that the consumer or his/her family initiated the request.
- Offering the consumer or his/her family a list of other resources available in meeting his/her request.
- The employee will provide a release of liability form to the Executive Director, signed by the consumer or the consumer's guardian, if applicable, and the employee prior to such private employment.
- Prior to such private employment, clear liability is to be determined through a schedule specifically setting forth when the consumer or his/her family is receiving services through La Vida and when the consumer or his/her family is receiving services through private employment.



## **SECTION 8: PERSONNEL RECORDS AND MATTERS**

An employee file will be maintained on each employee which will contain factual information on each employee's employment at La Vida which may include, but not be limited to, the employee's application, references, copies of transcripts and/or diplomas, the date the employee began work, the employee's wage rate, etc. It may also contain information about

- Job performance
- Notices of personnel action
- Reports of any disciplinary action
- Wage increases, recognition and awards received
- Suggestions an employee may have submitted to management.

It is the responsibility of each employee to provide current information to keep the file up-to-date at all times. An employee may review his/her file, excluding any information the Executive Director deems confidential, which may include, but not be limited to reference checks and background information. The file review must be in the presence of a designated person from management. The employee must schedule an appointment in advance.

### **PERFORMANCE REVIEWS AND MERIT INCREASES**

Individual job performance is reviewed upon completion of the first ninety (90) days of employment. A supervisor may choose to also provide an initial six (6) month review. An annual review will be provided on the anniversary of the date of hire. Performance reviews are prepared by the immediate supervisor and provide information to the employee about his/her job performance. The employee is also required to complete a self-evaluation at the time of performance evaluation. These performance evaluations are reviewed with the employee and shall be signed by both the employee and supervisor.

The expectations, goals and objectives for each employee shall be stated as part of the evaluation and subsequent evaluations shall measure the outcome of the stated expectations, goals and objectives.

Depending upon performance, funding and budgetary limitations, an employee is eligible for a merit review and increase twelve (12) months from the date of hire and at twelve (12) month intervals thereafter. If, however, an employee receives a salary increase or adjustment as the result of promotion, demotion or reassignment prior to the annual merit review date, the effective date of the promotion, demotion or reassignment and any resulting salary adjustment shall become the new annual merit review date. Merit increases are on performance evaluation ratings and on required training hours documented for the evaluation period. All merit increases are subject to approval by the Executive Director and are subject to budgetary limitations.

Each employee is encouraged to contribute his/her own comments and suggestions during the review. Increases and promotions are based in part on La Vida's view of individual performance in such areas as:

- Quality of work
- Productivity
- Initiative
- Teamwork
- Job knowledge/skills
- Safety
- Cooperation and attitude with others
- Ability to follow policies and procedures
- Ability to follow chain of command
- Attendance and punctuality.

Thus, such important matters as salary increases and promotions to jobs of greater responsibility are not left to chance, but are based on a careful and objective evaluation of each employee's performance.

## **DISCIPLINARY ACTIONS**

Employment at La Vida is not for a fixed and definite period and may be terminated at any time with or without cause or notice. La Vida has procedures that represent the agency's general approach to disciplinary matters. They do not constitute a promise of progressive disciplinary procedures or a commitment to treat any given situation in a particular way, nor do they create a contractual obligation on the part of La Vida. These procedures are matters within La Vida's discretion and may be unilaterally modified or revoked at any time. The following procedures may be considered in disciplinary matters, may or may not be applied and if applied, one or more may be applied in any order:

- Oral warning and/or counseling
- Written warning and counseling
- A period of monitored performance
- Suspension without pay
- Demotion and/or reassignment
- Termination

## **TERMINATION FROM EMPLOYMENT**

Termination from employment may be the consequence of failure to respond to corrective discipline or due to employee misconduct, due to operational necessity, or any other reason deemed important by management.

Management may require additional time to investigate whether termination is warranted. In these situations, an employee may be suspended with pay while a prompt investigation is conducted.

The Executive Director or assigned Director/Manager will make the final termination from employment determination and will take into account the recommendation of the employee's immediate supervisor and Human Resources.

## **SECTION 9: GRIEVANCE PROCEDURES**

### **HANDLING COMPLAINTS AND EMPLOYEE GRIEVANCES**

Problems or misunderstandings arise occasionally in every organization. These may relate to work assignments, advancements, wages or any other work-related issue. No matter what the nature of a particular problem, if it is important to the employee, then it is important to management, and the employee should have a full opportunity for discussion and consideration. Failure to follow the proper grievance procedures shall not be tolerated. The following is La Vida's procedure to allow employees to bring problems and complaints to the agency for review and resolution:

Problems or misunderstandings arise occasionally in every organization. These may relate to work assignments, advancements, wages or any other work-related issue. No matter what the nature of a particular problem, if it is important to the employee, then it is important to management, and the employee should have a full opportunity to attempt to resolve their concern. Please be sure to follow the procedures below, to ensure the best outcomes for everyone. The following is La Vida's procedure for resolving employee problems and complaints:

