

**Group Main Stream, Inc.**  
**EMPLOYEE HANDBOOK**



**WWW.GMSME.ORG**

# Welcome

Welcome to GMS! We are delighted that you have chosen to join our organization and hope that you will enjoy a long and successful career with us. As you become familiar with our culture and mission, we hope you will take advantage of opportunities to enhance your career and further GMS's goals.

You are joining an organization that has a reputation for outstanding leadership, expertise and individualized care. GMS is a non-profit organization that serves adult individuals with Intellectual Disabilities Autism Spectrum Disorders, and other related conditions. GMS provides a range of support services, including Residential, Shared Living, In-Home Support, Community Support, Day Programming, Case Management, and Career Planning. The goal of each department is to provide and assist people to accomplish and maintain their highest attainable living skills. ***Our mission is to improve the quality of life by supporting independence.***

Our employees' commitment to providing quality services while maintaining the highest standards of ethical conduct is vital to the success of our mission. It is our hope that you find your employment with us to be fulfilling and rewarding. We encourage independence in our employees who demonstrate good judgement and commitment to our core values. We offer many opportunities for professional growth for those who seek it. We sincerely hope you will take pride in being an important part of GMS's success.

Please take time to review the information in this handbook. If you have questions, feel free to ask your supervisor or to contact the Human Resources Department. A printed copy is available to you upon request and the newest version will always be posted on our website [www.gmsme.org/for-employees/](http://www.gmsme.org/for-employees/).

# TABLE OF CONTENTS

## **Equal Opportunity and Commitment to Diversity – page 5**

- Equal Opportunity
- Americans with Disabilities Act (ADA) and Reasonable Accommodation
- Commitment to Diversity
- Immigration Law Compliance
- Harassment and Complaint Procedure

## **Conflicts of Interest and Confidentiality – page 8**

- Conflicts of Interest
- Confidential Information

## **Employment Relationship – page 11**

- Employment Considerations
- Introductory Period
- Employment Classification
- Work Week and Hours of Work
- Meal and Rest Breaks
- Time Records
- Overtime
- Deductions from Pay
- Paychecks
- Personnel Files
- Employment of Relatives and Domestic Partners
- Separation from Employment

## **Workplace Safety – page 20**

- Commitment to Safety
- Drug-Free Workplace
- Smoke-Free Workplace
- Workplace Violence Prevention
- Exposure Control
- Emergency Closings

## **Workplace Guidelines – page 23**

- Outside Employment
- Attendance
- Dress, Grooming and Hygiene
- Professional Boundaries
- Transportation in Agency and Private Vehicles
- Social Media Acceptable Use

Solicitation  
Computers, Internet, Email, and Other Resources  
Cellphone Use  
Speaking to the Media  
Open Door  
Job Performance  
Transfers  
Training  
Salary Methodology  
Grievance Procedure  
Whistleblower Protection  
Reporting Abuse, Neglect, and Exploitation

**Time Off and Leaves of Absence – page 36**

Holidays  
Earned Benefit Time  
Family and Medical Leave  
Military Leave  
Bereavement Leave  
Jury Duty/Court Appearance  
Time Off for Voting  
Leave of Absence

**Employee Benefits – page 43**

Medical Insurance  
Ancillary Benefits  
Employee Assistance Program  
Retirement Fund  
Workers' Compensation

**Employment at Will – page 47**

**Employee Handbook Acknowledgment and Receipt – page 48**

# **Equal Opportunity and Commitment to Diversity**

## **Equal Opportunity**

GMS provides equal employment opportunities to all employees and applicants for employment without regard to race, color, ancestry, national origin, gender, sexual orientation, marital status, religion, age, disability, gender identity, results of genetic testing, or service in the military. Equal employment opportunity applies to all terms and conditions of employment, including hiring, placement, promotion, termination, layoff, recall, transfer, leave of absence, compensation, and training.

GMS expressly prohibits any form of unlawful employee harassment or discrimination based on any of the characteristics mentioned above. Improper interference with the ability of other employees to perform their expected job duties is not tolerated.

## **Americans with Disabilities Act (ADA) and Reasonable Accommodation**

To ensure equal employment opportunities to qualified individuals with a disability, GMS will make reasonable accommodations for the known disability of an otherwise qualified individual, unless undue hardship on the operation of GMS would result.

Employees who may require a reasonable accommodation should contact the Director of Human Resources.

## **Commitment to Diversity**

GMS is committed to creating and maintaining a workplace in which all employees have an opportunity to participate and contribute to the success of GMS and are valued for their skills, experience, and unique perspectives. This commitment is embodied in our policies and the way we do business at GMS and is an important principle of sound business management.

## **Immigration Law Compliance**

GMS is committed to employing only United States citizens and aliens who are authorized to work in the United States and does not unlawfully discriminate on the basis of citizenship or national origin.

In compliance with the Immigration Reform and Control Act of 1986, each new employee must complete the Employment Eligibility Verification Form I-9 and present documentation establishing identity and employment eligibility.

GMS participates in *E-Verify* and will provide the Federal government with each new employee's Form I-9 information to confirm that the employee is authorized to work in the

United States. If *E-Verify* cannot confirm that the employee is authorized to work, the Human Resources Department will give the employee written instructions and an opportunity to contact the Department of Homeland Security or the Social Security Administration so he/she can begin to resolve the issue before GMS can take any action against the employee, including terminating employment.

Employees in need of more information on immigration law issues are encouraged to contact the Human Resources Department, the Department of Homeland Security, or an Immigration Attorney. Employees may raise questions or complaints about immigration law compliance without fear of reprisal.

## **Harassment and Complaint Procedure**

Sexual and other unlawful harassment is a violation of Title VII of the Civil Rights Act of 1964, as amended, as well as Maine state law. Harassment based on a characteristic protected by law, such as race, color, ancestry, national origin, gender, sex, sexual orientation, gender identity, marital status, religion, age, disability, veteran status, or other characteristic protected by state or federal law, is prohibited.

It is GMS's policy to provide a work environment free of sexual and other harassment. To that end, harassment of GMS's employees by management, supervisors, coworkers, contractors or visitors is prohibited. Further, any retaliation against an individual who has complained about sexual or other harassment or retaliation against individuals for cooperating with an investigation of a harassment complaint is similarly unlawful and will not be tolerated. GMS will take all steps necessary to prevent and eliminate unlawful harassment.

***Definition of Unlawful Harassment.*** *Unlawful harassment* is conduct that has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of substantially and unreasonably interfering with an individual's work performance; or otherwise adversely affects an individual's employment opportunities because of the individual's membership in a protected class.

Unlawful harassment includes, but is not limited to, epithets; slurs; jokes; pranks; innuendo; comments; written or graphic material; stereotyping; or other threatening, hostile, or intimidating acts based on race, color, ancestry, national origin, gender, sex, sexual orientation, marital status, religion, age, disability, veteran status, or other characteristic protected by state or federal law. Harassment and hostility among GMS employees, based on a protected status or not, is considered unacceptable behavior and grounds for disciplinary action up to and including termination of employment.

**Definition of Sexual Harassment.** *Sexual harassment* is generally defined under both state and federal law as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature where:

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

Other sexually oriented conduct, whether intended or not, that is unwelcome and has the effect of creating a work environment that is hostile, offensive, intimidating, or humiliating to workers may also constitute sexual harassment.

While it is not possible to list all those additional circumstances that may constitute sexual harassment, the following are some examples of conduct that, if unwelcome, may constitute sexual harassment depending on the totality of the circumstances, including the severity of the conduct and its pervasiveness:

- Unwanted sexual advances, whether they involve physical touching or not;
- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life, comments about an individual's body, comments about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, or cartoons;
- Unwelcome leering, whistling, brushing up against the body, sexual gestures, or suggestive or insulting comments;
- Inquiries into one's sexual experiences; *and*
- Discussion of one's sexual activities.

All employees should take special note that, as stated above, retaliation against an individual who has complained about sexual harassment and retaliation against individuals for cooperating with an investigation of sexual harassment complaint is unlawful and will not be tolerated at GMS.

**Complaint Procedure.** Any employee who believes he or she has been subject to or witnessed discrimination, including sexual or other forms of harassment, is requested and encouraged to make a complaint. You may, but are not required to, complain first to the person you feel is discriminating against or harassing you. You may complain directly to your immediate supervisor or Department Director, the Director of Human Resources, or any other member of management with whom you feel comfortable bringing such a complaint. Similarly, if you observe acts of discrimination toward or harassment of another employee, you are requested and encouraged to report this to one of the individuals listed above. Complaints against the Director of Human Resources should go to the Executive Director. Complaints against the

Executive Director should go to the Board of Directors through either the Director of Human Resources or Associate Director.

No reprisal, retaliation, or other adverse action will be taken against an employee for making a complaint or report of discrimination or harassment or for assisting in the investigation of any such complaint or report. Any suspected retaliation or intimidation should be reported immediately to one of the persons identified above.

All complaints will be investigated promptly and, to the extent possible, with regard for confidentiality.

If the investigation confirms conduct contrary to this policy has occurred, GMS will take immediate, appropriate, corrective action, including discipline up to and including termination of employment.

## **Conflicts of Interest and Confidentiality**

### **Conflicts of Interest**

The purpose of the following policies and procedures is to complement GMS's by-laws to prevent the personal interests of employees, board members, and volunteers from interfering with the performance of their duties at GMS or resulting in financial, professional, or political gain on the part of such persons at the expense of GMS or its individuals served, supporters, and other stakeholders.

**Definitions.** *Conflict of interest* is a conflict, or the appearance of a conflict, between the interests and the official responsibilities of a person who is in a position of trust. Persons in a position of trust include employees, officers, and board members of GMS. *Board* means the Board of Directors. *Officer* means an officer of the Board of Directors. *Volunteer* means a person, other than a Board member, who does not receive compensation for services provided to GMS. *Employee* means a person, not under contract, who receives all or part of her/his income from GMS. *Contributor* means a corporation, foundation, individual, or 501 (c) (3) or other nonprofit entity, who contributes to GMS.

