

Welcome Employee!

On behalf of your colleagues, we welcome you to Cooperstown Medical Center (CMC) and wish you every success here.

We believe that each employee contributes directly to CMC's growth and success, and we hope you take pride in being a member of our team.

This handbook was developed to describe some of the expectations of our employees and to outline the policies, program, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with CMC.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, Welcome!

Cooperstown Medical Center

Employee Acknowledgment Form

I understand that the employee handbook describes important information about CMC and that I should consult my manager regarding any questions not answered in the handbook.

Since provisions of the handbook are subject to change, I further understand that revisions to the handbook may supersede or eliminate one or more of the existing policies.

My employment relationship with Cooperstown Medical Center (CMC) is voluntarily entered into and is subject to termination by myself or Cooperstown Medical Center at will, with or without cause, at any time either party believes such an action to be appropriate.

I acknowledge that this handbook is not a contract of employment.

I also understand that I may have access to this handbook during regular business hours while I am a CMC employee, and that it remains the property of CMC.

I have read and understand the entirety of this handbook. Some specific items I understand include:

- Risk Management and Safety
- Conduct and Discipline
- Confidentiality
- Sexual Harassment
- Drug and Alcohol Use

Employee Signature

Date

Employee Name (Printed)

PERSONNEL POLICIES

Cooperstown Medical Center

NATURE OF EMPLOYMENT

This handbook is intended to provide employees with a general understanding of our personnel policies. No employee handbook can anticipate every circumstance or question about policies. It is not an employment contract and is not intended to create contractual obligations of any kind. Neither the employee nor Cooperstown Medical Center (CMC) is bound to continue the employment relationship if either chooses, at its will, to end the relationship at any time.

As CMC continues to grow, the need may arise to change policies described in the handbook. The employer therefore reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time, as it deems appropriate, in its sole and absolute discretion, with or without notice to the employee. Changes to this manual will be posted on the Employee Bulletin Board, in the Employee Newsletter and on CMC website.

This personnel policy manual has been drafted as a guideline for employees. It shall not be construed to form a contract between CMC and its employees rather; it describes CMC general philosophy concerning policies and procedures. This document is not meant to alter the at-will relationship between the employee and CMC.

OVERVIEW

CMC strives to provide a working environment that is conducive to employee productivity and satisfaction. Personnel policies are necessary as guidelines for the actions, conduct, and compensation of staff members, as related to their employment. These policies shall be binding on all employees of CMC.

The final authority and responsibility for setting and implementing policy lies with the Board of Directors of Cooperstown Medical Center. Enforcement is delegated to the Administrative team of CMC. These policies shall remain in force until, and unless, changed by vote of the Board of Directors.

Cooperstown Medical Center does not discriminate in employment or treatment on the basis of race, color, age, creed, nationality, sex, religion, or disability.

ORGANIZATION DESCRIPTION

Cooperstown Medical Center was incorporated in December of 1946. A nine member Board of Directors governs CMC. Seven voting members are elected from the service area of CMC for three-year terms to a maximum of two consecutive terms. Two, non-voting board members represent the position of chief of medical staff, and administrator of CMC.

The original hospital opened for business in February of 1951. In 1998, the hospital was downsized and re-licensed as a ten-bed, acute-care hospital. On July 1, 2000, the hospital became designated as a Critical Access Hospital. In 1971, a 50-bed nursing home was built and attached to the hospital. The Nursing Home expanded its license to 58 beds in 1992. Of those 58 beds, a 12 bed special care, Alzheimer, dementia unit opened in January of 1998. In 1986, the Clinic was constructed and attached to the hospital. Park Place, a 12 unit assisted living complex was constructed and also attached to the Hospital in 1995. In 2006, CMC moved the Hospital upstairs and re-licensed as a 52 bed Nursing Home and an 18 bed Critical Access Hospital. Currently CMC operates a 48 bed Nursing Home and an 18 bed Critical Access Hospital.

Additional services include: respite care, swing bed care, hospice services, outpatient x-ray, outpatient chemotherapy, other diagnostics services, physical therapy, speech therapy, occupational therapy, cardiac rehab, emergency room, Diabetes Education, Respiratory Therapy, Sleep Studies, Nutritional Counseling, and community health screenings and education.

Cooperstown Medical Center is licensed by the State of North Dakota and is certified by Medicare and Medicaid programs. CMC is affiliated with the American Hospital Association, American Health Care Association, North Dakota Hospital Association, North Dakota Long-Term Care Association, Northern Region Healthcare Alliance, Emergency Heart Network, Maternal Child and Health Division, and Hospice of the Red River Valley.

EMPLOYEE RESPONSIBILITIES

CMC Mission:

"The Cooperstown Medical Center is dedicated to providing high quality healthcare services in a personalized, compassionate, and professional manner."

CMC Vision:

"The Cooperstown Medical Center will be the preferred health care provider for the people of this area. Patient care and satisfaction will be our highest priority. We will be responsive, innovative, and effective at meeting and exceeding the expectations of those we serve. The Cooperstown Medical Center is the choice employer for quality employees. Our team strives to be knowledgeable, flexible,

and accountable in our performance. We value those we serve, and treat our customers, and each other, with respect, empathy, courtesy, and compassion.”

Each employee of CMC will be held responsible to cooperate and comply with certain minimal standards approved by the Board of Directors, the ND State Department of Health and the Federal Government. Orientation at the time of employment will include introduction to written standards to which the employee shall refer during the course of employment. Amendment of written standards will be updated annually.

Risk Management

CMC adheres to established standards of practice, documentation, operation, and construction to maintain safety for its patients, residents, visitors, and staff, and to protect the financial integrity of CMC. Risk management involves all employees in preventing and reporting identified problems to the appropriate authority within the organization for action.

Quality Assurance

CMC has developed a Quality Assurance Plan to conduct on-going systematic and objective evaluation of the care and service provided to in-patients, out-patients, swing bed patients, nursing home residents, and clinic patients. Findings of such evaluation shall be used to correct existing or potential problems, which will improve the service provided to patients and residents. This evaluation of care and service will be done in every department and cover every phase of care.

Safety

A Safety Plan is in effect which includes action required for external and internal disasters, use and maintenance of equipment, and management of potentially harmful substances. A Safety Committee oversees compliance with the plan.

Employees are asked to report immediately any unsafe conditions or acts to their Supervisor. Not only Supervisors, but also employees at all levels of CMC are expected to correct unsafe conditions or act as promptly as possible.

All incidents must be reported immediately to the appropriate supervisor, regardless of how insignificant the injury may appear. Such reports are necessary to comply with laws and initiate insurance and workers' compensation procedures.

SECTION I

EMPLOYMENT

EQUAL EMPLOYMENT OPPORTUNITY

CMC is an equal employment opportunity employer and will not discriminate against any employee or applicant for employment in a manner that violates the law. Cooperstown Medical Center does not discriminate in employment or treatment on the basis of race, color, age, creed, nationality, sex, religion, or disability.

Disable and Veterans Affirmative Action requirements, as set forth for Federal Contractors, shall be adhered to by CMC. Affirmative action requirements regarding Vietnam era veterans are no longer effective.

IMMIGRATION LAW COMPLIANCE

CMC is committed to employing only United States citizens and aliens who are authorized to work in the United States and complies with the Immigration Reform and Control Act of 1986.

