

MERT Enterprises, Inc.

EMPLOYEE HANDBOOK

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<http://www.mertenterprises.org/>



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SECTION 1

INTRODUCTION

This Employee Handbook is designed to acquaint you with MERT Enterprises, Inc. and provide you with information about working conditions, benefits, and policies affecting your employment.

The information contained in this Employee Handbook applies to all employees of MERT Enterprises, Inc. Nothing in this Employee Handbook alters an employee's status as an at-will employee. The contents of this Employee Handbook shall not constitute nor be construed as a promise of employment or as a contract between MERT Enterprises, Inc. (hereafter, referred to as 'Agency') and any of its employees. The Employee Handbook is a summary of our policies, which are presented here only as a matter of information.

You are responsible for reading, understanding, and complying with the provisions of this Employee Handbook. Our objective is to provide you with a work environment that is constructive to both personal and professional growth.

1.1 CHANGES IN POLICY

This Employee Handbook supersedes all previous employee manuals and memos that may have been issued from time to time on subjects covered in this Employee Handbook.

However, since our business and our organization are subject to change, we may change, suspend or, cancel with or without notice all or any part of our policies, procedures, and benefits at any time. We will notify all employees of these changes. Changes will be effective on the dates determined by MERT Enterprises, Inc., and after those dates all superseded policies will be null.

No individual supervisor or manager has the authority to change policies at any time. If you are uncertain about any policy or procedure, speak with your direct supervisor, Human Resources or the Executive Director (Mary Rush).

1.2 EMPLOYMENT AT WILL

You enter employment at will. The employee or MERT can terminate the employment relationship at-will, at any time. MERT Enterprises, Inc. may, pursuant to its policies, procedures, regulations and state and federal laws, complete criminal record, child protective (Adult Protective Services check), motor vehicle, employment reference, and other eligibility for employment checks on all applicants. The Agency also may conduct ongoing confirmation or checking of a current employee's background and/or status.

1.3 EMPLOYEE PERSONAL INFORMATION

As you begin your employment with us, it is very important that we have up-to-date, accurate and complete personal information about you. Information we need to keep accurate – and updated – includes: your legal name, address, social security number, emergency contact information, beneficiary changes on insurance, W-4 status and phone numbers you can be reached at.

It is very important to let Human Resources know about any changes or updates to your personal information.

SECTION 2

DEFINITIONS OF EMPLOYEES STATUS

“EMPLOYEES” DEFINED

EXEMPT (Salaried)

Employees whose positions meet specific criteria established by the Fair Labor Standards Act (FLSA) and who are exempt from overtime pay requirements.

NON-EXEMPT (Hourly Pay Rate)

Employees whose positions do not meet FLSA criteria and who are paid one and one-half their regular rate of pay for hours worked more than 40 hours per week.

REGULAR FULL-TIME

Employees who have completed the initial training and orientation period and who are regularly scheduled to work 35 or more hours per week.

REGULAR PART-TIME

Employees who have completed the initial training and orientation period and who are regularly scheduled to work less than 35 hours per week. Note: Any employee who is consistently working more than 35 hours per week will be changed to regular full-time status.

PER DIEM

Per Diem means that there is no guarantee of regular hours or expected shifts in any given week. Per Diem employees also have the right to decline hours they are offered, since they are not obligated to accept the hours they are offered. One stipulation for any employee who is working in the Per Diem status is that they must work no less than 8 hours per month. Note: Any employee who is consistently working more than 35 hours per week will be changed to regular full-time status.

SECTION 3

EMPLOYMENT POLICIES

3.1 NON-DISCRIMINATION

MERT Enterprises does not discriminate in employment opportunities or practices based on race, color, religion, sex, national origin, sexual orientation, age, veteran status or people with disabilities or any other status protected by law or regulation.

The agency will make reasonable accommodations for qualified individuals with known disabilities unless doing

so would result in an undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Employees with questions or concerns about discrimination in the workplace are encouraged to bring these issues to the attention of their supervisor, Human Resources or the Executive Director. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in unlawful discrimination will be subject to disciplinary action, including termination of employment.

3.2 EMPLOYMENT QUALIFICATIONS

MERT requires employees to fulfill state-mandated requirements. These requirements are as follows:

- Must be at least 18 years of age
- Must have a high school diploma or acquired a Graduate Equivalency Diploma (GED) education
- Be able to pass a pre-employment background check consisting of Criminal Background check,
- Department of Motor Vehicles (DMV) check, Adult Protective Services and Child Protective checks and professional employment references check
- Depending on position held, own a motor vehicle which can seat four people comfortably, has working seat belts, vehicle insurance, a valid driver's license, a driving record in good standing, and ability to have access to the vehicle anytime of the day or night (**Note:** There are certain convictions and offenses that may preclude an employee from being able to work at MERT, which may result in immediate termination of employment)

MERT also recognizes that employees will benefit from job-specific training, and will work in conjunction with local area resources, agencies and other professionals outside of the Agency to provide periodic, on-site training and workshops.

3.3 NEW EMPLOYEE ORIENTATION

New employee orientation is an overview of the Agency core values and our consumers. In addition, the new employee will be given an overview of benefits, tax, and legal issues, and complete any necessary paperwork, which will become your personnel file.

Employees who will work in a consumer's residence will receive specific training for working in that residence, which include job-shadowing with experienced staff members. Job-shadowing helps familiarize you with the routines and responsibilities specific to the consumers who live in that residence. It is always good practice to ask your supervisor if you are unsure about anything pertaining to the consumer or the procedures you need to follow in their residence.

All Direct Support Professionals, and other employees designated by MERT, will be required to attain a one time "Direct Support Professional" certification and a "Certified Residential Medication Aid" (recertified every two years) (CRMA) certification within the first year of employment. Any employee who is not able to be re-certified with the CRMA certification may face disciplinary action, up to and including suspension or termination.

3.4 NON-DISCLOSURE POLICY

The protection of confidential information is vital to the interests and success of MERT Enterprises, Inc. Such confidential information includes, but is not limited to, the following examples: Disclosure of an employee's personal information or phone number; Financial information; Marketing strategies; Pending projects and

proposals; Proprietary production processes.

Employees who improperly use or disclose confidential business information will be subject to disciplinary action, up to and including suspension or termination of employment and legal action.

3.5 HIPAA (Consumer Protected Health Information)

The use and disclosure of MERT consumer's protected health information [PHI] is governed by the rules and regulations established under **HIPAA**, the Health Insurance Portability and Accountability Act of 1996, and other related policies and procedures of MERT Enterprises, Inc.

During your employment at MERT Enterprises, Inc., you may have access to, make use of, and disclose PHI about our consumers on a need-to-know basis. The consumer's private medical information always needs to be handled in a confidential manner during and after your employment. Whether you become privileged to a consumer's PHI because it is part of your job, or you become aware of a consumer's personal health information by accident, you need to follow all the procedures below to help maintain the consumer's protection under the HIPAA laws:

- All PHI needs to be handled in a confidential manner
- PHI is only shared on a need to know basis
- Information is only to be shared if consent is given by the persons guardian or the person if they are their own guardian.
- PHI includes-diagnosis, provisions of care, payment of services, name, address, all date directly related to a person, age, email address, birthdate, telephone number, social security number, health plan numbers, medical records.
- Administrative, technical and physical safeguards need to be in place to ensure the protection of PHI.
- Failure to fulfill any HIPAA obligations will result in disciplinary actions up to and including termination.

3.6 OFFICE HOURS

MERT Administrative office is open for business from 7:30AM to 4:00PM Monday through Friday, except for Holidays (See Section 6.7, Holidays).