#### **Policies and Procedures:**

1. Disclosure, by notice in writing, shall be made to the Executive Director of all conflicts of interest, including, but not limited to, the following:
  - Board member is related to another Board member, volunteer, or employee by blood, marriage or domestic partnership;
  - Employee or volunteer in a supervisory capacity is related to another employee, or volunteer whom she/he supervises; Board member, employee, or volunteer, their

organization, or a representative of their organization will benefit from a GMS transaction, payment, subcontract, goods, or services other than reimbursement for reasonable expenses incurred as provided in the by-laws and by Board policy; Board member's organization receives grant funding from GMS; Board member, employee, or volunteer is a member of the governing body of a contributor to GMS.

2. The Board of Directors shall be informed of the actual or potential conflict of interest. The Board shall determine whether a conflict of interest exists and, if so, the Board shall vote to authorize or reject the transaction or take any other action deemed necessary to address the conflict and protect GMS's interest. Votes shall be by a majority, excluding the vote of any interested director. The disinterested directors may be less than a quorum, provided that at least one director is disinterested.

3. A Board member who is formally considering employment with GMS must take a temporary leave of absence from the Board until the position is filled. Such a leave will be taken within the Board member's elected term, which shall not be extended because of the leave. A Board member who is formally considering employment with GMS must submit a written request for a temporary leave of absence from the Board to the Secretary of the Board, c/o the GMS office, indicating the period of leave. The Secretary of the Board will inform the Chair of the Board of such a request. The Chair will bring the request to the Board for action. The request and any action taken shall be reflected in the official minutes of the Board meeting.

4. An interested Board member, officer, volunteer, or employee shall not participate in any discussion or debate of the Board of Directors, or of any committee or subcommittee thereof, in which the subject of discussion is an actual or potential conflict of interest. However, they may be present to provide clarifying information in such a discussion or debate unless objected to by any present Board member.

5. No employees of any state or federal government entity associated with the licensing of, purchase of service from, or contracting with, or immediate family, shall be members of the Board.

6. Anyone in a position to make a decision about spending GMS's resources (e.g., transactions such as purchases contracts and who benefits from that decision, has a duty to disclose that conflict as soon as it arises (or becomes apparent). She/he should not participate in any final decision concerning that resource expenditure.

7. In the interest of productivity, consumer care and equitable treatment of employees, the employment of relatives of employees or members of the Board of Directors within the same program or department will not be allowed. Individuals currently dating also shall not be assigned to the same program or department. Individuals who are related or dating must have supervisor approval to work in the same program. No individual shall be employed in a program or department under the supervision of an immediate relative who has or may have a direct effect on the individual's progress, performance or employment in any way. No supervisor shall be involved in a relationship of a personal nature with any employee under their supervision.

8. A copy of this policy shall be given to all Board members, employees, volunteers and relevant parties upon commencement of such person's relationship with GMS or at the official adoption of stated policy. Each Board member, officer, employee, and volunteer shall sign and date the policy at the beginning of her/his term of service or employment and each year thereafter in order to acknowledge his/her receipt of the policy.

## **Confidential Information**

It is the policy of GMS that all employees, volunteers, trainees, Board members, and other members of GMS's workforce who are under the direct control of GMS shall keep all records and information pertaining to individuals served confidential. Confidentiality is extremely important, and violation of this policy may result in immediate termination of employment. All GMS employees, volunteers, trainees, Board members, and other workforce members who are under the direct control of GMS shall review and comply with GMS's HIPAA privacy and security policies. For the sake of clarity and ease, all individuals who receive services from GMS will be referred to in this handbook as *consumer* or *individual served*.

### **Policies and Procedures:**

1. Confidential information and records pertaining to individuals served shall not be communicated to any person(s) outside GMS without the written consent of the consumer or the consumer's legal guardian, except as permitted under the GMS HIPAA privacy and security policies.
2. Within GMS, information and records pertaining to individuals served shall be kept confidential and shall only be divulged to employees who are essential in providing services to the individuals served or otherwise have a legitimate need to use the information and records. Unless otherwise requested by consumer or guardian or permitted by the GMS HIPAA privacy and security policies, GMS will maintain confidential the results of HIV testing and/or diagnosis.
3. No consumer information may be sent via email outside of GMS's email system unless (1) the consumer or the consumer's guardian has requested that the information be sent via email, and (2) the consumer or consumer's guardian has signed a statement explaining the risks of sending consumer information via email. Email sent with consumer information must be encrypted.
4. GMS employees will take measures to ensure all facsimiles and emails are received only by the intended recipient and include a disclaimer that the material should be disclosed, and the sender immediately notified if consumer information is received by an unintended recipient. Any GMS employee who intends to send protected health information via facsimile shall do so in accordance with GMS's faxing protected health information policy.
5. While cellphone use is required for positions performing on-call responsibilities at GMS, employees must take measures to maintain confidentiality when discussing individuals served on their cellphone.

6. Case records for training and education purposes may be used provided the identity of the consumer, his/her family and identifying specifics is effectively disguised. Please review GMS's HIPAA privacy and security policies about de-identifying protected health information.

7. Consumer records must be kept in locked files in the home where the individuals served reside or saved on the GMS secured server. Residential Managers, Supervisors, Department Directors, Associate Director and the Executive Director may maintain in their homes, in a secure and locked cabinet or drawer, the following information:

- Staff telephone numbers
- Consumer's guardian(s) telephone number(s)
- Caseworker telephone numbers
- Physician telephone numbers
- Any telephone number(s) deemed necessary to deal with an emergency.

8. Except for approved websites (i.e., Therap), the internet may not be used for conveying confidential information about individuals supported by GMS, including but not limited to medical, financial, treatment, or criminal records if the individual can be identified from the information in the communication unless specifically approved, in writing, by the individual and/or his/her guardian.

Employees, volunteers, trainees, Board members, and other members of GMS's workforce who fail to comply with this confidentiality policy and GMS's HIPAA policies and procedures will be subject to discipline in accordance with GMS's discipline policies.

## **Employment Relationship**

### **Employment Considerations**

Consistent with the requirements of GMS's contract with the State of Maine, GMS shall not hire or retain in any capacity any person who has a prior criminal conviction or disciplinary action by a professional licensing body that pertains to consumer abuse, neglect or exploitation. Any employee, who is arrested or charged with a criminal offense, must notify the Director of Human Resources as soon as possible, (if the Director of Human Resources is unavailable, notify the appropriate Department Director) and in any event, before the employee next returns to work. If an arrest and/or a charge of a criminal offense occurs after 4:00 pm on Friday or during the weekend the employee must contact the on call Administrator.

GMS complies with all background check and training requirements as outlined in the MaineCare Benefits Manual, Provider Qualifications. Employment is contingent upon a satisfactory screening of these requirements by the Human Resources Department following an initial employment offer and every twenty-four months of ongoing employment thereafter.

Any changes in criminal or motor vehicle history that occurs within that twenty-four months must be reported to the Director of Human Resources. Some motor vehicle infractions may prohibit an employee from driving for GMS.

## **Introductory Period**

The first 90 days of employment will be an introductory period during which the employee will have an opportunity to become more familiar with GMS, his or her position and job responsibilities. During this period GMS management and Human Resources Department tend to monitor more closely the employee's performance. The introductory period may be extended if determined necessary by GMS to better assess whether to retain the employee. Either the employee or GMS may decide to terminate employment before the end of the introductory period.

## **Employment Classification**

To determine eligibility for benefits and overtime status and to ensure compliance with federal and state laws and regulations, GMS classifies its employees as shown below. GMS may review or change employee classifications at any time.

**Exempt.** Exempt employees are paid on a salaried basis and are not eligible to receive overtime pay. Salaried employees are paid a set amount per week. A full day taken off within their normal schedule is offset with EBT.

**Nonexempt.** Nonexempt employees are paid on an hourly basis and are eligible to receive overtime pay for overtime hours worked. Overtime is considered any time worked over 40 hours within the same pay period.

**Regular, Full-Time.** Employees who are not in a temporary status and work a minimum of 35 hours weekly and maintain continuous employment status. These employees are eligible for the full-time benefits package and are subject to the terms, conditions, and limitations of each benefits program.

**Regular, Part-Time.** Employees who are not in a temporary status and who are regularly scheduled to work fewer than 35 hours weekly, but at least 20 hours weekly, and who maintain continuous employment status. Part-time employees are eligible for some of the benefits offered by GMS and are subject to the terms, conditions, and limitations of each benefits program.

**Temporary, Full-Time.** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work the company's full-time schedule for a limited duration.

Employment beyond any initially stated period does not in any way imply a change in employment status.

**Temporary, Part-Time.** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work fewer than 35 hours weekly for a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status.

**Relief.** Employees who are hired as interim replacements to temporarily supplement the workforce or to assist in the completion of a specific project and who are temporarily scheduled to work no fewer than 8 hours per month. Employment beyond any initially stated period does not in any way imply a change in employment status.

## **Work Week and Hours of Work**

As GMS provides support 24/7, the standard workweek is from Tuesday 12:00 a.m. until Monday 11:59 p.m. Administrative Office hours are 8:00 a.m. to 4:00 p.m., Monday through Friday. Individual work schedules vary depending on the needs of each department.

## **Meal and Rest Breaks**

Nonexempt Administrative Office employees are entitled to a 30-minute unpaid meal break each day. If a nonexempt employee is required to work through a meal break, he or she will be paid for the 30-minute period. Nonexempt employees may opt to sign a lunch break waiver if they plan to consistently work through their break. Employees are also entitled to two 15-minute rest periods each day.

## **Time Records**

All nonexempt employees are required to complete accurate weekly time reports showing all time worked. These records are required by Maine Wage and Hour laws and are used to calculate regular and overtime pay. GMS utilizes *Paylocity* for employee time and attendance management. It is the employee's responsibility to clock in and out at the correct times for scheduled shifts, meetings, trainings, or other approved activities and to notify his or her supervisor any time there is a discrepancy. Employees must approve their time cards in *Paylocity* by 9:00 a.m. Tuesday.