As a condition of employment, each new employee must properly complete, sign, and date the first section of the Immigration and Naturalization Service Form I-9 with CMC if their previous I-9 is more than three years old, or if their previous I-9 is no longer valid.

HIRING PRACTICES

Employment positions for the hospital, nursing home, assisted living, or clinic must be described by written position descriptions. The Administrator, as well as the supervising department manager, approves these positions and position descriptions.

The Department Manager responsible to fill an open position will schedule qualified applicants for interviews and will interview based on the following:

- a) Applicant's ability relative to Position description
- b) Work history of the applicant
- c) Previous position evaluation

Hiring an existing CMC employee:

Position openings for which there may be qualified applicants already employed by the facility will be posted on the Employee Bulletin Board for at least 5 days. A simultaneous outside search may occur. The notice regarding the opening shall have a closing date for acceptance of applications if possible.

Employees wishing to be considered for a posted position opening shall submit a CMC employee application to the Human Resource Department. (Employees are encouraged to seek new positions as the most available means of promotion within CMC.)

The Department Manager hiring a CMC employee for a new position shall cooperate with the employee's present supervisor for a smooth transition for both departments.

Benefits and pay for internal transfers:

The employee who continues employment with CMC, in another division or department, retains the accrual rate for vacation and sick leave (and any other benefits or recognition - disciplinary factors) in force at the time of the transfer.

The hourly rate of compensation for the new position will be established by the hiring department head based upon

- a. Salary plan/job rating/new job description
- b. Relevance of experience/education to the new position

HIRING OF RELATIVES

It is well accepted that employment of relatives in the same area of CMC can cause serious conflicts and problems with favoritism and employee morale.

It is CMC's policy that relatives of persons currently employed by CMC may be hired only if they will not be working directly for or supervising a relative, unless specifically approved by the Administrator.

If already employed, they cannot be transferred into such a reporting relationship. If the relative relationship is established after employment, the individuals concerned may recommend who is to be transferred. If that recommendation is not made within 30 days, management will decide.

In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment or terminated from employment.

For the purpose of this policy, a relative is defined to include spouses, parents, children, brothers, sisters, brothers- and sisters-in-laws, fathers- and mothers-in-laws, step-parents, step-siblings, and step-children. This policy also applies to individuals who are not legally related, but who reside with another employee.

OUTSIDE EMPLOYMENT

It is the policy of CMC that full-time and regular part-time employees disclose, in advance, circumstances or situations of outside employment to management. An employee may hold a position with another Association as long as he/she satisfactorily performs his/her job responsibilities with CMC. Employees should consider the impact that outside employment may have on their health and physical endurance. All employees will be judged by performance standards and will be subject to CMC scheduling demands, regardless of any existing outside work requirements.

If CMC determines that an employee's outside work interferes with performance or the ability to meet the requirements of CMC as they are modified from time to time, or is a potential liability to CMC, the employee may be asked to terminate the outside employment if he or she wishes to remain with CMC.

INTRODUCTORY PERIOD

New employees must complete an introductory period. The introductory period is provided to allow the employee the opportunity to become familiar in a new work environment, and to allow the employer opportunity to instruct the employee on work expectations. The length of the introductory period is typically three (3) months, and may be extended at the discretion of the employee's supervisor. During the introductory period, benefits will accrue as eligible, but may not be taken during the introductory period. Benefits are available to the employee only at the successful completion of the introductory period.

An introductory employee who fails to fulfill the requirements of the position will be terminated with proper documentation. Likewise, an introductory employee who finds the job to be unsatisfactory may terminate with 2 weeks notice. Personnel records will indicate that resignation or termination took place during the introductory period and will not necessarily result in poor references.

Supervisors are encouraged to give employees feedback as to their performance or when any problems occur during the introductory period. At the end of this period, a formal performance review and interview will be held between the new employee and the supervisor with documentation of this review filed in the personnel file.

Transfers within a department for a new position require no introductory period. Transfers to another department within the facility will have an introductory period of 30 worked days.

EMPLOYEE STATUS DEFINITION

Full-Time

Full-time employees are those employees who are regularly scheduled to work at least thirty-two (32) hours per week and who have successfully completed their introductory period.

Regular Part-Time

Part-time employees are those employees who are regularly scheduled to work less than thirty-two (32) hours per week, and who have successfully completed their introductory period.

Exempt/Salaried

Exempt employees are those full-time employees who serve CMC in a bona fide executive or administrative capacity as established in the Fair Labor Standards Act and who are designated as exempt employees, by signature. These employees are exempt from overtime requirements and receive no overtime pay.

Casual Employees

Casual employees are not regularly scheduled and do not receive benefits or accrue years of service. Casual employees will be terminated after six months of inactivity, unless otherwise communicated.

Employees wishing to change status need to give a 4 week written notice to their supervisor.

APPLICATION FOR EMPLOYMENT WITH CMC

CMC complies with all applicable federal and state employment requirements, including but not limited to non-discrimination, equal opportunity, and wage and hour laws.

Applications for employment must be submitted by the applicant on the prescribed CMC form to be filed in the Human Resource Office for a period of 1 year.

RE-EMPLOYMENT

If a former employee applies for re-employment within 6 months of resignation with a favorable work history, the employee may be reinstated and will begin the new term of employment as an extension of the previous employment without a adjustment of

anniversary date for calculation of years of service. If a former employee applies for re-employment past 6 months of resignation with a favorable work history, the employee may be hired and will begin employment as a new employee, with a new anniversary date, with the exception that the wages may be adjusted for experience if so allowed by the wage administration policy in effect at the time.

TUBERCULIN OR MANTOUX SCREENING & HEPATITIS B VACCINATION

Purpose: To detect the presence of the tuberculin bacilli in new and current employees and to recommend follow up treatments as necessary.

POLICY: Administered to all employees upon initiation of employment unless they have documentation of a previous positive reaction. A two-step testing procedure is required for all employees regardless of their age. Employees with a documented history of a positive tuberculin test will be exempt from further testing, unless they develop symptoms. A chest x-ray will be required for new employees with a history of positive results to be kept as a baseline. New employees must provide a copy of Mantoux testing records, and have the first step of the test administered and read prior to providing direct patient resident care.

Tuberculin skin testing for employees will be done per CDC recommendation. A one-step method will be used on annual tuberculin testing if the initial test was a two-step method. Routine or periodic chest x-rays are not recommended. Personnel with positive skin tests do not need repeat chest x-rays unless they develop symptoms related to tuberculosis. A nurse will be designated to do tuberculin skin testing on all employees. Any employee having new positive results of a tuberculin skin test will be referred to a physician for appropriate treatment.

All records of tuberculin skin testing will be kept in the employees Medical file.

All employees having direct client contact, will be given information regarding hepatitis B with their orientation forms and must sign and return a form indicating their decision to receive or refuse the vaccination.

The hepatitis B vaccination will be paid for by CMC. However, if an employee resigns or is terminated before the entire vaccination is completed (approximately 6 months), the employee will be financially responsible for the remaining vaccination, if they choose to finish the series.

PERSONNEL FILES

Access:

A personnel file and a separate confidential medical file will be maintained on each employee. Personnel files are the property of CMC and access to the information they contain is restricted. Generally, only officials and representatives of CMC who have a legitimate reason to review information in a file are allowed to do so. With reasonable advance notice, an employee may review material in his/her file but only in the HR office and in the presence of the Payroll clerk or HR manager. Copies can be made for a charge deemed appropriate by the business office.