3.7 ADMINISTRATIVE BREAKS

According to DOL Regulations Non-Exempt Administrative Staff are required to take a 30-minute break within a 6-hour time frame, which may be used as a lunch break. Lunch breaks generally are taken between the hours of 11:00AM and 1:00PM on a staggered schedule so that your absence does not create a problem for co-workers or consumers. Lunch periods are unpaid time.

Administrative Staff are also provided two 15-minute breaks to be taken in the morning and afternoon of their daily work schedule. These two breaks are generally arranged by the employee and their supervisor and are considered paid time.

Employees who do not adhere to the break policy will be subject to disciplinary action, up to and including suspension or termination.

3.8 DSP BREAKS

For Direct Support Professionals working in consumer's homes, meals are expected to be prepared and eaten with the consumers as part of your job responsibilities.

Employees who do not adhere to the break policy will be subject to disciplinary action, up to and including suspension or termination.

3.9 SLEEP TIME FOR LIVE-IN STAFF

The Fair Labor Standards Act (FLSA) describes a situation under which an employee need not be paid for sleep time. This is when he/she is on duty for periods of 24 hours or more. Under Section IB 785.22, if the employee is on duty for at least 24 hours, and agrees to do so, he/she need not be paid for up to 8 hours of uninterrupted sleep time or for meal times. The employee is thus paid for 16 hours of work in each 24-hour period, plus any interrupted sleep time. When the employee does not get at least 5 hours of sleep time during the regularly scheduled sleep period, he/she shall be paid for the entire sleep period. (This need not be five consecutive hours of sleep).

3.10 PERSONNEL FILES

Employee personnel files may include the following: employment application, resume, job offer letter, records of participation in training events, salary and wage history, records of disciplinary action, emergency contact information, benefits information and documents pertaining to performance evaluation.

Access to personnel information is restricted.

Employees who wish to review their own file should contact their supervisor or the Human Resources Manager.

3.11 INCLEMENT WEATHER/EMERGENCY CLOSINGS

Because of the nature of our business, many of the consumers we support need services and staff support on a 24/7 schedule. At times, emergencies such as severe weather, fires, or power failures can disrupt agency operations. All employees are considered 'essential personnel' and are expected to report to work their scheduled shift. In severe weather or emergency conditions, the business office may be closed prior to or during the workday. When the decision is made to close the office, employees will receive official notification from their supervisors or other designated staff. Employees who are working with consumers in their residence will also be given instructions if there are any contingency plans to ensure the safety of both the employee and their consumers.

The decision to close the business office will be made by the Executive Director.

3.12 EMPLOYEE PERFORMANCE REVIEW AND PLANNING SESSIONS

Supervisors will conduct performance reviews and planning sessions with all employees on their anniversary date. Supervisors may conduct informal performance reviews and planning sessions more often if they choose.

New employees will also be reviewed at the end of their probationary periods.

3.13 OUTSIDE EMPLOYMENT

MERT's office space, equipment, and materials are not to be used for outside employment.

3.14 CORRECTIVE ACTION/DISCIPLINARY PROCESS

MERT Enterprises, Inc. holds each of its employees to certain work rules and standards of conduct. When an employee deviates from these rules and standards, corrective action will be taken.

The usual sequence of corrective actions includes counseling/supervision, a verbal written warning, a final written warning, suspension, and termination of employment. In deciding which initial corrective action would be appropriate, MERT will consider the seriousness of the infraction, the circumstances surrounding the matter, and the employee's previous record.

The Agency may forego any part of the progressive discipline process, and move directly to the suspension or termination stage for issues that are severe in nature, which includes but is not limited to issues that could undermine the business operations, affect the safety of the staff, or compromise the safety and care of the consumers.

3.15 EMPLOYMENT TERMINATION / RESIGNATION

- **Resignation** – voluntary employment termination initiated by an employee.
- **Termination** – involuntary employment termination initiated by the Agency.
- **Layoff** – involuntary employment termination initiated by the Agency for non-disciplinary reasons.

When an employee intends to terminate his/her employment with MERT Enterprises, Inc., or to change their current work status, we ask that you provide us the professional courtesy of giving a minimum of at least a two-week written notice. If an employee chooses not to do so, this may be considered a voluntary resignation and impact any future relationship with MERT.

Any employee who terminates employment with MERT Enterprises, Inc. is expected to return all consumer and employee lists, cell phone, computers, laptops, keys, all documentation, files, records and any other materials that are property of the Agency, as well as completing a final time sheet, mileage and / or personal reimbursement sheet.

3.16 Whistleblower's Policy

The Whistleblower Policy is a protection for any employee who, in good faith reports a legitimate concern without fear of reprisal, discrimination, adverse action, intimidation or retaliation. If your supervisor is the subject of the whistleblower complaint, you need to report your complaint to another member of MERT's management including the Human Resources Manager, Program Coordinator or Executive Director. No employee may retaliate against any employee who makes a report pursuant to this section. As all employees are considered "Mandatory Reporters", you are required to report improper or illegal concerns to your immediate supervisor.

The act of making allegations that prove to be unsubstantiated, or that prove to have been made maliciously, recklessly or with the knowledge that the allegations are baseless or false, will be viewed as a serious disciplinary

offense and subject to suspension or termination.

A copy of the Maine “Whistleblower’s Protection Act” is displayed prominently with other Federal and State labor law policies in MERT’s office.

3.17 SAFETY

It is the intent of MERT Enterprises to provide employees with a safe and healthy work environment. We recognize the importance of workplace safety as a fundamental part of our organization and of the services we provide.

Each employee is responsible for understanding and complying with safety policies and procedures set forth and described in this manual.

It is the responsibility of each employee to help reduce, remove and control accident-causing conditions by observing safety rules and procedures, and by carrying out safe work practice.

MERT Enterprises, Inc. provides information to employees about workplace safety, personal safety, consumer safety and health issues through regular internal communication such as:

- Orientation – for all new employees
- Annual Refresher Training – for all current staff
- *Safety Manual* – given out in Orientation, reviewed during Annual Safety Refresher Training, available in MERT’s office and copies are in each consumer’s home in the staff office/bedroom
- Employee Mailboxes – all employees have a mailbox in our office and should check it regularly for memos and other safety information (Note: All information in staff mailboxes is confidential and should be treated as such.)
- Safety News bulletin board – in MERT’s office
- Reporting procedures and information on what to do if you are involved in an on-the-job injury, and what is the process entails if your injury is considered a worker’s compensation injury

Each employee is expected to obey safety rules and exercise caution and common sense in all work activities. Employees must immediately report any unsafe conditions to their supervisor. Employees who violate safety standards, cause hazardous or dangerous situations, or fail to report, or where appropriate, remedy such situations, may be subject to disciplinary action up to and including suspension or termination of employment.

In the case of an accident that results in an on-the-job injury, regardless of how insignificant the injury may appear, employees must notify their supervisor immediately

3.18 WORKPLACE ACCIDENTS/WORKERS COMPENSATION

A workplace accident, illness or exposure must be reported to your supervisor, manager or Human Resources immediately and an Accident Report completed regardless of the severity. You may be required to see a health care provider of the agencies choosing due to worker’s compensation.

All employees are encouraged to report unsafe work conditions to help us determine the root cause and take corrective action to help prevent future injuries, illnesses or exposures to our staff.

3.19 BUILDING SECURITY

All employees who are issued keys to the office building and their own office are responsible for their safekeeping. These employees will sign a Building Key Disbursement form upon receiving the key. The last employee, or a designated employee, who leaves the office at the end of the business day assumes the responsibility to ensure that all doors are securely locked, the alarm system is armed, and all appliances and lights are turned off with exception of the front entry lights. Only employees with alarm system passwords are allowed on agency property after hours without prior authorization from the Executive Director.