In some cases, due to the location of the program or technical problems, it may be necessary to use a paper time sheet. In this circumstance, at the end of each week, the employee and his or her supervisor must sign the time sheet attesting to its correctness before the time is manually entered into *Paylocity*.

## Overtime

When required due to the needs of the program or Agency, you may be asked to work overtime. Overtime is actual hours worked in excess of 40 in a pay period. Every week the pay period begins at 12:00 a.m. on Tuesday and ends at 11:59 p.m. on Monday. Nonexempt employees will be paid time and one half their regular rate of pay for all hours worked in a pay period. Paid leave, such as holiday, Earned Benefit Time (EBT), bereavement time, and jury duty does not apply toward work time. All overtime work must be approved in advance by a supervisor or department head.

## Deductions from Pay

GMS does not make improper deductions from the salaries of exempt employees and complies with the salary basis requirements of the Fair Labor Standards Act (FLSA). Employees classified as exempt from the overtime pay requirements of the FLSA will be notified of this classification at the time of hire or change in position. To ensure we maintain compliance with the FLSA and Maine Department of Labor regulations, classifications are reviewed yearly by the Human Resources Director or when there are changes to job descriptions.

**Permitted Deductions.** The FLSA limits the types of deductions that may be made from the pay of an exempt employee. Deductions that are permitted include:

- Deductions that are required by law, e.g., income taxes;
- Deductions for employee benefits when authorized by the employee;
- Absence from work for one or more full days for personal reasons other than sickness or disability;
- Absence from work for one or more full days due to sickness or disability if the deduction is made in accordance with a bona fide plan, policy or practice of providing compensation for salary lost due to illness;
- Offset for amounts received as witness or jury fees, or for military pay;
- Unpaid disciplinary suspensions of one or more full days imposed in good faith for workplace conduct rule infractions;
- During the week an exempt employee begins work for GMS or during the last week of employment, the employee will only be paid for actual days worked. In addition, an employee may be paid only for days worked during a period when the employee is using unpaid leave under the Family and Medical Leave Act (FMLA);

**Improper Deductions.** If an employee believes that an improper deduction has been taken from his or her pay, the employee should immediately report the deduction to the Human Resources Department. The report will be promptly investigated and if it is found that an improper deduction has been made, GMS will reimburse the employee for the improper deduction.

## Paychecks

GMS's pay day for all employees is weekly on Thursday. If pay day or payroll processing day falls on a federal holiday, employees may receive their paycheck on the preceding workday or on the Friday following. With the exception of your first paycheck, which will be paper, paychecks are directly deposited into your checking and/or savings accounts. It is important that you keep your bank account information up to date in *Paylocity*.

## Personnel Files

GMS maintains a secured and confidential personnel file for each employee. Personnel files are maintained in scanned form in the GMS server and electronically on the *Paylocity* Human Resources Information System. Each file shall contain, at minimum, the following:

- A completed, signed, and dated application;
- Letters of reference and notes of any telephone references;
- Professional credentials and certifications;
- Proof of high school diploma or GED;
- Proof of training and orientation;
- Completed I-9 form (kept in a separate file) and proof of work authorization (GMS uses *E-Verify* for all new employees);
- All background checks as required by the MaineCare Benefits Manual under Provider Qualifications (i.e. national criminal, Bureau of Motor Vehicles, Adult Protective Services, Child Protective Services, State and Federal OIG Exclusion registries; National Sex Offender Registry, Certified Nursing Assistant registry or other pertinent registries).
- State and Federal W4 forms;
- Employment status;
- Current job description;
- Performance evaluations;
- Supervision notes;
- Documentation of disciplinary actions, coaching or consultation notes;
- For direct care employees, proof of DHHS required immunizations (kept in a separate file).

It is our intent to only include records in the personnel file which are directly related to the employee's job with GMS.

In order to keep personnel records up to date, you should notify the Human Resources Department in writing or log in and make changes through your *Paylocity Self-Serve Portal* if any of the following information changes:

- Mailing address;
- Telephone number;
- Email address;

- Marital status;
- Number of dependents
- Beneficiary designations for insurance, disability and retirement plan purposes;
- Person to be notified in case of emergency;
- Direct deposit information.

Employees may add certificates, documentation of education, awards, physician’s notes, and other material pertaining to their employment to their file. This material must be given directly to the Human Resources Department. An employee may request a meeting with the Director of Human Resources and/or Executive Director to appeal disciplinary action which has been placed in their personnel file.

**Access to Personnel Files.** Employee files are maintained by the Human Resources Department and are considered confidential. Managers and supervisors have limited access to personnel files on *Paylocity*. Information access, on the GMS server and *Paylocity*, is limited to a need-to-know basis. Personnel file access by current employees and former employees upon request will be permitted within 10 days of the request unless otherwise required under state law. Employees may request a printed copy of their file at no cost once per year. Employees may access some information maintained on *Paylocity* by logging in to their account.

Representatives of government or law enforcement agencies, in the course of their duties, may be allowed access to personnel information. The GMS Director of Projects and Compliance, in the course of his or her duties, will have access to employee files with the exclusion of records deemed protected sensitive information by the Director of Human Resources. Personnel records pertaining to medical or mental health conditions, workers’ compensation, I-9s, and certain criminal background information shall be deemed protected sensitive information. Job descriptions may be accessed at any time on the GMS server in the HR Forms folder.

**Releasing Job References.** All requests for information about current or former employees must be referred to the Human Resources Department. The only information provided is the dates of employment, final job title and, if applicable, eligibility for rehire. With the employee’s written permission, the Human Resources Department may give additional information as specified within the written permission.

## **Employment of Relatives and Domestic Partners**

Relatives and domestic partners may be hired by GMS if (1) the persons concerned will not work in a direct supervisory relationship, and (2) the employment will not pose difficulties for supervision, security, safety, or morale. For the purposes of this policy, “relatives” are defined as spouses, children, siblings, parents, or grandparents. A “domestic partnership” is generally defined as a committed relationship between two individuals who are sharing a home or living arrangements.

Current employees who marry each other or become involved in a domestic partnership will be permitted to continue employment with GMS provided they do not work in a direct supervisory relationship with each other or otherwise pose difficulties as mentioned above. If employees who marry or live together do work in a direct supervisory relationship with each other, GMS will attempt to reassign one of the employees to another position for which he or she is qualified if such a position is available. If no such position is available, one of the employees may be required to leave the company.

## **Separation from Employment**

**Involuntary Termination.** There is no formal policy that an employee receives a certain number of warnings before employment is terminated. Whenever possible and appropriate prior to dismissal, the Director of Human Resources will ensure that the employee has been counseled in writing concerning any deficiencies in performance, given sufficient time to correct these deficiencies, and informed that failure to correct them may result in termination. Involuntarily terminated employees will be given written explanation for the termination from or approved by the Director of Human Resources or Executive Director. A written explanation for termination will either be presented during a termination meeting or mailed within 10 days of termination or request. Involuntarily terminated employees are not entitled to receive payment for any accrued earned benefit time.

Some offenses warrant immediate dismissal. These include but are not limited to:

- Theft, including but not limited to, the removal of GMS or consumer property or the property of another employee from GMS premises without prior authorization. Falsely reporting hours for compensation that you did not work may be considered theft;
- Alcohol or illegal drug possession, use, sale, purchase, or distribution on GMS property and/or on duty off GMS property, of any illegal drug or illegally possessed drugs;
- Reporting to work in a condition that adversely affects the employee's ability to safely and effectively perform his or her job functions or which would imperil the safety of other employees or individuals served;
- Knowingly misrepresenting the hours worked of another staff or soliciting such conduct from another employee;
- Falsifying GMS records;
- Intentionally accessing, without appropriate permission, protected health or other confidential information from a personnel or consumer record for purposes not permitted within the scope of position or assignment.
- Sabotaging or damaging GMS equipment or the property of other employees or individuals served;
- Walking off the job without supervisory permission;

- Insubordination involving, but not limited to, defaming, assaulting or threatening to assault a supervisor, member of the Senior Team, or Board member, and/or refusing to carry out the legal order of a supervisor where personal safety is not a problem;
- Fighting or provoking a fight, while on duty, on or off GMS premises;
- Absence for one shift without notice to GMS. In this circumstance, if there has been no communication from the employee, it will be considered a voluntarily termination;
- Sleeping on the job;
- Carrying or storing any weapon, of any type, in any fashion, while on duty, in a GMS building, or while driving a GMS vehicle;
- Engaging in harassing or other inappropriate behavior directed toward any individual(s) while on duty;
- Fighting, gambling or other inappropriate activity with or around individuals served;
- Engaging in or failing to report neglect or abuse of individuals served or otherwise violating the rights of individuals served;
- Refusing to adhere to GMS policies, procedures, rules, or protocols as stated in The Employee Handbook, GMS Operations Manual or job description.

**Resignation.** In all cases of voluntary resignation (one initiated by the employee), employees are asked to provide a written notice to their supervisor. The following notice times periods are requested to be considered resigning in good standing:

- DSP/Residential Lead – 14-day notice
- Administrative Support – 14-day notice
- Case Manager/Shared Living Coordinator/Manager/Director – 30-day notice
- Senior Team Member – 45-day notice

The use of EBT or floating holiday is not permitted during the resignation period. Employees who provide and work the requested amount of notice will be considered to have resigned in good standing and generally will be eligible for rehire. If the employee’s notice period ends on a holiday, and the employee does not work, no holiday pay benefit will be disbursed.

At the option of GMS, the resigning employee may be given pay in lieu of working during the notice period.

In most cases, Human Resources will conduct an exit meeting on or before the last day of employment to collect all company property, to discuss final pay, as well as ask you questions about your employment experience at GMS.