References:

Any disclosure of its content other than as required by law or through exemptions stated in this policy, requires the written consent of the individual to whom the record pertains. A written consent form will be included in each employee's personnel file for each disclosure, giving the date, nature, and purpose of the disclosure and the name and address of the person to whom the disclosure is made.

Cooperstown Medical Center shall give reference on former employees only with written consent from the former employee to release the information. Verification of employment and the dates of such employment may be given without such authorization.

Personnel file:

Written record shall be maintained in each employee's personnel file of the following:

- 1) Date of hire
- 2) Status change
- 3) Pay change
- 4) Documentation of unexpected action, either above or below job requirements, and response
- 5) Termination date and reason
- 6) Other relevant information

The Employee Communication Form shall be completed by the department manager for all above-mentioned communication within 10 days of the action. The department manager, employee, and administrator shall sign the communication form or document refusal to do so. The Communication Form shall be made available to department managers by the Personnel Clerk with known information completed, along with the evaluation tool at the anniversary date of each employee to be returned with any necessary instructions. The purpose of the policy and the form is to create uniform documentation requirements and formats for all CMC employees.

It is the responsibility of each employee to report to the Payroll Office any change in personal information. Such information includes address, telephone number, marital status, number of dependents, tax status, etc.

IN-SERVICE EDUCATION

CMC provides for in-service education programs designed to improve the employees' ability to carry out his/her respective job functions. Employees are expected to attend the sessions which are relevant to their respective positions. Required in-services and meetings will be paid, with a minimum of 1/2 hour if an off duty employee is in attendance. If an employee is unable to attend a required meeting or in-service, it is the employees' responsibility to make arrangements with their Department Head to make it up. If not made up within a reasonable period of time, disciplinary action will be taken in accordance with established policy. Attendance will be kept at all in-services and meetings. The Education Coordinator maintains a "Personnel Education Record", which becomes a permanent part of the employee file.

EMPLOYEE ORIENTATION

A new or reassigned employee must successfully complete a period of orientation to the responsibilities, duties, and parameters of the position to which assigned, within a prescribed period of time. The purpose of orientation shall be to provide for standardized performance by CMC employees in a safe and approved manner.

Such orientation will be scheduled by the employee's supervisor as a structured assignment with demonstration, instruction, and supervision as appropriate to the position. Documentation of expectations and progress will be discussed with the employee during the orientation and will be placed in the employee's personnel file for permanent reference.

The orientation will include at least the following:

- 1) CMC-wide policy and practice,
- 2) Department/work area specific policy and practice,
- 3) Personnel/professional specific policy and practice.

CERTIFICATION AND LICENSURE

All personnel in positions, which require licensure or registration, are responsible to maintain current licensure and to provide verification of that licensure or certification to the facility. Copy of verification of licensure and certification will be filed with Human Resources. Unless authorized by the Administrator, payment of the fee to obtain or retain the license or registration shall be the responsibility of the employee. Verification of licensure or certification is the manager's responsibility. Some positions may require continued education to retain licensure.

RESIGNATION AND TERMINATION

Resignation is a voluntary act initiated by the employee to terminate employment with the facility. The employee is expected to give proper notice in writing to allow the employer to fill the position appropriately. All employees are required to give at least 4 weeks written notice prior to the last day worked. Improper notice may result in a no rehire status. Accrued PTO will be calculated and paid with the last worked hours. Vacation will not be approved after resignation or termination notice is given.

Since employment with CMC is based on mutual consent, both the employee and CMC have the right to terminate employment at will, with or without cause, at any time. Terminations are an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine.

Employees will receive their final paycheck in accordance with applicable state law. Employees final paycheck will be a manual check and can be picked up with HR, all keys, time card, and any other property owned or leased by CMC is to be turned in at this time. Any training costs, meals, and other misc. items that are outstanding will need to be paid for at this time.

Employee benefits will be affected by employment termination. All accrued, vested benefits that are due and payable at termination will be paid in the following pay period. Some benefits maybe continued at the employee's expense if the employee so chooses. The employee will be notified in writing of the benefits that may be continued and of the terms, conditions, and limitations of such continuance.

DISABILITY ACCOMMODATION

CMC is committed to complying with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for a qualified person with a disability. All employment practices and activities are conducted on a non-discriminatory basis.

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the essential functions of the position.

Reasonable accommodations are available to all disabled employees, if their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay, and other forms of compensation (or changes in compensation), equal job assignments, classification,

organizational structures, position descriptions, lines of progression and seniority lists. Leave of all types will be available to all employees on an equal basis.

CMC is also committed to not discriminating against any qualified employee or applicants because they are related to or associated with a person with a disability. CMC will follow any state or local law that provides individuals with disabilities greater protection than ADA. This policy is neither exhaustive nor exclusive. CMC is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state and local laws.

SECTION II

COMPENSATION AND EMPLOYEE BENEFITS

TIME KEEPING AND NAME TAGS

Accurately recording time worked is the responsibility of every employee. Federal and State laws require Cooperstown Medical Center to keep an accurate record of time worked in order to calculate employee pay and benefits. Cooperstown Medical Center maintains a time clock for this purpose. Time worked is all the time actually spent on the job performing assigned duties.

Employees should report to work and punch in no more than seven minutes prior to their scheduled starting time nor stay and punch out no more than seven minutes after their scheduled stop time without prior authorization from their supervisor. All employees will be required to punch out and in for meal breaks. If not done, a 30-minute break will automatically be deducted by the time clock system. A \$3.00 fee will be deducted from the employees' paycheck for every full day an employee fails to punch in. Time Badges must be kept in the employee's department or in the break room in the designated badge holder and should not be taken out of the facility.

An initial name tag is provided by the facility. The employee will need to pay for any additional name tags.

A Department Manager, Administrator, or Supervisor must approve overtime work before the overtime is performed.

Tampering, altering, or falsifying a time record, or recording time on another employees time record may result in disciplinary action, including immediate discharge.

BREAKS

Meal breaks are required during each 8-hour work shift. Unless there is a reason the employee may reasonably expect to be disturbed for necessary patient-related duties during the meal break, this 1/2 hour meal break will be an unpaid period of time during the course of the work day. For employees who are unable, due to the patient workload, to take an uninterrupted meal break on any given day, or as a matter of course because of the nature of the position, that Department Head must approve the payment of the mealtime. Employees who are unpaid during the meal break may be allowed to leave the building with the approval of the Department Head, and may be away from the workstation no more than the scheduled 30 minutes. It is the

responsibility of the Department Head to assure that meal breaks are scheduled in such a way as to assure that necessary patient-related duties are performed as required.

Each employee is allowed one 15-minute break for each four hours worked. Breaks shall be taken as scheduled by the supervisor of the shift, preferably away from the workstation. Breaks may not be taken at the beginning or the end of the shift, nor may they be combined to make a 30-minute break or combined with the meal break to make a 1-hour break in the course of the day.

CAFETERIA POLICY

Meals may be purchased by guests or other non-employees at a rate published and posted in the Hospital Nurses Station and in Nutrition Services. Trays must be ordered in advance and will be delivered to the appropriate location.