3.20 PERSONAL EFFECTS

MERT assumes no risk for any loss or damage to personal property.

3.21 PURCHASES

Only authorized persons may purchase supplies.

3.22 EXPENSE REIMBURSEMENT

Expenses incurred by an employee **must** have prior approval by a supervisor. A Request for Reimbursement form must be filled out and signed off by your supervisor with a receipt for that purchase to be reimbursed. All reimbursement requests will **only** be honored when accompanied with corresponding receipts. These are **REQUIRED** for tax purposes. On Payroll week the reimbursement will appear in your paycheck and on a non-payroll week will be paid by company check. If you request Petty Cash from finance, a receipt and any change must be turned in for the purchase that the request was made. You are responsible for the cash you receive, this includes turning in the corresponding receipts. A "Mileage Reimbursement Sheet" must be filled out with payroll and turned in to your supervisor with your timecards every pay period.

3.23 PERSONAL VEHICLE USE AND DISTRACTED DRIVING

As condition of employment, all employees must have a personal vehicle for use during work hours. Most employees may transport consumers even if it is not part of their essential job functions, and will need to have a vehicle which seats up to four people comfortably, has working seat belts, liability insurance required by Maine law and is in good working order for the safety of the employee and passengers.

Employees whose work requires operation of a motor vehicle must present and maintain a valid driver's license that is neither suspended nor revoked and must be able to provide proof of adequate insurance coverage. Any changes to such an employee's driving record or license status must be reported to your supervisor and HR immediately. Where applicable, failure to maintain a valid driver's license and adequate insurance may be sufficient cause for immediate termination.

Consumers may not be left alone in any vehicle for any reason, ever.

Employees traveling on behalf of MERT must comply with all state, federal, and local traffic rules and regulations. We are not responsible for and will not reimburse an employee for any fine incurred by the employee for violating a traffic or criminal law while traveling on behalf of MERT.

Employees must maintain their vehicles in good and safe working condition.

Any accident, no matter how minor, which occurs while any employee is operating a vehicle on behalf of MERT must be reported immediately to your supervisor.

Prohibited actions while transporting a consumer include: drinking any beverage, eating food, leaving seatbelts unbuckled, any action which causes you to be distracted, listening to headsets, rudeness to pedestrians or other drivers or disobeying any posted traffic or moving violation laws. Use of tobacco products or e-cigarettes are not allowed in any staff vehicles, or any other vehicles operated by a staff member when consumers are present in the vehicle.

Any employee who is driving on behalf of MERT is strictly prohibited from operating the motor vehicle while using a cell phone in any manner.

Employees who operate any vehicle on MERT business are strictly prohibited from operating such vehicles under the influence of alcohol or controlled substances, except for prescription medication authorized by a physician which does not cause unsafe performance.

Failure to follow these rules may result in disciplinary action, up to and including immediate termination.

3.24 PARKING

Employees must park their cars in areas indicated. Employees who work with consumers will be notified about parking procedures at the consumer's residences.

3.25 VISITORS/GUESTS IN THE WORKPLACE

To provide for the safety and security of employees, consumers, visitors, and the facilities at MERT, only authorized visitors are allowed in the workplace. Authorized visitors will be escorted to their destination and must be accompanied by an employee at all times.

MERT consumers may develop their own acquaintances, friendships and relationships who may visit from time to time. First time visitors for the consumers must have the prior approval of their team. Visits by friends or family of MERT employees who are on duty is strictly prohibited in the consumer's home. All visitors in the consumer's home must be recorded in the visitor log and on staff notes. Staff are not to use agency time to visit their co-workers unless the consumers in one home wish to visit or plan an activity with consumers in another home.

3.26 CONTACT WITH CONSUMERS BY FORMER EMPLOYEES

Former employees of MERT Enterprises, Inc. who wish to remain in contact with consumers receiving services from the Agency must put their request in writing to the Executive Director. Written authorization from the Executive Director is required prior to a former employee contacting a consumer.

SECTION 4

EMPLOYEE STANDARDS OF CONDUCT

4.1 STANDARDS OF CONDUCT POLICY

MERT Enterprises, Inc. has certain expectations for standards of conduct in each of its employees.

Although it isn't possible to provide an exhaustive list of all types of impermissible conduct and performance, the following are some of those examples. These infractions may be cause for disciplinary action, and depending upon the severity, may warrant suspension or immediate termination.

1. Staff are not allowed to do personal business or errands on MERT time.
2. Theft, unauthorized taking or inappropriate removal or possession of property from the Agency, employees, vehicles, consumers, or anyone on Agency property.
3. Falsifying or omission of information on employment application, employee records or other Agency or personnel records.
4. Altering or falsifying any time keeping record or staff support summary, intentionally falsifying another employee's timecard or allowing someone else to alter your timecard.
5. Engaging in activities which are a violation of law, or engaging in, aiding or abetting criminal activity.
6. Any criminal conviction that involves abuse, neglect or exploitation.
7. Any criminal conviction which caused, threatened, solicited or created the substantial risk of bodily injury to another person.
8. Any criminal conviction resulting from a sexual act, contact, touching or solicitation in connection to any victim.
9. Any other criminal conviction, classified as Class A, B or C or the equivalent of any of these, or any reckless conduct that caused, threatened, solicited or created the substantial risk of bodily injury to another person within the preceding two (2) years.
10. Any arrest or conviction for Operating Under the Influence (OUI) within the past three (3) years for an employee who transports consumers as part of their essential job duties (see Section 3.24, Personal Vehicle Use/Mileage Reimbursement).
11. Gift Giving/Acceptance – it is prohibited for MERT staff to purchase gifts, gift cards, make gifts, or offer as gifts other items of monetary value to the consumers. If a staff member has an item, they wish to donate to MERT or MERT's consumers, they need to do so after they have the approval of their RA and the Executive Director. It is also prohibited for MERT staff to accept any gifts or items from the consumers as it creates an atmosphere of impropriety and creates conflict with respect to maintaining boundary issues with consumers and maintaining a professional work relationship.
12. Sleeping when you are expected to be, awake, alert and doing your job.
13. Negligent, improper conduct, deliberate misuse, vandalism leading to damage or destruction of Agency-owned, consumer-owned or employee-owned property.
14. Insubordination, or other disrespectful behavior is not permitted.
15. Failure to observe or deliberate violation of safety rules and regulations.
16. Any inappropriate contact or sexual relationship with a consumer.
17. MERT may inspect desks, computers, staff-owned cell phones, staff offices, or employee vehicles at any time without employee consent.
18. Bringing dangerous or unauthorized materials onto agency property, consumer homes or in employee vehicles unless otherwise permitted by law is not permitted.
19. Failure to abide by any Agency policies, procedures or regulations.
20. MERT is committed to creating a safe and positive work environment for all employees, consumers, visitors and guests, and will not tolerate any work-related threatening or violent behavior. Any implied act or 'perceived' threat of violence – whether on Agency property, in our consumer's residences or off-site at any Agency function – during your work hours or 'off' hours will be taken seriously, investigated promptly and could result in your immediate suspension or termination. This policy applies to all employees at all levels of the Agency. Any employee who engages in threatening or violent behavior toward a fellow employee, a consumer, visitor, guest or stranger is subject to immediate disciplinary action, up to and including suspension or termination of employment. Also,

employees are responsible for the conduct of their guests at MERT's office, Agency functions, Special Olympics activities or in consumer's residences.

Employees who perceive a threat of violence against themselves or others at the workplace or as a direct result of their employment with MERT, shall inform their supervisor, The Executive Director or Human Resources immediately.