**Final Pay.** Employees who leave the service of GMS for any reason shall receive all pay which may be due them for the work they have done through the last day of their employment. In addition:

- Employees who work their minimum required notice will be paid at 50% of their accrued but unused EBT. Employees who leave before completing their minimum required notice are not entitled to receive payment for any unused accrued EBT.
- Employees who leave before completing their 90-day introductory period are not entitled to receive payment for any accrued EBT.
- Separation date for all employees is the day after the last actual day of work or approved leave. Payment of any EBT time or pay in lieu of notice will not be construed to extend an employee's employment with GMS beyond the separation date.
- Employees must return to GMS issued equipment and keys when requested. Failure to do so may result in a report of theft to law enforcement.
- Employees who have GMS medical benefits will be advised of any rights they may have under the Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA). Medical and ancillary benefits will be terminated on the last day of the pay week the employee worked.
- Nonexempt employees will not receive a holiday pay benefit for a holiday not worked during their notice of resignation period.
- Final payment will be made no later than the pay period following the week in which the termination fell.

**Layoff.** GMS intends to minimize the negative impact on current staff if a reduction in the work force becomes necessary. If a cutback must occur, GMS will reduce staff progressively using the following steps unless the Executive Director determines otherwise:

1. Attrition.
2. Voluntary reduction in the work force. This reduction includes staff that take a leave of absence or a reduction in hours.
3. Part-time positions may be eliminated prior to full-time positions.
4. GMS will attempt to transfer staff in eliminated positions to other vacant positions if the employee can meet the qualifications of the position and has satisfactory performance evaluations.

In determining which regular employees are laid off, the Executive Director may consider such factors as, but not limited to, the following:

- Special training;
- Performance evaluations;
- Job specialty and responsibilities;
- Supervisor input;
- Seniority (length of employment).

The above factors are in no particular order nor hold special weight.

The Executive Director will notify the affected employee and inform him/her of the layoff date. Any employee who is laid off will be paid for accrued but unused EBT at 75%.

# Workplace Safety

## Commitment to Safety

GMS is committed to providing employees with a healthy and safe workplace. A Safety Committee has been established which, among other responsibilities, reviews safety-related data and makes recommendations to administration accordingly.

All employees have the opportunity and responsibility to contribute to a safe work environment by using commonsense rules and safe practices and by notifying management when any health or safety issues are present. All employees are encouraged to partner with management to ensure maximum safety for all.

In the event of an emergency, dial 911 to activate the emergency services, then notify the appropriate manager or Department Director.

## Drug-Free Workplace

It is the policy of GMS to maintain a drug- and alcohol-free work environment that is safe and productive for employees and others having business with GMS.

The unlawful use, possession, purchase, sale, distribution, or being under the influence of any illegal drug and/or the misuse of legal drugs while on company or consumer premises or while performing services for GMS is strictly prohibited. GMS also prohibits reporting to work or performing services while impaired using alcohol or consuming alcohol while on duty or during work hours.

Should a situation arise where an employee is being relieved by a person who appears to be incapable of performing his/her duties due to the consumption of alcohol and/or drugs (or any other reason), the employee must notify the supervisor or the Department Director immediately, and remain at the program until relieved by a competent employee. It is mandatory for GMS staff to report to the Department Director or Director of Human Resources any knowledge that another employee is or has been under the influence, impaired by alcohol or other substances while working.

While Maine law expressly prohibits employees from being discriminated against for lawfully engaging in conduct involving the use of marijuana, whether medical or recreational, the law does not require GMS to accommodate an employee's ingestion of marijuana in the workplace or to permit an employee to work while under the influence of marijuana – therefore the activity is prohibited.

The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and safely, in a manner that does not endanger individuals in the workplace.

All GMS employees will be required to sign a Non-Impairment Agreement upon hire. Any employee violating this policy is subject to discipline, up to and including termination, for the first offense.

## **Smoke-Free Workplace**

Smoking is not allowed in GMS buildings, on GMS owned or leased properties, vehicles, work areas, or the Administrative Office parking area at any time.

There will be no smoking in personal vehicles when transporting individuals served and/or GMS employees.

"Smoking" includes the use of any tobacco products, electronic smoking devices (i.e. "vaping"), and e-cigarettes containing nicotine cartridges.

## **Workplace Violence Prevention**

GMS is committed to providing a safe, violence-free workplace for our employees. Due to this commitment, we discourage employees from engaging in any physical confrontation with a violent or potentially violent visitor or employee. Behaving in a threatening or violent manner is prohibited. Threats, threatening language, or any other acts of aggression or violence made toward or by any employee will not be tolerated. A threat may include any verbal or physical harassment or abuse, attempts to intimidate others, menacing gestures, stalking, or any other hostile, aggressive, and/or destructive actions taken for the purposes of intimidation. This policy covers any violent or potentially violent behavior that occurs in the workplace or at GMS-sponsored functions.

All GMS employees bear the responsibility of keeping our work environment free from violence or potential violence. Any employee who witnesses or is the recipient of violent behavior should promptly inform their supervisor, Department Director, or the Director of Human Resources. All threats will be promptly investigated. No employee will be subject to retaliation, intimidation, or discipline as a result of reporting a threat in good faith under this guideline.

Any individual engaging in violence against GMS, its employees, or its property will be prosecuted to the full extent of the law. All acts will be investigated, and the appropriate action will be taken. Any such act or threatening behavior may result in disciplinary action up to and including termination.

GMS prohibits the possession of weapons on its property, including our parking lots or company vehicles. Additionally, while on duty, employees may not carry a weapon of any type. Weapons include, but are not limited to, handguns, rifles, automatic weapons, and knives that can be used as weapons (excluding pocketknives, utility knives, and other instruments that are used to open packages, cut string, and for other miscellaneous tasks), martial arts paraphernalia, stun guns, and tear gas. Any employee violating this policy is subject to discipline up to and including dismissal for the first offense.

Maine law states that employers may not prohibit employees from keeping firearms in their personal vehicles. All firearms must be stored out of sight and locked in the employee's vehicle while on GMS property or while parked at a GMS function. Employees who have firearms in their personal vehicles may not transport employees or individuals served by GMS.

## **Exposure Control**

GMS has established procedures to follow for exposure prevention of communicable diseases and hazardous substances. Exposure control policies and procedures apply equally to all employees, visitors, individuals served by GMS, and the general public. See the GMS Operations Manual, GMS Exposure Control Plan, GMS Hazard Communication Plan, Respiratory Protection Plan, and program safety binders for further guidance.

Due to the COVID-19 pandemic, all employees with the duty or potential to provide direct care are required to go through the fit-testing process for use of the N95 mask or other approved respiratory personal protective equipment (PPE).

## **Emergency Closings**

The GMS Administrative Office will always make every attempt to be open for business. In situations in which some employees are concerned about their safety, management may advise supervisors to notify their departments that the office is not officially closed, but anyone may choose to leave the office or not drive in if he or she feels uncomfortable. In this situation, the employee would use EBT to cover their time out of work.

At the discretion of the Executive Director, the office may officially close due to conditions such as hazardous road conditions or utility failures. If the office closes early, nonexempt employees who are working on-site at the time of the closing will be paid for a full day. If a nonexempt employee leaves earlier than the official closing time, they will be paid only for actual hours worked, or can use EBT. Exempt employees will be paid for a normal full day but are expected to complete their work remotely. If the office does not open at all employees who were scheduled to work will be paid for the day. At the discretion of the Department Directors, some nonexempt employees will be expected to work remotely or make up their hours within the

same pay period if they are able to do so. Exempt employees will be expected to work remotely. Under no circumstance will paid non-worked hours count towards or contribute to the paying out of overtime.

## **Workplace Guidelines**

### **Outside Employment**

Employees are permitted to work a second job if it does not interfere with their job performance with GMS. Employees with a second job are expected to work their assigned schedules. A second job will not be considered an excuse for poor job performance, sleeping on the job, absenteeism, tardiness, leaving early, refusal to travel, or refusal to work different hours. Due to the nature of the services GMS provides, schedule changes may be necessary to meet the needs of the individuals served and programs.

If outside work activity causes or contributes to job-related problems, it must be discontinued, or the employee may be subject to disciplinary action, up to and including termination.

### **Attendance**

All employees are expected to arrive on time as scheduled, ready to work. If unable to arrive at work on time, or if an employee will be absent for an entire day, the employee must contact the supervisor as soon as possible, at least 2 hours before the start of your shift. Voicemail, e-mail, or text messages are not acceptable except in certain emergency circumstances. The employee must contact their supervisor or manager on-call.

Excessive absenteeism or tardiness will result in discipline up to and including termination. Failure to show up or call in for a scheduled shift without prior approval may result in termination. If an employee fails to report to work or call in to inform the supervisor of the absence for a shift, the employee may be considered to have voluntarily resigned employment.

### **Dress, Grooming and Hygiene**

GMS encourages a casual yet professional work environment for its employees. Even though the dress code is casual, it is important to project a professional image to stakeholders, visitors, coworkers, and individuals served by GMS. All employees are expected to dress in a manner consistent with good hygiene, safety, and in good taste (no profanity, inflammatory social commentaries, not too revealing, no holes due to wear, etc.).

To reduce the risk of injuries, employees providing direct care must wear closed toed shoes that provide adequate ankle support and non-slip tread. Sneakers are the preferred choice of footwear while providing direct care.

As sensitivity to odors is common and can cause sickness in some, GMS strives to be an odor-free workplace. Employees should be aware of their body odor and refrain from wearing fragrances that have a perceptible odor beyond the wearer.

Any questions or complaints regarding employee attire or hygiene should be directed to the Department Director or Director of Human Resources. If a supervisor or Department Director decides that an employee is in violation of the dress code, the employee will be asked to go home and change clothes or take care of personal hygiene. For hourly employees, the time required to make this change is unpaid.

## **Professional Boundaries**

GMS has established workplace professional boundaries to ensure orderly operations and to provide the best possible services. Boundaries make workplace relationships professional, respectful, safe for all and set the parameters in which services are delivered. These professional boundaries are set and maintained through informal expectations and established rules to protect the interests, well-being of all employees and individuals served by GMS. GMS believes that its promotion of clear professional boundaries will create a more efficient and comfortable workplace with improved employee satisfaction.