Employees of CMC may purchase tickets from the Business Office or sign up for payroll deductions for meals and for designated beverages and foods as posted in the staff break room.

Items stored in the break room refrigerator must be labeled with a name and date to avoid having it discarded.

WORK SCHEDULE AND PAY

The workweek begins Sunday with the first shift after midnight and ends the following Saturday with the last shift before midnight. The basic workweek is forty (40) hours. Overtime hours required to be worked will be paid at the rate of one-and-one-half times the employee's regular hourly rate of pay as calculated according to the law. Overtime hours must be approved by the employee's supervisor.

Each Department specifies the hours required to be covered by employees holding particular positions. The hours are established to ensure that safe and adequate care is provided for patients, and that the work to be done is distributed fairly among the positions. Employees are expected to be ready to work at the time the shift begins, and are expected to work through the end of the shift.

Work schedules for employees vary throughout the facility. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week.

All employees are paid every two weeks on Friday. Each paycheck will include earnings for all work performed through the end of the previous payroll period. Checks are in the Payroll Office after 7 am. A signature is needed to release the check. Paychecks will

be released to no one but the employee without the written authorization from the employee, provided in advance of payday. Direct Deposits are encouraged!

Deductions From Pay:

The following deductions will be made from paychecks

1. Social Security taxes (FICA) (and Medicare Taxes) as required by law.
2. Federal withholding tax at a rate determined by the employee based on the number of exemptions claimed or the dollar amount agreed to.
3. North Dakota State Income Tax as required by law.
4. Voluntary deductions and other deductions from pay will be made only by prior authorization from the employee. Such deductions include health insurance, vision insurance, dental insurance, 401k, Flex, AFLAC, payment to CMC hospital, nursing home, or clinic bills, savings plans, United Way, etc.
5. Outstanding meal costs, training costs, etc will be deducted from final paycheck.

SHIFT DIFFERENTIAL

An hourly differential is paid for working the evening and night shifts on a department basis.

ADMINISTRATIVE PAY CORRECTIONS

CMC takes all reasonable steps to assure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of CMC payroll clerk so that the correction can be made.

Once errors are identified, they will be corrected in the next regular paycheck. If the error is an overpayment in which a substantial amount is owed to CMC and would be burdensome for the employee to repay in one check, a repayment schedule will be arranged.

EMPLOYEE ASSISTANCE PROGRAM

Services are available through the Employee Assistance Program (EAP) when problems that affect job performance are encountered relating to physical illness, mental or emotional illness, marital or family relations, alcoholism, or drug abuse.

No employee will have job security or promotional opportunities jeopardized for requesting counseling or referral assistance. When necessary, PTO and/or Extended Sick Time (EST) may be granted for rehabilitation or treatment. Assistance is also available in situations involving an employee's spouse or other dependents. CMC reserves the right to make a formal referral to the EAP to ensure employee attends the EAP session.

EMPLOYMENT BENEFITS

Benefit eligibility is dependent upon a variety of factors, including employee status. Casual employees and employees in the introductory period are not eligible for these benefits, unless otherwise specified by administration. Your supervisor can identify the programs for which you are eligible.

A. CMC Provided Benefits

1. Paid Time Off (PTO)

PTO hours accrue into each employees' account according to hours worked and schedule of accrual rates. PTO combines traditional vacation, holiday, and a portion of sick time in to one flexible account. PTO must be requested using appropriate forms. Requests, if possible, are to be made two weeks in advance and for regularly scheduled hours only, unless otherwise specified by department policy. Exceptions may apply for unexpected sick leave or emergencies.

Once PTO has been requested and granted, the employee is eligible to be paid the PTO time, even if the employee is called in to work on that day or the employee has already worked 40 hours in the week. A minimum of 2 hours of PTO can be requested off.

PTO usage must be strictly limited to time off which will not jeopardize staffing requirements. Previously approved PTO may be recalled in emergency situations.

If an employee requests PTO time and is denied due to CRITICAL* staffing shortages, the employee may request to be paid for the time off in addition to hours worked. This benefit will only be an option if an equal amount of requested time off cannot be offered within 2 months of the original request. This benefit is limited to 40 hours every two calendar years. Employees requesting this benefit must complete the "Denied PTO Request" form. All requests are subject to Supervisor and Administrative approval.

* **CRITICAL Staffing:** Will be defined by each department. PTO requests denied due to numerous vacation requests is not considered critical staffing.

UNPAID Time off: Requests for time away from scheduled duties are intended to be covered under PTO. Time off may not always be granted as unpaid if a balance remains in employee's PTO account.

Holidays will be scheduled on a rotating basis. Employees who work a holiday have the option to request their PTO to be paid out that day or request in advance another day off from PTO. Hours requested from PTO account may not exceed regularly scheduled hours.

Employees who are not scheduled to work on a holiday may request pay from PTO. Hours requested may not exceed the number of hours regularly scheduled.

CMC recognizes the following 7 holidays already worked into your PTO Accrual:

- New Years Day (January 1)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Thanksgiving (fourth Thursday in November)
- Christmas Eve (December 24) or Christmas Day (December 25)
- Easter Sunday or Personal Day

Calculation of the holiday shall begin at 11pm on the night before the actual holiday and end at 11pm on the night of the holiday with the exception of Christmas, which shall commence at 3pm on Christmas Eve and end at 3pm on Christmas Day.

CMC will provide a free Thanksgiving dinner, Christmas Eve supper, or Christmas Day dinner to employees required to work during those mealtime hours.

Employees will be allowed the opportunity to sell back un-used PTO hours at \$.50 on the \$1.00 one time each year. PTO cash-out forms will be available in the Business Office. Forms must be turned in to payroll and will be paid out in the following paycheck. Please remember that this income is taxable and appropriate deductions will be taken. PTO balances may be reduced to a minimum of 40 hours at this time.

Employees have the option to donate their PTO hours to other employees who have exhausted PTO and EST balance due to a significant medical or catastrophic event. PTO donation forms are available in the HR Office.

Persons available to receive PTO donations will be listed in the newsletter and HR Office.

Employees who terminate employment will receive their PTO balance (Extended Sick Time (EST) excluded). See Employment Termination section of this manual for more details.

Schedule of accrual rate per hour worked, Estimated PTO Days Received/Year (Based on 40 hr work week), and Maximum Accrual of Unused PTO

Employment <u>Year</u>	Accrual Rate/ <u>hr worked</u>	Estimated days <u>per year</u>	Accrual limit <u>on unused PTO</u>
1	.0731	19 days	160 hours/20 days
2	.0731	19 days	240 hours/30 days
3	.0731	19 days	280 hours/35 days
4	.0862	22 days	280 hours/35 days
5	.0862	22 days	288 hours/36 days
6	.0862	22 days	288 hours/36 days
7	.0992	25 days	288 hours/36 days
8	.0992	25 days	288 hours/36 days
9	.0992	25 days	288 hours/36 days
10	.0992	25 days	368 hours/46 days
11	.1076	28 days	368 hours/46 days
12	.1076	28 days	368 hours/46 days
13	.1076	28 days	368 hours/46 days
14	.1076	28 days	368 hours/46 days
15	.1176	30 days	368 hours/46 days
16	.1226	31 days	368 hours/46 days
17	.1276	33 days	368 hours/46 days
18	.1326	34 days	368 hours/46 days
19	.1376	35 days	368 hours/46 days
20	.1426	37 days	368 hours/46 days

Extended Sick Time (EST)

EST accrues into each employee’s account according to hours worked and schedule of accrual rates. EST may be utilized for an employees’ illness and/or non-work related injuries that involves being off work for an extended period of time. EST is available after 3 days of PTO have been used or on the 4th day of missed work due to an illness or on the 1st day of hospitalization or surgery (out-patient included). Treatment in the Emergency Room or clinic would not apply. Special circumstances may warrant the availability of EST without meeting the above criteria, with manager/administrative approval. Department managers may require a note from a Healthcare Provider to justify use of EST Leave.