4.2 ATTENDANCE/PUNCTUALITY

MERT Enterprises, Inc. expects employees to be punctual and attend work when scheduled, so the Agency can meet the service requirements of its consumers. Good attendance is an important job requirement and an essential duty of every position. Failure to meet attendance requirements could result in disciplinary action, up to and including termination.

If a Direct Support Professional is in "Per Diem" status, they are responsible for calling in to let their supervisor know their availability on a weekly basis. If a DSP working in a Per Diem status does not maintain a minimum of 8 hours of work each month, they will be separated from employment at MERT.

Also, any DSP working a Community-Based schedule is required to work every other weekend, as scheduled with your supervisor. All Community-Based DSPs need to 'call-in' to their RA when they arrive at the consumer's home, and they should also 'call-out' from the consumer's home when they are leaving. These phone calls should always be made from the consumer's home phone if possible.

All employees are expected to be punctual and dependable in their attendance. If an employee knows they will be absent or late for any reason, they need to notify their supervisor prior to the start of their shift or usual workday. An employee who is going to be late or absent from work cannot leave a voicemail or text message for their supervisor – you must talk to your supervisor directly about the reason you cannot be at work or be on-time for work. Text messaging or sending an e-mail message is not considered 'contacting' your supervisor. Administrative staff need to call their supervisor. Direct Support Professionals need to follow the 'call-out' protocol, which means calling your immediate supervisor first, then the on-call supervisor and finally the Executive Director, until you reach one of them directly. **Be sure to leave a voicemail message as you call each of these administrative staff members letting them know why you are calling them and ask them to call you back.**

When an absence is unplanned, due to illness or emergency, an additional requirement of the 'call-out' procedure is that employees must report the absence to their supervisor **at least three hours prior to the scheduled start of their shift when possible under the circumstances.** Employees who are considered by their supervisors/manager to have an excessive or unjustified pattern of absence, tardiness, or leaving work early, regardless of the reason, can also face disciplinary action, up to and including suspension or termination.

Absence of 3 consecutive scheduled workdays or 3 consecutive shifts without contacting and speaking to your supervisor is considered "Job Abandonment" and is grounds for immediate termination.

Employees must clear "planned absences" or vacation time in advance – in writing – with their supervisor, allowing as much notice as they can, and submitting a "Request for Time Off" form. **"Switching shifts with a co-worker" is not considered following this procedure and can lead to disciplinary action, up to and including suspension or termination.** It is the expectations of all DSPs to work their regularly scheduled shifts. If a consumer declines services or is away and not requiring services from their DSP, the DSP needs to

communicate this to their Residential Administrator. The DSP may be scheduled hours to make up for any ‘lost’ work time and cannot ‘assume’ they will not be working their scheduled times.

MERT Enterprises, Inc. recognizes there may be situations where your absence may be unpreventable and will work with the individual employee as situations arise. While MERT Enterprises, Inc. will try to make reasonable accommodations for individual requests for time off, your request may be denied if your absence will adversely affect the work schedule or business needs. MERT Enterprises, Inc. also reserves the right to require, at any time, a medical clearance (doctor’s note) from a qualified medical provider, to verify the reason for your absence.

4.3 HARASSMENT

MERT Enterprises, Inc. is committed to a work environment that fosters courtesy, mutual respect and is free of unlawful harassment, discrimination and/or retaliation. MERT Enterprises, Inc. prohibits harassment based on the following categories as well as any other category protected by law or regulation:

Race	Religion	Color	National Origin
Disability	Gender	Pregnancy	Marital Status
Age	Sexual Orientation	Veteran Status	

Definition of “Harassment” – Harassment in any form is misconduct that undermines the integrity of the employment relationship. MERT’s policy prohibits harassment in any situation.

It is considered grounds for disciplinary action up to and including immediate termination. Harassment is verbal or physical conduct meant to belittle, show hostility or aversion toward an individual because of any characteristic protected by law that either attempts or does:

- creates an intimidating, hostile or offensive work environment
- unreasonably interferes with an employee work performance, or
- adversely affects an individual’s employment opportunities

4.4 SEXUAL HARASSMENT

Sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, or the creation of an intimidating, hostile or offensive working environment based on unsolicited and sexual overtures or conduct, either verbal or physical in nature. As a matter of Agency policy, any behavior of a sexual nature in the workplace is considered unprofessional regardless of whether it constitutes illegal sexual harassment.

“Quid pro quo” harassment occurs when submission or rejection of such conduct is used as the basis for employment decisions affecting job applicants or employees. Examples of this form of harassment include job promotion in exchange for sexual favors, or an unfavorable change of job duties in response to rejected sexual advances.

All MERT Enterprises, Inc. employees are expected to refrain from harassing other employees. If you feel that you have been subjected to harassment in any way, or have witnessed harassment of another employee, you need to notify your supervisor, manager or the Human Resources Department immediately, or other management, if any of these individuals is the cause of your complaint. Inquiries about state and federal laws and complaints of

discrimination and sexual or other forms of harassment may also be directed to the Maine Human Rights Commission at 51 State House Station, Augusta, ME 04333-0051, phone (207) 624-6290 or TTY/TTD (888) 577-6690.

Although every attempt will be made to resolve the complaint at the most immediate level, an investigation will be conducted promptly and with as much confidentiality as possible, respecting the rights of all parties involved. All employees are expected to cooperate in any investigation of a harassment incident. Corrective action will be taken, including disciplinary action up to and including termination, whenever appropriate.

MERT Enterprises, Inc. prohibits unlawful retaliation against employees for making or filing a complaint of and/or participating in an investigation of harassment or discrimination. Such retaliatory conduct will be grounds for disciplinary action, up to and including termination.

4.5 TELEPHONE USE AND TECHNOLOGY

MERT Enterprises, Inc. provides phone and technology primarily for our employee's use in performing essential job functions. Any documents created or recorded on these various technology systems are considered property of the agency.

MERT respects the individual privacy of its employees, however, by using the agency's technology systems, users are consenting to have all data residing on the Agency's phone and computer systems to be monitored and inspected at any time without notice or consent of the user

Use of agency phones or information systems should be for conducting and accomplishing your job objectives, promoting a positive image of MERT and assisting with achieving the agency's mission and goals. You must take appropriate precautions to protect agency information and data. You may never use an agency phone or information systems to engage in activities that are unlawful, illegal, violate agency policies, promote personal gain or result in exposure or liability to MERT.

Prohibited Computer Use

Agency-owned computers and laptops should be used only for business-related issues to help employees perform their jobs in a more efficient manner.

While MERT encourages Internet and email use, there are certain restrictions on workplace use that need to be followed. Employees violating any of these prohibited uses could face disciplinary action, up to and including suspension or termination:

- Protected Health Information {PHI} is the HIPAA-protected information about MERT consumers. This information is confidential and needs to be kept protected if stored in any electronic device
- Never loan out laptops or technology containing Agency information on devices to non-employees
- Never share your account passwords with others, allow anyone else to use your account or use another employee's account
- Do not ever post or email any comment or picture of a consumer
- Deliberately damaging, destroying, losing or rendering as inoperable, any phone, computer or other agency property may result in termination
- Accessing confidential or personally identifiable information about other staff or employees

- Accessing pornographic or sexually explicit websites while on duty
- Permitting fraudulent access or attempts to disrupt or interfere with computer systems, the network or data for other computer users
- Installing any software which is not approved by MERT
- This policy is not all-inclusive and can be applied to other computer-usage issues which cause damage to agency systems, that may arise through your actions when you are on the internet or engaging in any other activity that is a violation of federal, state or local laws

4.6 CELL PHONES

Cell phones have many advantages for personal and business use but can also pose a potential hazard to workplace safety, create disruptions and distractions.