To assist employees in understanding and adhering to GMS workplace professional boundaries, GMS provides regular and comprehensive training to all employees to improve staff skills, knowledge, and competency.

To ensure that professional boundaries are maintained, supervisors are strongly encouraged to discuss job performance and goals informally on a regular basis and addressed in performance evaluations.

Employees who do not adhere to professional boundaries in the workplace will face disciplinary action. The corrective action will depend on the severity of the infraction. GMS's system of accountability is progressive in nature and is intended to help an employee enhance his or her job performance by identifying problems and outlining corrective measures.

**Visitors.** Employees should not have visitors at a residence or participate in any personal socializing during working hours. Employees may not bring their children in to work for any reason if that employee is responsible, or could be called upon to be responsible, for the direct care of a consumer.

Supervisors may approve visitors in a residence for exceptions which clearly benefit the individuals served and promote normalized socialization opportunities. In the event that an employee, during working hours, participates in a social event which is of interest to the individual served, his/her primary focus must remain with the individual to be supported. If individuals served by GMS wish to initiate relationships with an employee's friend or family member, this may be encouraged if the socializing occurs outside of the employee's work hours.

Individuals served should not go to the homes of an employee. Exceptions may be made by a Department Director in the event of a special occasion. The way the employee works with the individual and the direct effect that relationship will have on the professional relationship within the home will be considered.

## **Transportation in Agency and Private Vehicles**

The preferred mode of transportation of individuals served is an agency vehicle. GMS provides transportation for individuals served to medical appointments, grocery/personal needs shopping and, for specific programs, provides an allotment of miles for weekly activities. Community transportation agencies are the primary choice for work and day program transportation.

The use of private vehicles for transportation is permissible and at times required. All GMS employees who may drive for GMS must be approved by the Human Resources Department following a review of their driving history, current registration, inspection sticker, and insurance coverage. Employees who have convictions for operating under the influence or any other violations or accidents that indicate an unsafe driving history within the past 3 years, shall not be permitted to transport individuals served. It is the employee's responsibility to report to Human Resources any change in the status of their driver's license or adverse driving history. Employees must provide up to date documentation to the Human Resources Department regarding their automobile insurance coverage following policy renewal. There are minimum liability coverage requirements for employees to transport individuals served in their personal vehicles.

Proper planning should occur to best utilize all agency vehicles. If an individual served will be crossing state lines, guardian permission is required, if applicable.

For additional information regarding the GMS travel policy, see the GMS Operations Manual.

## **Social Media Acceptable Use**

GMS encourages employees to share information with co-workers and with those outside GMS for the purposes of gathering information, generating new ideas, and learning from the work of

others. Social media provide inexpensive, informal, and timely ways to participate in an exchange of ideas and information. However, information posted on a website is available to the public and, therefore, GMS has established the following guidelines for employee participation in social media.

**Note:** As used in this policy, “social media” refers to blogs, forums, and social networking sites, such as Twitter, Facebook, LinkedIn, YouTube, and Instagram, among others.

**Off-Duty Use of Social Media.** Employees may maintain personal websites or web logs on their own time using their own devices. Employees must ensure that social media activity does not interfere with their work. In general, GMS considers social media activities to be personal endeavors, and employees may use them to express their thoughts or promote their ideas without violating GMS confidentiality policies or state and federal laws regarding protected health information.

**On-Duty Use of Social Media.** Employees may engage in social media activity during work time provided it is directly related to their work, approved by their manager, and does not identify individuals supported by GMS, visitors, employees, or vendors without express permission. GMS monitors employee use of company computers and the internet, including employee social networking activity.

**Respect.** Demonstrate respect for the dignity of GMS, its Board members, its vendors, employees, and individuals served. A social media site is a public place, and employees should avoid inappropriate comments. For example, do not use ethnic slurs, personal insults, or obscenity, or use language that may be considered inflammatory. Even if a message is posted anonymously, it may be possible to trace it back to the sender.

**Competition.** Employees should not use social media to criticize GMS’s competition and should not use it to compete with GMS.

**Confidentiality.** Do not identify or reference individuals receiving GMS services, visitors, or vendors without express permission. Employees may write about their jobs in general but may not disclose any confidential or proprietary information. For examples of confidential information, please refer to the GMS Policies for Protection of the Privacy of Protected Health Information. When in doubt, ask before publishing.

**Trademarks and Copyrights.** Do not use GMS’s or others’ trademarks on a social media site or reproduce GMS’s or others’ material without first obtaining permission.

**Legal.** Employees are expected to comply with all applicable laws, including but not limited to, Federal Trade Commission (FTC) guidelines, copyright, trademark, and harassment laws.

**Discipline.** Violations of this policy may result in discipline up to and including immediate termination of employment.

**Note:** Nothing in this policy is meant to, nor should it be interpreted to, in any way limit your rights under any applicable federal, state, or local laws, including your rights under the National Labor Relations Act to engage in protected concerted activities with other employees to improve terms and conditions of employment, such as wages and benefits.

## **Solicitation**

Employees should be able to work in an environment that is free from unnecessary annoyances and interference with their work. In order to protect our employees and visitors, solicitation by employees is strictly prohibited while either the employee being solicited or the employee doing the soliciting is on “working time.” “Working time” is defined as time during which an employee is not at a meal, on break, or on the premises immediately before or after his or her shift.

Employees are also prohibited from distributing written materials, handbills, or any other type of literature on working time and in “working areas,” which includes all office areas. “Working areas” do not include parking lots or common areas shared by employees during nonworking time.

## **Computers, Internet, Email, and Other Resources**

GMS provides a wide variety of communication tools and resources to employees for use in running day-to-day business activities. Whether it is the telephone, voicemail, fax, scanner, internet, intranet, e-mail, text messaging, or any other company-provided technology, use should be reserved for business-related matters during working hours. All communication using these tools should be handled in a professional and respectful manner.

Employees should not have any expectation of privacy in their use of GMS’s computers, phones, or other communication tools. All communications made using GMS-provided equipment or services including email and internet activity are subject to inspection by GMS. Employees should keep in mind that even if they delete an email, voicemail or other communication, a copy may be archived on GMS’s systems.

**Electronic Communication.** Emails that are not job-related have the potential to drain, rather than enhance, productivity and work performance. You should also be aware that information transmitted through e-mail is not completely secure, and information you transmit and receive could damage the reputation and/or competitiveness of GMS.

GMS encourages employees to use this tool only to communicate with fellow employees, vendors, stakeholders, or potential stakeholders regarding GMS business. Internal and external e-mails are considered business records and may be subject to discovery in the event of litigation. Be aware of this possibility when sending e-mails within and outside GMS.

Refrain from using e-mail in a manner that violates any of GMS policies/procedures. Delete any e-mail messages without opening that are received from unknown senders and advertisers. If you are unsure whether it is safe to open, report the email to Maine Technology Group (MTG) using the "Report Message" button in Outlook.

It is always GMS's goal to respect the dignity of employees. Because e-mail, phone and voicemail, and internet communication equipment are provided for GMS operation purposes and are critical to GMS's success, your communications may be accessed without further notice by GMS administrators to ensure compliance with this guideline.

The electronic communication systems are not secure and may allow inadvertent disclosure, accidental transmission to third parties, etc. Sensitive information should not be sent via unsecured electronic means. Email containing protected health information must be sent via encrypted email. This is done using Outlook by typing "confidential" or "encrypted" in the subject line.

All email and faxes must include a confidentiality disclaimer in case the communication does not meet its intended recipient. An employee must not read any electronic communication or attachment that is not addressed to him/her. The use of the GMS's web-based documentation system, other than by administrative staff for use of GMS business, is prohibited outside of work hours.

**Computers.** GMS utilizes both stand-alone and networked computers in its daily operations. GMS has developed guidelines in order to manage the acquisition, implementation and utilization of computer systems. The Director of Human Resources oversees contracted IT services and is the point of contact for computer purchasing and replacement.

GMS complies with all copyright laws and adheres to the terms of all software licenses to which GMS is a party. Employees may not duplicate any licensed software for use on other GMS premises or for their personal use.

It is against GMS policy to turn off antivirus protection software or make unauthorized changes to system configurations installed on company computers.

Should GMS incur any liability and/or damage as a result of an employee's violation of this policy, GMS may hold the employee personally responsible for such liability and/or damage.

**Internet.** Because of the nature of the internet and to minimize abuse of its use, GMS has established guidelines that govern its use, access, and content. GMS reserves the right to monitor all internet communications on GMS owned or leased properties.

The internet may not be used to access any offensive or disruptive material. Examples include, but are not limited to: any material that contains sexual implications or material, racial slurs, or any other material that offensively addresses someone's age, gender, sexual orientation, religious or political beliefs, national origin, or disability.

GMS prohibits communications on the internet that constitute slander, defamation, or unlawful disparagement of GMS, employees, individuals served, vendors, or any other person or entity.

All passwords and codes are the property of GMS and should remain confidential. The sharing of one's password or use of a coworker's password is prohibited. GMS expressly reserves the right to review, audit, intercept, access and disclose any business or personal web access on GMS equipment and/or internet accounts.

An employee who does not adhere to this policy will be subject to disciplinary action up to and including termination. Should GMS incur any liability and/or damage as a result of an employee's violation of this policy, GMS may hold the employee personally responsible for such liability and/or damage.

## **Cellphone Use**

Cellphones should be turned off or set to silent or vibrate mode during meetings, conferences and in any circumstance where incoming calls may be disruptive. Personal calls and texts should not occur while providing support to individuals receiving service. In an emergency, if an outgoing call or text must be made it should be completed in private, while ensuring adequate staff coverage is maintained during the call.

All employees must, at all times, follow applicable state and federal laws or regulations regarding the use of cell phones and data devices. In addition, regardless of the law, it is a GMS policy that employees whose job responsibilities includes driving, must refrain from making or accepting calls while driving. Under no circumstances should an employee use a data device (texting, e-mailing, for instance) in any way while driving. Regardless of the circumstances, including slow or stopped traffic, employees are required to safely pull off the road and safely stop the vehicle before placing or accepting a call.