With approval of the Manager and Human Resources, an employee may use extended illness account following a significant medical event of an immediate family member (spouse or child). Three days PTO must be used first and then up to 50% of the employees extended illness account may be utilized.

EST hours accrue at the rate of .02695 per hour, worked up to a maximum of 30 workdays. EST time accrues on productive time only, not while using PTO or EST. Extended Sick Time (EST) is not paid out and is essentially an insurance policy that can be used in the above mentioned events.

B. Optional Benefits

These require contribution from the employee.

1. Health Insurance

A health insurance plan is available to qualified individuals who have successfully completed their introductory period. The Facility will pay a portion of the monthly premium. The remainder of the premium is deducted, pre-tax, from the employee's bi-weekly paycheck. If an employee is on approved leave, he/she must make arrangements for the transfer or continuation of the health insurance coverage through the Payroll Clerk.

CMC will provide a \$10,000 Group Life Insurance Policy at the expense of the facility for each employee who is regularly scheduled to work 32 or more hours weekly. The employee must apply for the policy and must keep the information on file current. In the event of termination of employment, the employee may continue the policy at his/her own expense with proper advance notice of such termination. The Health Insurance SPD can be found online at www.coopermc.com or in HR.

Health Benefit Continuation (COBRA)

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under CMC's health plan when a "qualified event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, death of an employee, a reduction in an employee's hours, a leave of absence; an employee's divorce or legal separation, and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at CMC's group rates plus an administration fee. COBRA provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under CMC health insurance plan. This notice contains important information about an employee's rights, obligations, and payment information.

2. 401K

Employees are eligible to participate in the plan after attaining age 21, completing 1 year of service and completing 1,000 hours of service during the year. Employees are eligible to enter the plan on January 1 or July 1.

Salary reduction contributions (the amount withheld from participants paychecks) may range from 1 – 15% annually. The amount that is deferred in to the plan is not considered current compensation and not subject to Federal or State Income Tax until withdrawn from the plan. You can increase or decrease you salary reduction contributions as of the first day of the quarter. You may stop your salary reduction contributions as of the first day of any month. If stopped, you must wait until the start of the quarter to begin your salary reduction contributions again. See summary plan description for more details.

3. Dental Insurance

See Human Resources for Details.

4. Voluntary Life Insurance

See Human Resources for Details.

5. Vision Insurance

See Human Resources for Details.

6. Flex Plan

CMC will participate in a flexible benefit compensation plan with qualifying employees of CMC. Qualifying conditions are

- a. Full time employment OR
- b. Part time employment of at least 16 hours per week

Eligible/qualifying employees will be accepted into the plan upon application at the first opportunity after hire during the first year of employment. Subsequent to the first year of employment, participation in the Plan is limited to sign-up at the beginning of the Plan Year annually. Individual changes to the flexible benefit plan conditions may be changed only as outlined in the plan and at the beginning of the Plan Year annually, which is January 1st.

Medical Reimbursement Account

*Medical expenses including physician and dental visits; prescription medications; physician-ordered appliances such as eyeglasses, prostheses, etc; (a 'menu' is available from the Payroll Clerk).

Dependent Care Reimbursement Account

*Qualified care for children or adult dependents of the employee.

Premium Conversion Accounts

7. Supplemental Insurance products may include:

*Accident-Disability Insurance

*Cancer insurance

*Sickness Benefits

*Extended Protection Rider

*Intensive Care

*Hospital Income Protection

C. Required Employee Programs

1) Unemployment Insurance

CMC complies with current laws for contributions for unemployment compensation for former employees or for employees who are temporarily prevented from working because of a lack of work or action by the employer that requires the employee to remain away from the job.

2.) Work Force Safety and Insurance

Employees are covered for accidents that may occur while carrying out their job functions. CMC contributes to North Dakota Work Force Safety and Insurance, as required by law, in direct relationship to claims made because of injuries to employees of CMC.

All accidents must be reported immediately to the employee's supervisor/superior and an incident report must be completed. Employees receiving Workmen's Compensation benefits are not eligible to accrue benefits from CMC while drawing benefits from the WC Fund. PTO can be used to make-up a wage loss difference. EST can not be used while on Workers' Compensation leave.

3.) Social Security

CMC contributes to each employee's Social Security (FICA) account equal to the payroll deduction for the employee.

4.) Medicare Taxes

CMC contributes to each employee's Medicare Tax account equal to the payroll deduction for the employee.

EMPLOYEE EVALUATION

Each employee will be evaluated by his/her immediate supervisor on at least the following schedule:

- * Completion of the introductory period.
- * Periodically (annually recommended)

The evaluation shall be used to document strengths and weaknesses of the employee, the employee's personal goals and the supervisor's goals for the employee. This evaluation is to be signed by the employee and the evaluator, dated, and placed in the personnel file of the employee. If the employee fails to sign the evaluation 6 months after notification the evaluation will go into the personnel file unsigned.

EMPLOYEE RECOGNITION

LENGTH OF SERVICE

Employees of CMC who have fulfilled certain minimum employment conditions will be eligible for recognition of years of service at pre-established intervals:

Two years, Five years, Ten years, Fifteen years, Twenty years, Twenty-five years, and in five year increments above 25 years.

An annual ceremony will be conducted each year to honor employees eligible for awards.

SECTION III

CONDUCT AND DISCIPLINE

Employees are expected to be courteous at all times and are expected to perform their duties in a professional manner and to display exemplary conduct.

Employees must exercise care in the use of CMC property. Unauthorized removal of any equipment shall not be allowed and could be considered just cause for immediate discharge.

Disciplinary Action

Cooperstown Medical Center strives to provide fair and equitable policies and procedures to assure an effective, efficient working environment in which to provide patient/resident services.

The primary responsibility for communicating and administering policies and procedures lies with the supervisor, who is expected not only to know and understand the rules and policies and the reasons for their existence, but also the need for developing and conducting orientation and re-orientation for employees.

All employees must be informed of the existence of policies and rules which are pertinent to their respective areas of responsibility by their immediate supervisor at the time of hire and periodically throughout their term of employment. Policies must be administered consistently and uniformly for all employees. In the event that an employee does not adhere to established CMC policies and procedures, the manner of discipline, when necessary, shall be of a positive nature to the extent reasonable. Positive discipline provides a method for bringing problems to an employee's attention in a way that does not undermine the employee's self-respect, but rather reinforces the employee's ability to work toward self-resolution of the problem. The ultimate objective for applying positive discipline is to correct any employee performance problems through re-education in the interest of retaining the employee within the organization at increased productivity.