Personal Cell Phones – proper etiquette and expectations for using a cell phone while at work:

- Cell phone use should not interrupt your daily work, staff meetings, training, orientation or other presentations, unless there is a serious issue or emergency (if you are aware of a pending personal emergency, let your supervisor know you may need to be interrupted)
- Staff will focus on performing job duties and providing safety and quality care to MERT’s consumers
- Text messaging or talking on a cell phone (whether it is a hand-held device or not) while driving with consumers in your vehicle is strictly prohibited at all times – pull your vehicle over to be safe and park the vehicle if you must answer a call or text
- Personal Calls – circumstances come up occasionally where you must receive or make personal phone calls during business hours or your scheduled shift – these should be limited in both length and frequency
- Personal and work cell phone numbers are not to be shared with consumers
- Employees should not loan their cell phones to consumers for personal use
- Never conduct personal business, have arguments, discuss tragic events or family matters in front of a consumer – your personal ‘stressors’ often become stressors for the consumers
- Supervisors should be given up-to-date cell phone numbers, so they can reach you in case of emergency – the privacy of non-published cell phone numbers will be respected
- Camera Phones – taking pictures is a violation of privacy issues and confidentiality concerning staff or consumers – never take photos without authorization and never post work-related photos on social media websites
- Accessing pornographic or sexually explicit websites while on duty is prohibited
- “Sexting” or sending other forms of sexually suggestive messages or images is prohibited

Agency-Owned Cell Phones

- All the “Personal Cell Phone” policies apply when using Agency-owned cell phones
- Cell phone voicemail messages, texts or any other communication sent over agency-owned cell phones may be monitored, inspected or retrieved from the cell phone Agency at any time and without consent
- Individual monthly cell phone charges may be reviewed frequently to control costs and overages, while ensuring that third-party applications like ring tones, games, subscriptions, accessories and other

applications have not been installed without the consent of the Agency

- Report any losses – as soon as staff realizes your agency issued cell phone is lost or stolen
- GPS tracking should be on at all times
- Employees must return any cell phones or other Agency-issued equipment or property immediately upon resignation or termination of employment

4.7 Social Media Policy

MERT respects the right of employees to use social media for personal purposes and takes no position on an employee's choice to engage in social media on a personal basis. In general, employees who participate in social media are free to publish their own personal information without interference by MERT. However, employees must not engage in personal use of social media while on MERT work time or using MERT equipment. In addition, employees may not post confidential information about MERT that could place MERT

at competitive or legal compliance risk or that would violate its policies regarding confidentiality of consumer information.

If an employee chooses to identify him or herself as a MERT employee on any social media network, he or she must state in clear terms that the views expressed are the employee's alone and that they do not reflect the views of MERT. Employees are prohibited from acting as a spokesperson for MERT or posting comments as a representative of the entity. Types of information employees are not permitted to discuss or display online, include: information that is confidential or proprietary to MERT including information about or identifying MERT consumers; use of the MERT logos on any social media network without permission; images of co-workers or MERT consumers.

Nothing in this section shall be interpreted or applied as limiting an employee's right to engage in protected concerted activity as provided by the National Labor Relations Act

Media contacts

Employees should not speak to the media on MERT's behalf without contacting the Executive Director. All media inquiries should be directed to Mary E. Rush, Executive Director.

4.8 APPEARANCE AND DRESS CODE

At MERT Enterprises, Inc., all our employees are expected to support our consumers with natural inclusion in the local community. We all are role models and should be conscious of MERT's and our own image. We should demonstrate a sense of professionalism and safety with the clothing we wear. We want to make sure we are not causing issues with the people we support. Sometimes we do not know what traumas or the extent of trauma someone has had in the past or what will trigger them. Below are some guidelines to follow which will help promote the professionalism we expect in our employees:

Employees should arrive for work clean and well-groomed and be role models for the people we support

- MERT is a scent-free work environment. Please refrain from wearing perfumes/colognes/after shave since consumers and staff may be sensitive or allergic to these products, or they may lead to physical reactions
- Clothing should be proper-fitting, clean and free from tears
- Excessively tight-fitting, revealing or exposing undergarments is prohibited
- Shirts may NOT show cleavage or belly. **NO** tube tops, belly shirts, or halter tops, just to name a few.

- Shorts and skirts **must** be even with or below your fingertips when you are standing up straight. **NO** short shorts or miniskirts.
- Swimwear for women **must** be a one-piece bathing suit, a tankini type suit or swim trunks (even with or below your fingertips when you are standing up straight). and a full top / tank top. **NO** bikinis, sports bras or thongs
- Swimwear for men **must** be swim trunks or shorts (even with or below your fingertips when you are standing up straight). **NO** bikinis or thongs.
- Clothing/shirts or tops that have writing or advertising **must not** include illegal substances, tobacco, alcohol, sexual content, foul or obscene or offensive language or images, or violence of any type.
- Management may request tattoos be covered-up during certain activities, professional meetings or public events.
- Jewelry/Body Piercing – jewelry may be worn at MERT but will not be replaced if damaged or lost. No dangling earrings or facial piercings are allowed. Some jewelry may be a safety issue to you or others and should not be worn.
- Sneakers / shoes / sandals **MUST** have a back strap to keep them on your feet (especially if you need to run after someone), have good traction or no-skid sole **NO** flip flops, other open toed foot wear or bare feet are allowed.

If questions arise about what appropriate attire and hygiene is, the employee and his/her supervisor will resolve them. Employees who report to work inappropriately groomed or dressed may be asked to leave and change into appropriate clothing. In such instances, the time away from work will be without pay. This policy is not all-inclusive and is meant to guide our employees with the everyday responsibilities they have when coming to work. Continued disregard for this policy may result in disciplinary action up to and including suspension or termination.

4.9 APPROPRIATE ROLE MODELING

Each employee of MERT Enterprises, Inc. are expected to be conscious and professional role models for the consumers we provide services for. Our consumers learn by observing the actions of others. When you are in the presence of any MERT consumers or staff members, you are expected to act in a professional and respectful manner in your language, choice of topics, dress code and actions. Employees will not ‘over share’ issues pertaining to their private lives, family, personal relationships or beliefs, or how they conduct themselves outside of work. Your ability to be effective and respected in your job can depend on how you are able to maintain ‘personal boundaries’ in the relationships you build with other staff and consumers. By following MERT policies and procedures, and representing all persons’ rights, all employees will ensure proper role modeling.

4.10 PORNOGRAPHIC MATERIAL

The purpose of this policy is to protect all consumers at MERT Enterprises, Inc., from sexual harassment, abuse and exploitation. While on duty or in the presence of consumers, all employees will refrain from watching or listening to pornographic or sexually explicit material or viewing materials containing visual depictions of sexually explicit conduct. This is also a form of sexual harassment and will not be tolerated from any employee. The consumers are adults and as such, have the right to independently select their own reading materials, TV shows, movies and topics on their computers and smart phones. However, consumers choose material that is considered sexually explicit or pornographic, employees may not participate in reading or viewing this material with the consumer. *Employees shall respect the consumers right to view this pornographic material in the privacy of their own bedrooms without staff present.*

Pornographic material found in the possession of any employee of MERT Enterprises, Inc. while on duty or

providing such material to any consumer of MERT Enterprises, Inc., will result in immediate disciplinary action, up to and including suspension or termination. MERT respects the individual privacy of its employees, however, any information placed on Agency systems or the computer network may be reviewed without notice or consent of the user. As an authorized user, you are fully responsible for the security and use of your computer and email accounts. You accept full responsibility for your data and all activity performed on Agency phone and computer systems.

For any occurrence of employees engaged in or possessing sexual material involving a minor or visual depiction of a minor engaging in any sexually explicit child pornography or other visually obscene activity, MERT will terminate your employment immediately. Under the PROTECT Act of 2003 (Prosecutorial Remedies and Other Tools to End the exploitation of Children Today), MERT will also cooperate fully possible with any investigation or prosecution by the federal government involving individuals who are involved in child pornography.