This policy applies to all employees who are driving on company business, either in their own vehicle or a company vehicle. This policy includes the use of personal cell phones and data devices as well as company-issued cell phones and data devices. For instance, an employee

traveling on company business using a personal vehicle and personal cell phone is subject to this policy. In addition, employees who use company vehicles for personal use (as permitted) are subject to this policy whenever they are operating the company vehicle.

Employees who are charged with traffic violations resulting from the use of their cell phone or data device while driving will be solely responsible for all liabilities that result from such actions and may result in disciplinary action by GMS.

**Personal cellphones.** While at work, employees are expected to exercise discretion in using personal cellphones. Excessive personal calls during the workday can interfere with employee productivity, be distracting to others, and disrupt support to the individuals served. Employees are encouraged to make any personal calls during nonwork time when possible and to ensure that friends and family members are aware of this policy.

Agency calls and/or emails may not be forwarded to personal cell phones.

GMS will not be liable for the loss of personal cellphones brought into the workplace.

**Company-provided cellphones.** When job duties or company needs demand, GMS may issue a cellphone to an employee for work-related communications. Personal use of company-owned cellphones is permitted, however use of data should be kept to a minimum and there is no expectation of privacy with company phones. GMS reserves the right to invoice the employee for excessive personal data use that results in overage charges.

Employees in possession of company-owned cellphones are expected to protect the equipment from loss, damage or theft. Company issued cellphones will be password protected. Upon resignation or termination of employment, or at any time on request, the employee may be asked to produce the phone for return or inspection.

**Video or audio recording devices.** The use of camera or other video or audio recording-capable devices on GMS premises is prohibited without the express prior permission of senior management and of the person(s) subject to recording.

**Consequences for Violators.** Employees violating any aspect of this policy will be subject to discipline, up to and including termination of employment.

## **Speaking to the Media**

An employee may not speak to the news media as an official or unofficial spokesperson of GMS without prior approval from the Executive Director. All inquiries from the media should be referred to the Executive Director. Should an employee receive a media inquiry, he/she should

respond: “I am not authorized to respond to your request.” The employee must then notify the Executive Director that a media inquiry has been made and by whom.

## **Open Door**

All employees are encouraged to provide input and suggestions concerning the overall operation and programs of GMS, following the proper channels of communication. Employees should initially bring their comments to their supervisor. In cases when that may be inappropriate, employees may approach the Department Director or Director of Human Resources. GMS operates in an “open door” manner. All staff input is considered and no one need fear personal recrimination or retaliation for saying what is on their mind in a respectful and professional manner.

## **Job Performance**

**Supervision.** GMS promotes open and free communications among employees. Communication between employees and supervisors or managers is very important. Discussions regarding job performance are ongoing and often informal. Employees should initiate conversations with their supervisors if they feel additional feedback is needed.

GMS will ensure that all employees receive routine supervision. GMS believes regular feedback is critical to successful employee performance. Regular supervision is intended to create an atmosphere of open communication where both parties can develop a positive working relationship. Supervisions must be documented on either a standard paper form or in *Paylocity* using a supervision template. If using paper, the document should be signed by the employee and manager, then placed in the employee’s file with Human Resources. If using *Paylocity*, managers should be sure to save the journal so the employee is able to view and comment at any time using a computer or the *Paylocity* app.

**Performance Appraisals.** Employees will receive prior to 90 days of initial employment, then annually, a performance appraisal which will objectively assess their performance and accomplishments relative to the job description. Appraisals should occur no later than 90 days after an employee’s anniversary of employment.

Standardized paper or electronic forms will be used to record formal performance appraisals; all individuals supervising the employee being evaluated will be asked to contribute to the review.

All employees will be given the opportunity to review and receive a copy of their performance review. Employees are encouraged to include written comments on the review if appropriate. Employees who disagree with appraisals are encouraged to discuss areas of disagreement with

their supervisor, Department Director or Director of Human Resources. Employees must sign and date their appraisal after all comments have been noted.

Performance appraisals become a permanent part of the employee's personnel file. These records will be used to help determine salary reviews, advancements, transfers, layoffs, and other personnel actions which are based on merit.

**Progressive Disciplinary Action.** GMS utilizes progressive disciplinary action to ensure every employee has the opportunity to succeed. Disciplinary action includes consultation notes, verbal warnings, written warnings, plans of correction, suspension, and termination. While in most cases, progression through the stages of disciplinary action will occur, there are some employee actions which may warrant a decision to move directly to written warnings, suspensions, or termination. Examples include but are not limited to substandard consumer care, violation of the GMS Code of Ethics, dishonesty, theft, harassment, violation of consumer rights, etc. There are also occasions in which it may be determined that an employee's disciplinary action need not be progressive. Examples include but are not limited to a substantial amount of time having passed between disciplinary actions, otherwise exceptional performance, etc.

**Warnings and Suspension.** Documentation of both verbal and written warnings will be signed by the supervisor and Department Director as well as the employee and kept in the employee's personnel file with Human Resources.

This document should include identification of the date, the nature of the violation, citation of policy violated, indication of necessary improvement, and information concerning further disciplinary action that could result from failure to show improvement. Signing disciplinary documentation is not an admission of guilt, but an acknowledgement that the information was presented to the employee by the supervisor. If an employee refuses to sign the documentation, the supervisor should note on the document that the employee was present but refused to sign, and a witness signature should be obtained by a Department Director.

Employees are encouraged to provide a written response to any warning they receive if they disagree with the disciplinary notice. Any response will also be included in the employee's personnel file.

Employees can be suspended for incidents that might merit termination when the employee's involvement is suspected but unclear. Under these circumstances, the Director of Human Resources, Associate Director or Executive Director can suspend the employee with or without pay while an investigation is conducted. Suspension may also be appropriate in the event the employee is charged with a crime or other information is received which raises a concern whether it is appropriate for the employee to return to work. An employee who is suspended

will be given written notice from the Director of Human Resources of the reason(s) for the action and a copy will be made a part of the employee's personnel file.

## **Transfers**

GMS requires all employees to successfully complete a 90-day introductory period prior to requesting a transfer to another program. GMS may choose to transfer an employee during this period if it is in the best interest of the individuals served, program, or GMS.

If an employee is interested in a transfer, after the successful completion of the introductory period, they may complete and submit to their manager a Employee Schedule Change Request form. The Director of Human Resources will review the request with the Department Director and appropriate supervisor. The Director of Human Resources will notify the employee of a decision within 3 weeks of receipt of the request. An interview may be requested during this process. An internal transfer is not guaranteed.

All rejections and acceptances will be maintained in the employee's personnel file.

## **Training**

It is the policy of GMS that all employees must comply with GMS, state and federal regulations regarding training specific to their job classification. Each employee will complete an orientation checklist within 14 days of hire to be signed by the employee, supervisor and Department Director. A copy of the orientation will be maintained in the employee's file.

Employees attending GMS in-house training will not be charged for the cost of the course and will be paid for attending the training. GMS reserves the right to pay a nonexempt employee minimum wage to retake a failed course.

Employees attending an outside training that is offered in-house by GMS, without prior approval from a Department Director, will not receive payment for the course, materials, mileage, or time invested in the training.

Employees who want to attend training that is not offered by GMS must seek prior authorization from the Department Director. If approved, GMS will reimburse and/or pay the cost of the course, mileage, and the employee's time for course hours attended.

Employees scheduled to attend an outside training that is paid for by GMS but do not attend the scheduled training will be subject to disciplinary action and be required to reimburse GMS for the training.

There are many trainings and certifications required to provide the services provided by GMS. Failure to maintain compliance with training requirements for your position will result in progressive disciplinary action up to and including suspension without pay or termination.

## **Salary Methodology**

To determine salary ranges, GMS will utilize the biennial Maine Association of Non-Profit (MANP) Survey; Reference Charts W-2, W-7, and W-8 of the MANP Survey. These charts best match GMS's budget.

Additional surveys may be conducted to gather wage information pertaining to position/s not available in the MANP survey. Consideration will also be given to the degree of match between the job descriptions used at GMS and job descriptions used in the survey.

The average wage in the MANP survey will be used for most calculations that have a position which matches a GMS position.

Additionally, consideration is given after a review of the GMS budget and assuring that the range can be sustained by GMS. It is the goal of GMS to give merit-based wage increases following the completion of annual performance evaluations, but this is subject to budgetary considerations and not guaranteed.

## **Grievance Procedure**

Any employee who has a complaint regarding his or her employment with GMS, including with respect to any disciplinary action, layoff or other termination, demotion, denial of promotion or wage increase, or concern about discrimination on any basis, has the right to file a grievance according to procedures outlined in this policy. This policy is in addition to GMS's open-door policy; any employee is free to take advantage of the open-door policy to discuss a concern informally as opposed to pursuing a formal grievance.

No employee will be discriminated against or suffer any reprisal or retaliation because of filing a grievance or participating in the investigation of a grievance. If an employee feels that he or she is being subjected to any of the above, that employee should immediately notify the Director of Human Resources or Executive Director.

Ideally, employees will attempt to resolve the problem informally with their supervisor as soon as possible. If a solution cannot be reached, or if the employee is not comfortable approaching the supervisor, the employee may present a formal grievance, in writing, to the Director of Human Resources. The grievance should indicate the nature of the problem, the critical facts and what the employee would like to see happen. The Director of Human Resources will investigate the grievance and provide a written response to the employee within 10 business

days. If the grievance is with the Director of Human Resources, the employee is encouraged to communicate in writing with the Executive Director.

Any employee who believes that he or she has been subjected to unlawful discrimination covered under the Maine Human Rights Act may file a complaint with the Maine Human Rights Commission in person or in writing at 51 State House Station, Augusta, Maine 04333-0051.