Steps when applying positive discipline can include, depending on the severity, the following:

1. Oral reminder. When an employee commits an infraction of a policy or procedure, the immediate supervisor must promptly arrange to meet privately with the employee to discuss the problem in a serious but helpful manner. The employee is made fully aware of the change in performance that is necessary. The Supervisor must encourage the employee's explanation of the events leading to the rule infraction. After the employee confirms her/his understanding of

future performance expectations, the Supervisor expresses confidence in the employee's ability to conform to policy requirements. The employee is informed that this conversation will be documented and entered into their personnel file permanently.

2. **Written reminder.** If a second related infraction occurs, the procedures outlined in step 1 above will again apply. The employee shall be informed that the documentation summarizing this conversation and the events leading up to it shall be in the form of a memo prepared by the Supervisor and distributed to the employee and the Administrator. The Supervisor's summary memo shall invite the employee's written response for inclusion in the personnel file. The employee is expected to sign and date this memo to acknowledge receipt and discussion of same.
3. **Decision-making leave (suspension).** If the employee demonstrates a repeated inability or unwillingness to follow prescribed work rules, the procedures outlined in step 1 shall again apply. Due to the seriousness of the situation, the Supervisor must now instruct the employee to decide whether or not she/he is able and willing to continue working at CMC and comply with prescribed work rules. The employee must leave the work place for a period of time not to exceed three (3) regular scheduled shifts to make that decision. The employee is instructed to report her/his decision to the Supervisor at the start of the next scheduled shift. After reporting the decision, the Supervisor prepares a summary memo for the personnel file.
4. **Termination.** If the employee decides to continue working for the CMC and another infraction occurs, the employee will be terminated.

In most cases, the steps of positive discipline are to be followed in order. If, in the Supervisor's judgment, circumstances warrant repeating steps, this can be done. Similarly, a very serious offense by an employee can result in the Supervisor skipping a step or, in unusual circumstances, imposing immediate termination of the employee. In either case, the Administrator must be consulted prior to taking action. Depending on the severity, all discipline can lead up to and include termination.

The severity of certain actions may result in immediate dismissal of employees. Items can include, but not limited to:

- * Breaking Patient Confidentiality
- * Insubordination
- * Physical or verbal abuse of a resident
- * Fighting
- * Theft of anyone else's property
- * Restricting the work of others intentionally
- * Conduct resulting in injury to others

- * Willful violation of or failure to comply with any rule, policy, procedure, regulation, or practice of CMC.
- * Falsification, fraud, or omission of information on employment application or other record.
- * Unauthorized possession, use, copying, or reading of CMC records, or disclosure of confidential information to unauthorized persons.
- * Negligent or deliberate destruction or misuse of CMC property.
- * Conviction of a felony or misdemeanor charged by a court of proper jurisdiction.
- * Failure, inability, or refusal to complete required training programs that are part of the job assignment.
- * Furnishing intoxicating liquor or narcotic drugs to patients without prescription or allowing visitors to bring them in.
- * Being under the influence of or in unauthorized possession of alcohol, narcotics, or other drugs while on duty.
- * Failure to obtain and maintain a current license, registration, or certificate required by law or by CMC standards as a condition of employment.
- * Immoral or indecent conduct of any nature.
- * Use of profanity in front of a patient or resident.
- * Becoming involved in any form of work interruption, work slow down, or work stoppage.
- * Unauthorized absence from work.

CONFIDENTIALITY

Information gained in the process of performing work with in CMC regarding patients, residents, healthcare providers, employees, and others shall be considered confidential information. Discussion of this type of information with other employees for non-job-related purposes or discussion of this information outside the institution is forbidden. Expression of personal opinions to patients or residents regarding their condition or treatment is forbidden. Unauthorized release of confidential information can be grounds for termination.

The Administrator, Healthcare Providers, Director of Nursing, and authorized Nursing personnel are the only persons authorized to release information concerning a patient or resident's condition to a family member or friend. No employee shall give any information to any news media or outside entity regarding the status, diagnosis, or condition of any patient or resident unless duly authorized by the Administrator and with the Healthcare Providers approval.

CONFLICTS OF INTEREST

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which CMC wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation.

Transactions with outside firms must be conducted within a framework established and controlled by the executive level of CMC. Business dealings with outside firms should not result in unusual gains for those firms. Unusual gain refers to bribes, product bonuses, special fringe benefits, unusual price breaks, and other windfalls designed to ultimately benefit the employer, the employee, or both. Promotional plans that could be interpreted to involve unusual gain require specific executive-level approval.

No "presumption of guilt" is created by the mere existence of a relationship with outside firms. However, if an employee has any influence on transactions involving purchases, contracts, or leases, it is imperative that he or she discloses to an officer of CMC as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties.

An actual or potential conflict of interest occurs when an employee is in a position to influence a decision that may result in a personal gain for that employee or for a relative as a result of this CMC's business dealings. For the purpose of this policy, a relative is any person who is related by blood, marriage, or whose relationship with the employee is similar is characterized as that of a "significant other".

Personal gain may result not only in cases where an employee or relative has a significant ownership in a firm with which this CMC does business but also when an employee or relative receives any kickback, bribe, substantial gift, or special consideration as a result of any transaction or business dealings involving CMC.

The materials, products, designs, plans, ideas, and data of this CMC are the property of CMC and should never be given to an outside firm or individual except through normal channels and with appropriate authorization. Any improper transfer of material or disclosure of information, even though it is not apparent that an employee has personally gained by such action, constitutes unacceptable conduct. Any employee who participates in such a practice will be subject to disciplinary action, up to and including possible discharge and legal action.

PERSONAL USE OF PHONE, FAX, AND MAIL SYSTEMS

Outgoing personal calls and faxes shall be kept to a minimum on facility telephones and fax machines. Personal cell phone usage in the facility should also be kept to a

minimum, and used only during break periods. Friends and relatives should be discouraged from calling during working hours, except in a true emergency. Personal long-distance telephone calls and faxes made by employees may not be billed to the facility.

Employer-paid postage for personal correspondence is not permitted.

COMPUTER AND E-MAIL USAGE

Computers, computer files, internet access, the e-mail system and software furnished to employees are CMC's property intended for business use. Employee should not use a password, access a file or retrieve any stored communication without authorization.

CMC strives to maintain a workplace free of harassment and sensitive to diversity of its employees. Therefore, CMC prohibits the use of computers and the e-mail system in ways that are disruptive, offensive to others or harmful to morale. For example, the display or transmission of sexually explicit images, messages and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off colored jokes or anything that may be construed as harassment or showing disrespect for others.

CMC purchased and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, CMC does not have the right to reproduce such software for use on more than one computer.

Employees may only use software on local area networks or on multiple machines according to the software license agreement. CMC prohibits the illegal duplication of software and its related documentation.

Patient Health Information is not to be stored or transferred without proper authorization.

USE OF EQUIPMENT AND VEHICLE

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and

the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, can result in disciplinary action, including discharge. All violations of traffic laws and fines levied as a result are the exclusive responsibility of the employee.

CMC maintains the right to check driving record status of employees, using company vehicles, annually with the North Dakota Department of Motor Vehicles. This is done primarily for verifying insurance eligibility.

See mailroom bulletin board for more details.

VISITORS IN THE WORKPLACE

For the safety and security of employees and the facilities at CMC, visitors should be limited in the workplace. Restricting unauthorized visitors help maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare and avoids potential distractions and disturbances.