4.11 SUBSTANCE ABUSE

MERT emphasizes a zero-tolerance policy regarding possession, distribution, sale, transfer or use of alcohol or illegal drugs in the workplace. No employee will be allowed to work while impaired by any drug, whether it is an over-the-counter drug or a prescribed drug, which causes unsafe performance.

4.12 TOBACCO PRODUCTS & E-Cigarettes

The use of tobacco products is allowed in designated locations only. This includes smoking of both traditional cigarette products as well as the smoking of 'electronic cigarettes. Employees using designated smoking areas are required to keep the areas clean and use appropriate receptacle. Use of tobacco products is not allowed in any staff vehicles, or any other vehicles, when consumers are present in the vehicle.

SECTION 5

WAGE AND SALARY POLICIES

5.1 WAGE OR SALARY INCREASES

Each employee's hourly wage or annual salary will be reviewed on or about the anniversary date of employment or the date of the previous compensation review. New employees will receive a raise after six months of work and another raise on your one-year anniversary, if it is in the best interest of the Agency. Such reviews may be conducted more frequently for a newly created position or based on a recent promotion.

5.2 TIME SHEETS

Accurately recording time worked is the responsibility of every employee. Employees are responsible for accurately documenting their time spent on individual jobs on the timecard they manage for the bi-weekly pay periods.

The work week begins at 7:00AM Saturday and end at 6:59AM Saturday of the week following.

Your time sheet (time record) is considered a legal document. All timesheets need to be filled out completely with name, pay period dates, codes where worked, total hours and signed. Altering, falsifying or tampering with time records will result in disciplinary action, up to and including suspension or termination of employment.

Authorized personnel will review time sheets each week. Any changes to an employee's time sheet must be approved by his/her supervisor. Questions regarding the timekeeping system or timecards should be directed to your supervisor or the Executive Director.

The deadline for all employee time sheets is to be passed into their supervisor no later than 10:00AM on the Monday of each payroll week. It is not the responsibility of a supervisor to have to 'track down' employees to remind the employee about filling out their time sheet. A supervisor also cannot fill out a time sheet for any employee unless there are extenuating circumstances. All employees are given a yearly payroll schedule at the beginning of their employment and at the beginning of each new year, so they can be aware of timecard due dates and pay periods.

5.3 OVERTIME

Overtime compensation is paid to non-exempt (hourly) employees in accordance with federal and state wage and hour restrictions. Overtime is payable for all hours worked over 40 per week at a rate of one and one-half times the non-exempt (hourly) employee's regular hourly rate.

All overtime work performed by an hourly employee must receive their supervisor's prior authorization. Overtime worked without prior authorization from their supervisor may result in disciplinary action.

5.4 PAYDAYS

- All employees are paid on a bi-weekly basis, which means a total of 26 paydays a year.
- Paydays occur every other Friday unless there is a holiday.
- In the event an employee is not able to pick up their paycheck, the employee must call the office in advance, and arrange with management who will be in to pick up their paycheck. This designated person must be made aware, by the employee, that they will need to present a photo ID to the receptionist as proof of who they are.
- If the office will be closed on a regularly scheduled payday or holiday for any reason, employees will receive advance notification of when their time sheet is due and the payday when their paycheck will be issued for that week.
- It is the employee's responsibility to be sure the information on their paycheck, withholding amounts, insurance deductions, vacation time accrual, etc. is updated and accurate.

SECTION 6

BENEFITS AND SERVICES

MERT Enterprises, Inc. offers a benefits program for its regular full-time and regular part-time employees.

6.1 INSURANCE

MERT has several insurance plans which are offered to all full-time (35 hours+ per week) employees of MERT Enterprises, Inc. on the 1st of the month following a "waiting period". The insurance rates are effective from July 1st through June 30th of the following year. Some insurance plans offered have contributions for the cost paid partially by the Agency and partially by the employee.

Eligible employees can take any combination of these insurance plans – they are ‘a la carte’ – you can elect any of the other insurance coverage plans in any combination you choose.

Each year in June, the Agency offers an “Open Enrollment” Period, when full-time employees can choose to make changes to your existing benefits. It also offers you the chance to enroll in the MERT insurance benefits if you chose not to do so as a newly eligible employee, earlier in the year.

IMPORTANT: If you do not maintain a full-time status (35 hours+ per week) or you leave employment at MERT in any given month, you are responsible for having deductions from your paycheck to pay for your portion of any insurance benefits for the entire month in which your work status changed or your employment ended.

6.2 COBRA BENEFITS

The Federal Consolidated Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue insurance coverage under MERT’s health plan when a “qualifying event” would normally result in the loss of eligibility. Under COBRA, the employee or beneficiary pays the full cost of coverage at MERT’s group rates plus an administration fee.

Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee’s hours or leave of absence, divorce or legal separation and a dependent child no longer meeting eligibility requirements.

6.3 PAYROLL TAXES

MERT withholds Federal and State Income Tax from all employees' earnings and participates in FICA (Social Security) and Medicare withholding, and matching programs as required by law.

6.4 VACATION – Direct Support Professionals

Full-Time (35 hours per week or more) Direct Support Professionals will be eligible for paid vacation after completion of one year of continuous employment and after their first-year anniversary date of hire with MERT Enterprises, Inc., and is provided based on the following calculations:

- After completing years 1 through 2, Full-Time DSPs earn one week (40 hours) of vacation per year
- After completing years 3 through 4, Full-Time DSPs earn two weeks (80 hours) of vacation per year
- After completing year 5 or more, Full-Time DSPs earn three weeks (120 hours) of vacation per year

Vacation time must be taken in increments of 40 hours for DSPs working the 24-hour, 2 ½ day schedule, or the equivalent of one-week of work if the DSP is working a Full-Time Community-Based schedule. *[Note: A DSP request for vacation will be denied if the RA cannot find another DSP to ‘cover’ the time off request without it resulting in another DSP having to be paid overtime to work the shift.]*

Part-Time (less than 35 hours per week) Direct Support Professionals will be eligible for vacation on a pro-rated basis, based on the following calculations:

- Total number of hours worked from date of hire until first-year anniversary date ÷ 52 weeks = vacation hours you have accrued

Example: Employee “A” hired on March 5th, works part-time hours until March 5th of the following year. They worked a total of 890 hours combined over the past 52 continuous weeks. To figure out their vacation

time accrued, Employee “A” does this calculation:

890 hours ÷ 52 weeks = 17 vacation hours accrued

Direct Support Professionals must use their vacation time during the year it has been accrued, and before their next anniversary date of hire. DSPs need to be responsible for using their vacation time as it will be lost and does not ‘roll over’ after their next anniversary date of hire.

Vacation time cannot be taken before it is accrued and approved. Scheduling of DSP vacations will be determined by who asks for the time off first and availability of another DSP to work their scheduled shift for that vacation week. Do not plan a vacation (buy airfare tickets etc.) before the RA has approved your vacation time.

The Residential Administrators will keep a vacation calendar displayed in a conspicuous location, so you can see vacation times and weeks which have already been approved.

Direct Support Professionals should schedule time off with their Residential Administrator as far in advance as possible, with a minimum of a 30-day notice required. DSP’s will receive an answer from their RA within 5 business days.

Any accrued vacation time for a DSP is paid out to the employee, whether they resign, get terminated for cause, quit without notice, abandon their job or because they are involved in or convicted of a criminal offense that precludes them from being able to work at MERT. Unused vacation time will be paid in a lump sum in the employee’s final paycheck.