- Step 1. Try to discuss and resolve your grievance with the other person involved.
- Step 2. Talk to your supervisor about the problem. Your supervisor will try to find win-win outcomes that resolve the problem, if possible. If your problem or concern is with your supervisor then skip Step 2 and proceed with the steps below.
- Step 3. If these steps haven't resolved the problem or concern, speak directly with someone in the Human Resources department about it, and work with this individual to try to find a win-win resolution, if possible. Please provide possible solutions. The Human Resources staff person, as part of an investigation, may gather information and work with others in the organization to attempt to find a resolution. In some cases, you may feel that it could cause problems to talk to HR staff in the first place; if this is so, proceed with the next steps.
- Step 4. If the prior steps haven't resolved the problem or concern, talk to the supervisor of the person about whom you have the problem or concern, if applicable. If this doesn't work or your supervisor and the supervisor of the person about whom you have a problem or concern are the same, then take your concern to the Executive Director, "ED". The ED will investigate the matter and will attempt to find a win-win solution for those involved.
- Step 5. If these steps don't work, or if your concern is regarding the ED, then you are encouraged to contact the President of the Board, and share your concerns with the Board President in writing. The Board President will consider your concerns.

The Board President will need to gather information about all sides of the issue so a full investigation can be completed. Work with the Board President so this investigation can be done effectively and efficiently. The Board President will take the results of the investigation to the Executive Committee, and they will discuss the best possible win-win resolution, if possible.

- Step 6. If the Executive Committee can't find a solution that resolves the issue, then you are encouraged to ask the Executive Committee, in writing, to take the issue to the entire Board. The decision of the Board will be final and binding.

La Vida will not permit any employment based retaliation against an employee who brings up an employee problem or who speaks as a witness in any investigation.

## **SEXUAL, RACE AND NATIONAL ORIGIN HARASSMENT**

It is a very serious violation of La Vida's policy to sexually harass any employee either verbally or physically, or to harass any employee regarding race, religion, national origin, age, sex, veteran status or disability or any other legally protected characteristics. This is an invasion of the employee's individual rights, and it is against the law.

Sexual harassment has been defined as (but is not necessarily limited to) verbal, written or physical conduct of a sexual nature and/or unwelcome sexual advances or requests for sexual favors when any of the following occur:

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

If an employee feels he/she is being sexually harassed, it is important that the employee report it to the Executive Director immediately upon its occurrence or as soon as possible thereafter. If an employee feels he/she is being sexually harassed by the Executive Director, it is important that the employee report it to the President of the Board of Directors immediately upon its occurrence or as soon as possible thereafter.

Harassment based on race, religion, national origin, ancestry, sexual orientation, spousal affiliation, gender identity, age, veteran status or disability or other legally protected characteristics is also strictly prohibited, and should be reported immediately to the employee's supervisor or the Executive Director immediately upon its occurrence or as soon as possible thereafter. If the employee feels such harassment is from the Executive Director, it should be reported immediately to the President of the Board of Directors or as soon as possible thereafter.

La Vida is genuinely concerned with ensuring a safe and comfortable atmosphere for its employees. Harassing another employee violates this philosophy and will not be tolerated.

It is the La Vida's policy to act quickly when advised of any sexual harassment or other harassment incident. Attempts will be made to keep reports confidential.

## **SECTION 10: GENERAL INFORMATION TO KEEP YOU INFORMED**

### **BULLETIN BOARDS/MAILBOXES**

La Vida has a bulletin board centrally located at each facility. Some employees will have assigned mailboxes. The bulletin board and mailboxes are official business communications centers to keep employees informed of important agency news.

The agency bulletin board and mailboxes are provided to keep employees up-to-date on La Vida's policies, safety rules and regulations, work rules, job postings and other items of general interest. Employees should check the bulletin board and their mailboxes often and read the information carefully. Employees should not place personal notices, solicitations, or any material that could be construed as offensive, in poor taste or expressing personal views or opinions on the bulletin board or in mailboxes.

La Vida provides suggestion boxes at each facility to give employees an opportunity to voice their opinion in a confidential manner. Suggestions are reviewed by the Quality Assurance Team each month and, if appropriate, recommendations are then made.

La Vida regards the work place as belonging to the agency and as such, employees should not expect a right to privacy in connection with assigned cubbies or La Vida's computers.

### **TELEPHONES/CELL PHONES**

Telephones/cell phones are to be used to conduct Agency business. La Vida requires that employees keep their personal phone calls to an absolute minimum during working hours. Long distance calls shall not be made except to conduct Agency business.

### **HANDBOOK MODIFICATION**

The policies in this manual shall continue in effect until modified as provided in the following paragraphs.

- \* Any policy which is declared by federal or state government to be illegal shall immediately become null and void. The voiding of any one policy for this reason in no way nullifies any other part of this manual.
- \* Periodic modifications by the Board of Directors will be required to adjust to changing conditions and regulations. Changes or additions will become effective when notice of changes is given by La Vida to the employee(s) covered.

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