All visitors should enter CMC at the main entrances. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on CMC premises, employees should immediately notify their supervisor.

Employees who bring their children into the workplace must gain prior permission from their supervisor to do so and ensure that their child is behaving appropriately.

DRESS CODE

Professional appearance is expected of all employees. Managers are responsible for personal appearance of employees in their respective departments. Dress Code policy shall be casual, yet professional. Any violations of the dress code will be reviewed with the employee. Continued violations will result in disciplinary action as outlined in this manual.

CMC employees are expected to adhere to their departments established dress code.

The following are general dress code rules:

- All personnel wear facility nametags. The facility pays for the initial nametag.
- Fingernails should be kept clean and trimmed short to help prevent patient injury and to decrease transmission of germs from under the nails.
- Beards and mustaches must be short, neat, and trim.
- No sweatpants or wind pants.
- Any shorts or dresses worn must be no shorter than 2 inches above the knee.
- There may be times when your clothes become soiled while on duty. At these times, report to the charge nurse to obtain clean scrubs. It is the employee's responsibility to return the borrowed scrubs, freshly laundered, the next day.
- Jewelry should be kept to a minimum.
- Strong scents such as perfumes or cologne should be minimal, especially in resident care areas.
- Attire must be kept neat and clean.
- Any employees working in offices the greater part of the day may wear street clothes. Clothing needs to present a professional appearance.
- Friday, or on designated casual days, the employee may wear blue jeans. Dress for special occasions as appropriate.

SECTION IV

Leaves of Absences

AUTHORIZED LEAVE OF ABSENCE

An authorized leave of absence may be granted, without pay, upon the recommendation of the employee's supervisor and the approval of the administrator.

A request for an authorized leave of absence must be made in writing to the employee's supervisor using the approved format. The reason for the request, the employee's length of service, including performance, absences, tardiness, etc., will be taken into account when considering approval of the request.

An employee on voluntary leave does not accumulate credit toward employee benefits. Accrual of benefits resumes after an employee returns to work from an authorized leave. Accrued vacation time must be used before an authorized leave commences. Re-assignment of the returning employee shall depend upon whether a suitable vacancy exists.

FAMILY MEDICAL LEAVE ACT (FMLA)

When an employee's medical condition demands that she/he be away from work for an extended period of time, a medical leave of absence may be granted as requested. The length of FMLA needed is to be determined by the employees' physician, and will be approved or denied by the employee's supervisor and the administrator. Examples of medical conditions, which may require FMLA, include surgery, cancer, heart attack, and childbirth. After the maximum 12 weeks have expired, the employee may be changed to casual status and benefits will need to be continued through Cobra. When the attending physician and the employee believe that the employee is able to safely and efficiently resume her/his work as scheduled, the physician shall submit a written statement to the employer.

FMLA Leave of up to 12 weeks may be granted. Should the attending physician determine that a longer leave is required, the employee must submit a written statement from the physician. Until the date when the employee is able to return to work, she/he will be guaranteed the same job or a similar job upon return to the extent of ability to perform that job. If the employee chooses not to return to work at this time, even though physically able, there shall be no guarantee that the employee will be employed by the facility.

BEREAVEMENT LEAVE

Full-time employees shall be granted up to three (3) scheduled working calendar days off without loss of pay for a death in his/her immediate family. Immediate family shall include spouse, son, daughter, father, mother, grandfather, grandmother, brother, sister, grandchild, legal guardian, and those bearing the same relationship to the employee's spouse, and one paid day leave for other family members not listed above. Regular part-time employees may be granted one day of bereavement leave with pay for the day of the funeral, provided the employee was scheduled to work that day. Additional bereavement leave may be granted without pay. The employee is responsible to notify the employer of anticipated days of absence as soon as known. For special circumstances please contact the Human Resource Department.

JURY DUTY

Any CMC employee who is subpoenaed for jury duty shall be encouraged to fulfill that civic duty unless there is substantial evidence that hardship will be imposed upon the facility by the absence of the employee during jury service.

CMC will assure that the employee does not lose pay for jury duty on regularly scheduled hours provided the following steps are taken:

- The employee notifies the scheduling supervisor of the subpoena for jury duty, in writing, within 48 hours of receipt of such notice, including dates and place.
- The Supervisor is given adequate time to either replace the scheduled hours of the employee or to require the employee to work if there is no suitable replacement. The Supervisor will notify the employee if there is no suitable replacement for the employee in which case the employee shall present to the court in writing a request to be excused from jury duty. A copy of such written request shall be presented to the Supervisor for inclusion in the employee's personnel file.
- The Supervisor is responsible to contact the court if there is no suitable replacement for the employee and the employee is not excused by the court. Such contact shall cite notice of hardship and/or hazard to patient safety if the employee is absent from work.
- The employee who serves on the jury presents authorized vouchers from the court for pay received for the days of obligation. This voucher must be presented within 1 week of receipt of same.

When the above procedure is followed in its entirety, CMC will then reimburse the employee up to the regular hourly/daily wage for scheduled days lost to jury duty.

SECTION V

MISCELLANEOUS

INJURY/INCIDENT REPORT

For injuries/incidents involving employees, contract personnel, and/or vocational students, an Employee Injury/Incident Report Form must be completed and turned into the Risk Manager within 24 hours.

SEXUAL AND OTHER FORMS OF HARASSMENT

CMC is committed to providing a work environment that is free of discrimination. Actions, words, jokes or comments based on an individual's sex, race, ethnicity, age, religion, or any other legally protected characteristic will not be tolerated.

Sexual harassment is the unwarranted and unwanted action of an individual against another individual involving sexual overtones. CMC will not tolerate verbal or physical conduct by an employee that harasses, disrupts or interferes with another's work performance or which creates an intimidating, offensive or hostile work environment. CMC is opposed, but not limited to:

- Sexual flirtations, touching, advances, etc.
- Verbal abuse of a sexual nature
- Graphic or suggestive comments about an individual's dress or body
- Sexually degrading words to describe an individual
- The display in the work place of sexually suggestive objects or pictures, including nude photographs.

It is important to note that sexually harassing conduct also includes:

- Explicitly or implicitly making submission to the conduct, a term or condition of an individual's employment.
- Using submission or rejection of the conduct as a basis for employment decisions.
- The conduct substantially interferes with the individual's work performance or creates an intimidating, hostile or offensive work environment.

Any employee who believes that the actions or words of any employee, fellow employee, patient, resident or visitor constitutes unwelcome harassment, has a responsibility to report this behavior preferably in writing, as soon as possible to the administrator, social worker, charge nurse, Supervisor, or their designee. Should any employee feel that he/she has been sexually harassed by the Administrator, the complaint must be promptly reported to the Chairman of the Board of Directors.

All complaints of harassment will be investigated promptly in a confidential manner. In all cases, the employee will be advised of the investigations conclusions.

If the employee is not satisfied with the outcome of the procedure, he/she should bring the complaint to the attention of the Administrator. If the Administrator conducted the initial investigation and the employee is dissatisfied, the matter may be addressed with the Board of Directors. Such complaints will be investigated thoroughly.

Any employee who is found, after appropriate investigation, to have engaged in harassment of another employee, will be subject to appropriate disciplinary action and may be subject to immediate discharge.