No vacation time is accrued for DSPs during any unpaid leave of absence.

DSP PerDiem position does not accrue vacation time.

If there are extenuating circumstances and a DSP is not able to use their vacation time by their next anniversary date, they may carry over the vacation time if their Residential Administrator approves it.

NOTE: Any DSP taking FMLA (see Section 3.18, FMLA), short-term disability (STD) or personal leave is required to use all time accruals such as vacation time to run concurrently with the first day beginning their leave. DSPs or Administrative Staff cannot ‘bank’ any of their vacation time or earned time to be used at a later date.

6.5 EARNED TIME OFF – Administrative Staff

Full-time Administrative Staff will accrue earned time beginning on the date they were hired. Earned Time is accrued based on the following calculations:

- From date of hire through year 2, Full-Time Administrative Staff earn 4 hours per bi-weekly pay period
- Beginning year 3 through 4, Full-Time Administrative Staff earn 5 hours per bi-weekly pay period
- Beginning year 5 or more, Full-Time Administrative Staff earn 6 hours per bi-weekly pay period

Earned Time will be used for vacation, sick and personal time away from the job.

No earned time is accrued during unpaid leave of absence.

Administrative Staff should schedule time off with your supervisor as far in advance as possible, with a minimum of a two-week notice required for any time over one day being requested.

If there are extenuating circumstances and an Administrative Staff is not able to use their ETO hours which are over the 100 hours permitted to carry over by their next anniversary date of hire, they may carry over these extra ETO hours which are more than 100 hours if their supervisor approves it.

NOTE: Any Administrative Staff taking FMLA (see Section 3.18, FMLA), short-term disability (STD) or personal leave is required to use all time accruals such as earned time to run concurrently with the first day beginning their leave. Administrative Staff cannot 'bank' any of their earned time to be used later.

The Finance Assistant maintains vacation days and earned time accrued and used. Each employee is responsible for verifying his/her pay stub to make sure the correct number of hours appear.

6.6 Earned Time (ET) and Vacation Time Cash-Out

Mert Employees will be allowed to cash-out all available hours of ET or Vacation time per calendar year as long as they have a minimum of 40 hours of ET or Vacation time left on the books.

Employees will complete an ET/Vacation Time Cash-Out Request Form and submit to the Finance Office during the regular payroll period. Any amount of available ET or Vacation hours may be requested for cash-out as long as there are 40 hours left on the books. ET or Vacation time hours cannot be cashed out before accrued. ET/Vacation Cash-Out checks will be distributed during the regular payroll period. Regular taxes apply to Cash-Out checks.

Any exceptions to this policy will be approved by Mary Rush, Executive Director.

6.7 DIRECT DEPOSIT

If you elect to have direct deposit, you may initiate the process to do so at any time.

6.8 HOLIDAYS – Direct Support Professionals

Direct Support Professionals who are scheduled to work on the following holidays (see below) any time between the hours of 7:00AM through 11:00PM, will receive Holiday Premium Pay for the hours they work. Holiday Premium Pay rates are 1½ (also known as 'time-and-a-half') times their regular rate of pay.

MERT Enterprises, Inc. observes "Holiday Premium Pay" for DSPs for the following holidays:

New Year's Day
President's Day
Memorial Day
Independence Day/4th of July
Labor Day
Columbus Day
Thanksgiving Day
Christmas Day

Birthday Pay (Time-and-a-half for DSP who work on their actual birthday)

Holidays will be observed on the actual day of the week on which they fall. Holiday Premium Pay is not paid

during any leaves of absence from active employment with the Agency.

6.9 HOLIDAYS – Administrative Staff and Management Team Staff

Administrative Staff are eligible to receive holiday pay for the following holidays. The Agency’s office will be closed, and all Administrative Staff will not work on these holidays (unless given prior approval by their supervisor):

MERT Enterprises, Inc. office is closed for the following holidays:

New Year’s Day
President’s Day
Memorial Day
Independence Day/4th of July
Labor Day
Columbus Day
Thanksgiving Day
Day after Thanksgiving (Friday)
Christmas Day

A “Floating Holiday” to be taken between January 1st and December 31st each year

Holidays that fall on a Saturday will be observed the previous Friday. Holidays that fall on a Sunday will be observed on the following Monday. There is no holiday pay for Administrative Staff during any leaves of absence from active employment with the Agency.

6.10 BEREAVEMENT LEAVE

Bereavement Leave is to assist employees when there is a death in an employee’s immediate family. “Immediate family” is defined as: parent, stepparent, parents-in-law, spouse, domestic partner, grandparent, grandparents-in-law, children, stepchild, grandchild and siblings.

Bereavement Leave is a paid benefit provided to all full-time and part-time employees. There is no bereavement leave granted to workers in a Per Diem status.

MERT pays 1 week or up to 40 hours of bereavement pay. Part-time employees pay will be prorated.

Additional unpaid time off may be granted for circumstances and reviewed on a case-by-case basis by the Executive Director.

6.11 JURY DUTY

Employees will be granted time off to serve for jury duty, which will be unpaid time off. However, all regular employees, whether full-time or part-time, will be kept on the active payroll until their civic duties have been completed. A copy of the jury duty summons and all other associated paperwork are required for the personnel file. An employer is not required to pay an employee for responding to a jury summons or serving on a jury.

Employees may use their vacation or earned time or take the jury duty time off without pay.

If you are called to make a court appearance on behalf of the Agency, the time used will be paid time.

6.12 FAMILY MEDICAL LEAVE ACT (FMLA)

The Family Medical Leave Act (FMLA), affords workers the right to take time off work to care for themselves or family members during a covered medical event or for certain other family reasons. Employees can view the protections of this law on the FMLA poster that is displayed with the other labor law posters in our office, but the following is some guidance regarding the rights and obligations under this law

There are several criteria to meet state and federal guidelines. Please see Human Resources to discuss these criteria.

Employees may also be entitled to leave pursuant to the State FMLA leave act. Generally, an employee who qualifies for leave under both state and federal law are entitled to the greatest protections afforded by either Act.

Continuation of benefits during FMLA

An employee on FMLA leave will continue to receive insurance coverage for the duration of the leave at the level and under the condition's coverage was provided prior to FMLA leave. For all insurance coverage that requires contribution from active employees (normally paid via payroll deductions), the employee on leave must continue to make the required contributions. Employees must make arrangements with Human Resources for payment of their share of insurance premiums while they are out on FMLA leave.

Extended Medical Leave

An employee who is unable to perform the essential functions of his/her job after exhausting the FMLA leave time may request limited extension of leave beyond the statutory limit. Any extension must be approved by the Executive Director.

6.13 FAMILY MILITARY LEAVE

Maine's Family Military Leave allows eligible employees to use 15 days of family military leave per deployment. MERT Enterprises, Inc. provides unpaid leave time to spouses, domestic partners and parents of soldiers being called into active duty of 180 days or longer. Please see Human Resources for more information.

6.14 UNPAID PERSONAL LEAVE

MERT Enterprises, Inc. provides discretionary Unpaid Personal Leave for eligible employees with the approval of the Executive Director. Employees may request unpaid time away from work for personal reasons for a specific time period up to 180 days, with an extension possible under certain circumstances. In determining whether to grant the request, MERT will consider the need for the leave, the duration of the requested leave, the employee's work history, and the needs of MERT at that time.

All MERT employees who are on any type of unpaid personal leave are required to periodically report – and return phone calls – to the employer regarding their status and intent to return to work. Failure to remain in communication, absent extenuating circumstances, may result in disciplinary action, up to and including suspension or termination.