WORKSHOP ATTENDANCE & TRAVEL

An employee shall be granted pay for workshops and meetings held outside the facility related to his/her job function at the facility, only upon completion of a Workshop Request form and approval from the Department Head. Fees, lodging, mileage, and board may be reimbursed by the facility at prescribed rates. Receipts shall accompany any request for reimbursement. Employees may be paid their normal hourly rate for attendance at workshops and meetings, up to a maximum of eight (8) hours per day. Reimbursements for meals are not included in a one day Workshop.

Areas of Reimbursement are:

- * Automobile mileage. Authorized rate per mile for actual miles traveled when using personal vehicle.
- * Lodging. Actual cost. Economy rates and room sharing are encouraged.
- * Meals. Receipts must support expenses for meals, which should reflect middle of the menu prices.
- * Fares. Actual cost, supported by receipts.

All supportive documentation must be filed with HR office, attached to the expense voucher, prior to the end of the pay period for the employee to receive reimbursement with proper authorizing signature. Forms are available in the HR Office.

LOW CENSUS DAYS

At times, through no fault of the employee or of the employer, the patient census falls to the point where a fewer-than-normal number of staff are needed to provide care and to perform other services. The facility reserves the right, at the discretion of the Administrator and/or the Department Head, to require that hourly employees take a Low Census Day. This may mean the employee will be asked not to come to work or that the employee will work less than the scheduled shift because of a lack of work. Every effort will be made to give the employee as much notice as possible before

making this scheduling change. Every effort will be made to evenly distribute this loss of work between employees holding similar positions. All benefits will accrue according to actual hours worked. PTO hours may be used upon request.

SOLICITATION

Solicitation may be permitted upon completion of a solicitation request form found in the business office, during business hours, and upon administrator approval.

BULLETIN BOARDS

In order to keep informed of CMC policies, personnel practices, and other information pertaining to employment, each employee is expected to be familiar with the data posted on the Central Bulletin Board in the Employee Break Room and with individual department bulletin boards.

NO LATEX

Cooperstown Medical Center has made a commitment to be a latex safe environment. As a result, no supplies will contain latex and no latex balloons will be allowed into the facility.

SMOKING REGULATIONS

Smoking is allowed in designated areas only during employee break periods. It is the responsibility of each employee of CMC to follow and enforce this policy. Violations shall be reported in writing to the Risk Manager.

SECURITY AND INSPECTIONS

CMC wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, explosives or other improper materials. To this end, CMC prohibits the control, possession, transfer, sale, or use of such materials on its premises. CMC requires the cooperation of all employees in administering this policy.

Desks, lockers, and other storage devices may be provided for the convenience of employees, but remain the sole property of CMC. Accordingly, an agent or representative of CMC can inspect any articles found within them at any time, either with or without prior notice. At no time may an employee install or utilize their own locking mechanism or device to secure the above.

CMC likewise wishes to discourage theft or unauthorized possession of the property of employees, CMC, visitors or customers. To facilitate enforcement of this policy, CMC or

its representative may inspect not only desks and lockers, but also packages and persons entering and/or leaving the premises. Additionally, CMC reserves the right at its sole discretion to install and use security/surveillance cameras or devices on its property. Any employee who wishes to avoid inspection of any articles or materials should not bring them onto CMC premises.

DRUG AND ALCOHOL USE

Use of alcoholic beverages and illegal drugs in the workplace are a danger to us all. They impair safety and health, promote crime, lower productivity and quality, and undermine public confidence in the work we do. Possessing, distributing, transferring, purchasing, selling, using or being under the influence of alcoholic beverages or illegal drugs while on CMC property, while attending business-related activities, while on duty, or while operating a vehicle or machine leased or owned by CMC will not be tolerated, and by law prohibited. Infractions may lead to disciplinary action, including suspension without pay or discharge. CMC reserves the right to test an employee that has shown reasonable signs of being under the influence of drugs or alcohol to confirm or disprove suspicions.

DRUG FREE WORKPLACE COMPLIANCE POLICY

Under the federal Drug-Free Workplace Act, in order for CMC to be considered a responsible source for federal contracts, we have developed the following policy:

Effective immediately, any location at which CMC's business is conducted, whether at this or any other site, is declared to be a **drug-free workplace**. This means:

All employees are **absolutely prohibited** from unlawfully manufacturing, distributing, dispensing, possessing, or using controlled substances in the workplace. The following is a partial list of controlled substances.

- * Narcotics (heroin, morphine, etc.)
- * Cannabis (marijuana, hashish)
- * Stimulants (cocaine, diet pills, etc.)
- * Depressants (tranquilizers)
- * Hallucinogens (PCP, LSD, designer drugs, etc.)

Any employee violating the above policy is subject to discipline, up to and including termination, for the first offense. Employees have the right to know the dangers of drug abuse in the workplace, CMC's policy about them, and what help is available to combat drug problems. This document spells out CMC's policy. To assist employees in overcoming drug abuse problems, CMC may offer the following help:

- * Medical benefits for substance-abuse treatment
- * Information about community resources for assessment and treatment
- * Counseling program
- * Employee assistance program

Any employee convicted of violating a criminal drug statute must inform CMC of such conviction (including pleas of guilty and nolo contendere) within five days of the conviction occurring. Failure to so inform CMC subjects the employee to disciplinary action, up to and including termination for the first offense. By law, CMC will notify the federal contracting officer within 10 days of receiving such notice from an employee or otherwise receiving notice of such a conviction.

Persons who have successfully completed an approved rehabilitation or drug abuse assistance program maybe considered for employment.

Employee Assistance Program

The Employee assistance program will contain an educational and training program for employees and also for supervisors, which addresses controlled substances. The training program will include a discussion of the effects and consequences of alcohol or controlled substances on personal health, safety, and the work environment, the manifestations and behavioral effects that may indicate controlled substance use or abuse, documentation that the above personnel received at least 60 minutes of training. The above is to be construed as the minimum form of Employee Assistance Program that CMC can add to at its discretion.

RELATIONSHIP TO FEDERAL REGULATIONS AND LAWS

This policy will be enforced and applied under the authority of the relevant laws of the United States and the State of North Dakota and any relevant regulations issued by the agencies of the federal government.

Employees who voluntarily admit to having drug or alcohol problems that have not resulted in disciplinary action may be eligible for unpaid time off to participate in a rehabilitation program. Such leave, abides by all CMC's policies, rules, and prohibitions relating to conduct in the workplace, and if CMC suffers no "undue hardship" as a consequence of granting the leave.

All employees are asked to acknowledge that they have read the above policy and agree to abide by it in all respects by law, this acknowledgement and agreement are required of you as a condition of continued employment.

Physician-prescribed medications are permitted (if taken as prescribed), provided they do not adversely affect job performance or the safety of the employee or other individuals in the work place.

SECTION VI

Conflict Resolution Form

A conflict resolution form is available for use by employees who believe they are unjustly or unfairly treated or have other job-related complaints or problems that they are unable to resolve personally or with their department head.

Conflict resolution forms are available with your department manager or in the employee break room on the bulletin board.

DEFINITION OF A CONFLICT

A conflict shall mean a complaint by an employee or a group of employees based on an event, condition, or circumstance under which an employee works. This involves interpretation of, violation of, or compliance with the rules and policies, specific complaints about working conditions, supervision, co-workers, and other work-related problems of this institution.