An employee using this personal leave is not guaranteed return to his/her prior position, absent extenuating

circumstances. Return from leave will depend on the availability of open positions at the time the employee indicates a readiness to return to work, with or without reasonable accommodation. If, after completion of a personal leave of absence an employee is not able to return to work with or without reasonable accommodation and does not have an expectation of being able to do so within a reasonable time, termination may result.

If the employee decides not to return to MERT following this Unpaid Personal Leave, the employee is expected to provide as much notice as possible. Failure to report to work at the expiration of this approved personal leave, without being granted an extension of the leave, will result in separation of employment.

Employees are also required to use all time accruals such as vacation, earned time, sick or personal time to run concurrently with your Unpaid Personal Leave. An employee who is granted an Unpaid Leave of Absence must seek prior permission to engage in any other outside employment during the leave period.

If a full-time employee (35 hours+ per week) is enrolled in any MERT insurance plans, the employee will need to make arrangements with Human Resources as to how their portion of benefits will be paid, prior to an unpaid leave being granted.

Some insurance benefits may be continued at the employee's expense if the employee elects to do so. The employee will be notified by mail of the insurance benefits that may be continued and the terms, conditions and limitations.

6.15 SHORT-TERM DISABILITY LEAVE

For an employee working in full-time status (35 hours+ per week), Short-Term Disability Insurance is offered when the employee first becomes eligible to enroll in insurance benefits and during "Open Enrollment" in the month of June each year.

If a Short-Term Disability Leave is approved, the employee will need to make arrangements with Human Resources as to how their portion of benefits will be paid, prior to their Short-Term Disability Leave being granted. Please see Human Resources for more information.

6.16 LONG-TERM DISABILITY LEAVE

For an employee working in full-time status (35 hours+ per week), Long-Term Disability Insurance is offered when the employee first becomes eligible to enroll in insurance benefits and during "Open Enrollment" in the month of June each year

If a Long-Term Disability Leave is approved, the employee will need to make arrangements with Human Resources as to how their portion of benefits will be paid, prior to their Long-Term Disability Leave being granted.

An employee who is granted a Long-Term Disability Leave of Absence must seek prior permission to engage in any other outside employment during the leave period.

MERT may not hold open an employee's position during the period of Long-Term Disability Leave. Return from that leave to a position will depend on the availability of open positions at the time the employee indicates a readiness to return to work, with or without reasonable accommodation.

If, after completion of a Long-Term Disability Leave of 180 days, an employee is not able to return to work with

or without reasonable accommodation and does not have an expectation of being able to do so within a reasonable time, termination may result.

Some insurance benefits may be continued at the employee's expense if the employee elects to do so. The employee will be notified by mail of the insurance benefits that may be continued and the terms, conditions and limitation

SECTION 7

EMPLOYEE COMMUNICATIONS

7.1 STAFF MEETINGS

MERT holds meetings periodically throughout the year. These meetings are meant to communicate up-to-date information on Agency activities, changes in the workplace and employee recognition.

7.2 BULLETIN BOARDS/ACTIVITY CALENDARS

Bulletin Boards and Activity Calendars are placed in designated areas in MERT's office and consumers' homes to provide employees access to important upcoming information and announcements. The employee is responsible for reading necessary information posted on the bulletin boards.

7.3 EMPLOYEE MAILBOXES

All employees at MERT have their own mailbox located in MERT's office. Employees are expected to check their mailbox at least once during their shift.

7.4 HOUSE MAILBOXES

Are located at the office and should be checked at least once during every shift.

7.5 ANTI-NEPOTISM

Members of an employee's immediate family or their significant other will be considered for employment based on their qualifications. However, if hired, an employee will not be supervised by a family member.

7.6 NON-SOLICITATION AND DISTRIBUTION

MERT Enterprises, Inc. believes that distraction of employees on the job interferes with their productivity, makes them less effective and diminishes their focus on the consumers. The agency has established the following guidelines for all employees regarding solicitation and distribution of material:

- During your work time, you may not engage in solicitation of other employees or distribution of literature for any purpose, regardless of the cause
- During another employee's work time, you may not solicit the employee for any purpose
- Distribution of literature of any kind may not be made in consumer's homes at any time
- Individuals not employed by the Agency are not permitted to solicit employees or distribute literature on Agency property without prior approval from the Executive Director

- Material posted on the MERT bulletin boards or calendars must be cleared through the Executive Director
- Violations of this policy can lead to disciplinary action, up to and including suspension or termination

MERT reserves the right to conduct or authorize charitable solicitations for acquiring and promoting goodwill in the community, consistent with its business interests, as it does in the case of Special Olympics. Should you wish a charitable solicitation be undertaken by the agency, please contact the Executive Director.

7.7 SPECIAL OLYMPICS

MERT Enterprises, Inc. provides year-round opportunities to develop physical fitness, sports training and athletic competition for their consumers. The agency does this through our involvement with Special Olympics. All employees of MERT Enterprises, Inc. will be required to complete and submit a form to the Special Olympics – Maine, to register them as a potential volunteer for Special Olympics events. The nature of any potential volunteer role will depend on the employee’s physical abilities as well as interests and experience.

MERT employees are expected to provide encouragement and support as necessary to consumers participating in sports training and competition. Most training takes place outdoors and MERT employees are expected to dress appropriately for outdoor activities, and to participate with the consumers, if able. MERT employees are role models for consumers and are also representing the Agency at Special Olympics events.

7.8 EMERGENCY PROCEDURES/ON-CALL PROTOCOL

MERT Enterprises, Inc. provides support to consumers, and some of these consumers require our staff to be working and being in their homes on an around-the-clock, 24/7 basis. There may be times where a situation or emergency develop, that is during off-times, overnights, weekends or holidays, when the Administrative Staff are not in the office to call. Some emergency situations listed below may happen in the consumer’s home and the Direct Support Professional needs to inform a supervisor or manager immediately:

- Power outages
- Severe weather (see Section 3.11, Inclement Weather/Emergency Closings)
- Medication error
- New medication
- If you become ill and cannot finish your shift
- A consumer going away overnight
- Visitors coming to the consumer’s home
- Loss of keys to the residence
- If you or the consumer are involved in an accident, get injured or become ill
- If something affecting the safety or care of the staff or consumer happens
- Your vehicle is damaged, vandalized or does not start

If an instance like any of these arises, the staff working at the consumer’s home must follow the “Call Protocol” to alert a supervisor or manager to the emergency issue.

- On-Call starts at 4:30pm and ends at 7:30am on weekdays. It starts at 4:30pm on Friday and ends at 7:30am on Monday for weekends.
 - ❖ In an emergency, if on-call does not answer, wait 2-3 minutes and call again. If still no answer call Mary or call 911 if life threatening and then call Mary.
 - ❖ If not an emergency, ask yourself if this can wait until the next day or Monday when your RA gets in? Do not call on-call if it can wait.
 - ❖ If not an emergency but cannot wait, leave a message and on-call will call you back. If you do not

get a call back within 15 minutes call again. If still no answer or call back call Mary Rush.

Note: If the consumer or staff is in danger, such as a fire breaking out in the home, get out as fast as you can. You should then call 911 and a supervisor once you and the consumers are safe and out of harm's way as soon as you are able to.

7.9 PROCEDURE FOR HANDLING COMPLAINTS

Employees who have a job-related concern, question or complaint should first discuss it with their immediate supervisor. If this does not resolve your concern, then discuss with the Executive Director.

SECTION 8

EXECUTIVE DIRECTOR

8.1 THE EXECUTIVE DIRECTOR HAS THE RIGHT TO MAKE THE FINAL DECISION IN ANY SITUATION.

I have received a copy of the MERT January 2018 Employee Handbook. I understand and agree that it is the expectation of MERT that all employees will review this handbook and will be held accountable to the policies within this handbook.

Print Name and Signature

Date