## **Whistleblower Protection**

GMS requires directors, officers and employees to observe and meet appropriate standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of GSM, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations. It is the responsibility of all directors, officers and employees to report ethics violations, violations of law or reasonably suspected violations in accordance with the *Whistleblower Policy* (See the GSM Operations Manual for more detail.).

No director, officer or employee who in good faith reports an ethics or legal violation shall suffer harassment, retaliation or adverse employment consequences. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline and possibly termination of employment. The Whistleblower Policy is intended to encourage and enable employees and others to raise serious and reasonable concerns about this violation and violations of law within GSM.

GSM has an open-door philosophy and suggests that employees share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, an employee's supervisor is in the best position to address an area of concern. However, if you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with the Director of Human Resources or anyone in management whom you are comfortable in approaching. Supervisors and managers are required to report suspected ethics violations or violations of law to the GSM Compliance Officer, who has specific and exclusive responsibility to investigate all reported violations. If you are unsatisfied or uncomfortable with following GSM's open-door practices, individuals may contact GSM's Compliance Officer directly.

Violations or reasonably suspected violations may be submitted on a confidential basis with the identity of the complainant or may be submitted anonymously. Reports shall be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

The Compliance Officer will notify the complainant and acknowledge receipt of the reported suspected violation within 5 business days. All reports will be promptly investigated, and appropriate corrective action will be taken if deemed warranted by the result of investigation.

## Reporting Abuse, Neglect, and Exploitation

If you have reason to believe that an individual receiving services is being abused, neglected, or exploited, you *must* report it.

### What is abuse, neglect, and exploitation?

Abuse may include:	Neglect may include:	Exploitation may include:
<ul style="list-style-type: none"> <li>• Unreasonable confinement.</li> <li>• Unnecessary or unsafe restraint.</li> <li>• Sexual abuse.</li> <li>• Emotional or verbal abuse (including harassment, threats, and intimidation).</li> </ul>	<ul style="list-style-type: none"> <li>• A caregiver failing to provide care, food, shelter, or clothing.</li> <li>• A caregiver failing to provide supervision or abandoning the incapacitated or dependent adult.</li> <li>• Self-neglect – if an incapacitated or dependent adult is unable to care for their own well-being or meet their basic needs due to impairment.</li> </ul>	<ul style="list-style-type: none"> <li>• Financial exploitation, such as wrongfully taking or using the adult’s property or resources.</li> <li>• Financial frauds or scams.</li> <li>• Medication theft.</li> <li>• Sexual exploitation.</li> </ul>

All GMS employees are considered mandated reporters. If abuse, neglect, or exploitation of an individual served is observed or suspected, this must be reported to Adult Protective Services by calling 1-800-624-8404. An employee may choose to make the call or report the incident to their manager or department director. If a manager or director receives the information from an employee, that manager or director must ensure APS has been notified as soon as possible.

GMS employees who fail to comply with this state law will be subject to disciplinary measures up to and including termination.

## Time Off and Leaves of Absence

### Holidays

The company observes and allows time off with pay for the following holidays:

- New Year's Day
- Martin Luther King Day
- Presidents' Day
- Juneteenth
- Memorial Day
- Independence Day
- Labor Day
- US Indigenous People's Day
- Veterans' Day
- Thanksgiving Day
- Day after Thanksgiving
- Christmas

Any additional holidays will be designated by the company at the start of each calendar year. If one of these holidays falls on a Sunday, it will be observed on the following Monday. If the holiday falls on a Saturday, the company will select either the following Monday or the preceding Friday as a substitute holiday.

All full-time (35 hours or more) hourly GMS employees must complete 90 days of employment before this holiday benefit becomes effective.

**Holiday Pay for Hourly Employees.** All hourly employees are eligible for holiday pay for time worked on a holiday. Holiday pay shall be at straight-time and a half (not to exceed 8 hours). Any hours worked beyond 8 hours shall be paid at straight time.

Worked holiday pay hours as described in this benefit will reduce to straight-time, hour for hour, any straight-time and a half for hours worked over 40 within the same pay period.

Nonexempt employees will not receive a holiday pay benefit if they call-out of work the day before, the day of, or day after the holiday. The Human Resources Director may use discretion whether to enforce this if presented with documentation from a medical or mental health provider excusing the absence.

**Floating Holidays.** Martin Luther King Day, Presidents' Day, Juneteenth, US Indigenous People's Day, Veterans' Day and the day after Thanksgiving are *floating holidays*. With approval, floating holidays may only be taken on or after the actual holiday. You may only use one floating holiday per pay week. No carry over is allowed for floating holidays beyond January 31<sup>st</sup> of the next calendar year and therefore any unused will be lost as of February 1<sup>st</sup>. This is a benefit for full-time (35 hours or more) hourly program employees who have completed 90 days of employment.

**Holiday Pay for Salaried Employees.** Salaried employees shall be scheduled off on the above holidays and receive 8 hours of pay. If a salaried employee must work on a holiday, he/she shall be paid their regular wage.

**Religious Observances.** Employees who need time off to observe religious practices or holidays not already scheduled by GMS should speak with their supervisor. Depending upon program needs, the employee may be able to work on a day that is normally observed as a holiday and then take time off for another religious day. Employees may also be able to switch a scheduled day with another employee, use EBT, or take off unpaid days. With adequate notice, GMS will seek to reasonably accommodate individuals’ religious observances.

## Earned Benefit Time

GMS recognizes the importance of time off from work to relax, spend time with family, and enjoy leisure activities. GMS provides paid earned benefit time (EBT) to all employees for these purposes and employees are encouraged to take vacation during the year. Additionally, EBT must be used for days off due to sickness or other personal time.

Full-time employees will accrue EBT according to the following schedule:

Service Period	Monthly Vacation Accrual
First Calendar Year (0-12 months)	10 Hours
Calendar Years 2 – 3 (13-36 months)	12 Hours
Calendar Years 4 – 7 (37-84 months)	14 Hours
Calendar Years 8 – 10 (85-120 months)	17 Hours
Calendar Years 11 – 14 (121-168 months)	21 Hours
Calendar Years 15+ (169+ months)	23 Hours

Other part-time (<20 hours) or relief employees shall accrue EBT at a rate of 1 hour for every 40 hours worked, not to exceed 40 hours in one year. A year is based on the employee’s anniversary date.

For relief and part-time (<20 hours) employees, EBT accumulation is capped at 40 hours per year, based on hire date. When the employee earns 40 hours they will accrue no more until the next year begins and the first 40 hours has been used.

Employees may not take paid EBT until they have earned or accrued the time. New employees accrue paid EBT at the start of employment but may not use it until they have completed 90

days of employment. After 3 calendar months of employment, a full-time employee will have 30 hours of EBT available and a part-time (20-34 hours) employee will have 15 hours available.

Employees will be permitted to carry-over up to 120 hours of accrued EBT to the following year, based on anniversary date. A manager of an employee with an EBT balance exceeding 120 hours should make proactive efforts to schedule time off for that employee.

Advancing EBT will be at the discretion of the Executive Director.

EBT will not accrue during leaves of absence, including FMLA, military leave, jury duty, or other approved leave.

**Time off Requests.** GMS encourages employees to take time off for vacations and self-care, however it is important to be planful and communicate with your supervisor as far in advance as possible. Requesting time off does not guarantee it will be approved. A supervisor or Department Director may deny time off due to staffing shortages or if the length of time creates a significant burden to a program or department. In most cases, a residential program may not have more than one employee off at the same time.

Employees should submit time off requests to their supervisor for plans of 1 week or more at least 2 months in advance of the requested time off date. A time off request that exceeds 2 weeks must be submitted 6 months in advance and approved by the employee's supervisor, Department Director, and Director of Human Resources.

EBT use must be requested by the employee and approved by the supervisor through *Paylocity*.

Use of EBT in combination of worked hours may not put the employee over their normally scheduled number of hours.

**EBT Sell Back.** After 12 months of continuous employment, employees will be eligible to sell back, two times per year, a maximum of 40 hours. The employee must have a minimum remainder of 40 hours. The selling of EBT is done during the first 3 payrolls in June and the first 3 payrolls in November. To receive payment, employees must submit written requests to the Director of Human Resources.

**EBT and Status Change.** Status changes occur on the first day of the month following the receipt of the request by Human Resources.

For full-time or part-time (20+ hours) employees who change status to relief or part-time (<20 hours), EBT balances over 40 hours will be paid out in half. *Example: A full-time employee who has 60 hours of EBT changes status to relief. The first paycheck following the status change will include 10 hours of EBT paid out, leaving the employee with a balance of 40 hours to be used later.*

## Family and Medical Leave

GMS complies with the Family and Medical Leave Act (FMLA), which requires employers to grant paid or unpaid job-protected leaves of absence to qualified workers for up to 12 weeks for certain medical and family-related reasons. The more generous between the state and federal FMLA laws will apply to the employee if the employee is eligible under both.

Please note there are many requirements, qualifications, and exceptions under these laws, and each employee's situation is different. Contact the Director of Human Resources to discuss options for leave. Under qualifying circumstances, Maine FMLA law requires employers to automatically designate time off as job-protected without the request or consent of the employee.

**Reasons for Taking Leave.** Under federal law, unpaid leave may be requested for pregnancy and prenatal care; preplacement activities, birth, adoption, or foster placement of a child; or the serious health condition of a child, spouse, parent, domestic partner, or the employee. State law may have additional reasons defined.

**Military Family Leave Entitlements.** Under FMLA law, unpaid leave may also be requested by eligible employees who have any qualifying exigency arising out of the fact that the spouse or a son, daughter, parent, domestic partner, or next of kin of the employee is on covered active duty (or has been notified of an impending call or order to covered active duty) in the armed forces and may use their 12-week entitlement to address certain qualifying circumstances. Qualifying circumstances may include deploying on short notice, attending certain military events, arranging for alternative childcare and school activities, addressing certain financial and legal arrangements, attending certain counseling sessions, engaging in rest and recuperation, and attending post deployment reintegration briefings.

The FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. This leave applies if the employee is the spouse, son, daughter, parent, domestic partner, or next of kin caring for a covered military service member or veteran recovering from an injury or illness suffered while on active duty in the armed forces or that existed before the beginning of the member's active duty and was aggravated by service or that manifested itself before or after the member became a veteran.

**Leave Designation.** If an employee does not expressly request FMLA leave, under Maine law employers must designate a qualifying absence as FMLA leave and give notice of the FMLA designation to the employee. If an absence is a qualifying event under FMLA, the leave will run concurrent with EBT, workers' compensation, and/or any other leave when permitted by state and federal law.

**Benefits.** Under federal law, employers must continue healthcare benefits during FMLA leave as though the employees were still at work and must pay the employer's part of the premium. The employee will continue to be responsible for the employee's portion of the premium as well.

**Interaction with Accrued Earned Benefit Time.** FMLA leave and EBT will run concurrently as provided under GMS policy except when prohibited by law.

**Job Protection.** An employee's job, or an equivalent job, is protected while the employee is on leave. Both federal and applicable state laws require that employees be returned to their positions or to another job of like pay and status at the end of FMLA leave.

Note: If an employee is unable to return to work after the expiration or exhaustion of FMLA, an extension may be granted if the condition constitutes a disability under the Americans with Disabilities Act (ADA) or in certain workers' compensation cases.

**Return-to-Work Policy.** When such work is available, GMS will attempt to provide an employee with a temporary modified or light-duty assignment in accordance with documented medical restrictions.

Further details about your rights under the Family and Medical Leave Act may be obtained from the Director of Human Resources or the Maine Department of Labor.

## **Family Military Leave**

GMS supports the military obligations of all employees and grants leaves for uniformed service in accordance with applicable federal and state Family Military Leave laws. Family Military Leave means leave requested by an employee who is the spouse, domestic partner or parent of a person who is a resident of Maine and is deployed for military service for a period lasting longer than 180 days. Any employee who needs time off for uniformed service should notify the Human Resources Department and his or her supervisor no less than 14 days of the intended leave if leave will consist of 5 or more consecutive days. An employee taking family military leave for fewer than 5 consecutive workdays must give GMS advance notice as practicable. If an employee is unable to provide notice before leaving for uniformed service, a family member should notify the supervisor as soon as possible.

Upon return from military leave, the employee shall be restored to the same or similar position held prior to leave, and will be granted the same seniority, pay, and benefits as if they had worked continuously. Failure to report for work within the prescribed time after completion of military service will be considered a voluntary termination.

All employees who enter military service may accumulate a total absence of five (5) years and still retain employment rights.

## **Bereavement Leave**

Full-time employees with more than 90 days of service may take up to 5 calendar days of paid bereavement leave upon the death of an employee's spouse/domestic partner, child, or parent and up to 3 calendar days for a member of their immediate family. "Immediate family members" are defined as an employee's stepparents, siblings, stepchildren, grandparent, father-in-law, mother-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, or grandchild. An employee may request the use of EBT while on bereavement leave for non-immediate family, i.e., close friend or distant relative.

Employees shall be granted the same bereavement leave for the death of a domestic partner or family member of a domestic partner as that provided for the spouse or family member of a spouse.

The company will require verification of the need for the leave. The Director of Human Resources will consider this time off on a case-by-case basis.

Payment for bereavement leave is computed at the regular hourly rate to a maximum of 8 hours for 1 day. Time off granted in accordance with this policy shall not be credited as time worked for the purpose of computing overtime.

## **Jury Duty/Court Appearance**

GMS supports employees in their civic duty to serve on a jury or testify as a witness or crime victim. Employees must present any subpoena or summons to jury duty to their supervisor as soon as possible after receiving the notice to allow advance planning for an employee's absence.

If an employee is served with a subpoena requiring him/her to serve as a witness or victim of a crime, that employee will be permitted time to attend the hearing without loss of pay. Subpoenaed employees will be paid the difference between their regular salary and the amount received as the witness. Documentation of witness times and fee must be submitted to the employee's supervisor.

Employees will be paid for up to 2 weeks of jury duty service at their regular rate of pay minus any compensation received from the court for the period of service. Employees may use any accrued EBT if required to serve more than 2 weeks on a jury.

If an employee is released from duty after 4 hours or less of service, he or she must contact their supervisor to see whether the employee should report to work for the remainder of that workday.

Time for appearance in court for personal business, other than as a victim of a crime, will be the individual employee's responsibility. Normally, EBT will be used for this purpose.

## **Time Off for Voting**

GMS recognizes that voting is an integral part of being in a community. In almost all cases, you will have enough time outside working hours to vote. If for any reason you think this will not be the case, contact your supervisor to discuss scheduling accommodations.

## **Leave of Absence**

We understand that there are times when an employee may need an extended leave from work for reasons other than addressed above. GMS has adopted a leave of absence policy to provide employees with time off from work when necessary and with consideration to staffing needs.

Leaves generally are not granted for travel or non-emergency domestic/personal difficulties unless the request falls within the Family Medical Leave Act.

Except as otherwise required by law, an employee must have been employed by GMS for 1 year and worked for at least 1250 hours in order to be eligible for a leave of absence. GMS requires at least 30 days advanced notice of an employee's need to take a leave of absence. Exception will be made in the case of emergencies; however, the employee is expected to give as much notice as possible. Employees who have been employed for less than 1 year may still be granted a leave of absence if it is determined that the employee's request can be reasonably accommodated.

Any leave of absence request must be submitted to the Director of Human Resources and is subject to the approval of the Department Director or Executive Director.

All leaves of absence are unpaid to the extent not covered by EBT. After an employee has used all of his/her EBT he/she will be required to pay the full cost of insurance to maintain health benefits if the leave does not qualify under FMLA. If an employee returns from a leave of absence on a timely basis, the employee may return to his/her original position, or a position for which the employee is qualified with comparable pay.

During a leave of absence, an employee does not accrue EBT or holiday benefits. For partial months worked, EBT calculations will be prorated accordingly.

Employment will automatically terminate if the employee does not return to work on the first normal workday following the last day of the leave of absence, unless a request for extension has been approved by the Department Director and the Director of Human Resources. Any requests for extension should be made at least 5 workdays prior to end of the leave of absence. A leave of absence will not be granted for any reason whatsoever for a period in excess of 3 months, unless otherwise required by law.

## Employee Benefits

GMS recognizes the value of benefits to employees and their families. GMS supports employees by offering a comprehensive and competitive benefits program. Benefits are offered upon employment or change to eligible status. Changes in medical and ancillary benefits can be made during the yearly open enrollment period in June.

In accordance with federal guidelines, employees may elect or change their health benefits anytime during the year providing they meet the requirements for a qualifying life event (i.e., marriage, death, birth, loss of coverage through spouse). An employee must notify Human Resources no more than 30 days of a qualifying event. New benefits will start on the first day of the month following the qualifying event. The exception being the birth of a child, in which case benefits would begin on the day of birth. For more information, please speak with someone from Human Resources or contact our *Cross Insurance* broker.

For more information regarding benefit programs, please refer to the company Summary Plan Descriptions (SPD), which are found on the GMS benefits website at [www.gmsbenefits.org](http://www.gmsbenefits.org), or contact the Human Resources Department. To the extent the information provided conflicts with the SPD or full plan document, the full plan document will control.

GMS contributes a portion of the costs of both health and ancillary benefits. The amount of GMS contribution is evaluated and may be adjusted on a yearly basis.

**GMS defined contributions (2021-20222):**

	Monthly	Annual
Medical Benefit Dollars	\$474.58	\$5,695.00
Ancillary Benefit Dollars*	\$83.00	\$1,000.00
*Only available to employees working 35+ hours per week.		

### Medical Insurance

Employees working 30 hours or more per week are eligible for medical insurance on the first of the month following 60 days of service. To keep coverage in force, every insured employee must work a minimum of 30 hours per week.

Coverage is terminated the last day of the pay week the employee worked or was part of an eligible class.

Former employees who return within 6 months are eligible for medical insurance on the first of the month following the date of hire as long as they met the waiting period prior to termination.

Benefit offerings (2021-2022):

- 5 Medical Plans (Options for: Employee only; Employee + spouse (or domestic partner); Employee + child(ren); Employee + family)
- Health Savings Account (Employee contribution only)

## **Ancillary Benefits**

Full-time employees working 35 hours or more per week are eligible for a variety of ancillary benefits such as life insurance and disability insurance on the first of the month following 60 days of service. To keep the coverage in force, every insured employee must work a minimum of 35 hours per week.

Coverage is terminated the last day of the pay week the employee worked or was part of an eligible class.

Former employees who return within 6 months are eligible for ancillary benefits on the first of the month following the date of hire as long as they met the waiting period prior to termination.

Benefit offerings (2021-2022):

- Vision Insurance
- Dental Insurance
- Automatic \$10,000 Life and Accidental Death & Dismemberment Insurance
- Voluntary Life and Accidental Death & Dismemberment Insurance
- Short- & Long-Term Disability Insurance
- Accident Insurance
- Critical Illness Insurance
- ID Theft Protection
- Pet Insurance

## **Employee Assistance Program**

The Employee Assistance Program (EAP) is a free resource designed to provide highly confidential and experienced help for employees in dealing with issues that affect their lives and the quality of their job performance. GMS wants employees to be able to maintain a

healthy balance of work and family that allows them to enjoy life. The EAP is a confidential counseling and referral service that can help employees successfully deal with life’s challenges.

This free, comprehensive counseling service offers employees four (4) visits per issue each year, and a 24-hour hotline answered by professional, degreed counselors. Additional benefits include video counseling, telephone financial consultations, identity theft recovery and credit monitoring, dependent care support, limited legal counseling and unlimited access to the EAP app and website for tools, resources, and referrals.

GMS encourages employees to use this valuable service whenever they have such a need. Employees who choose to use these counseling services are assured the information disclosed in their sessions is confidential and not available to the company, nor is the company given any information on who uses the services. For questions or additional information about this program, employees may contact the Human Resources Department or visit [www.gmsme.org/for-employees](http://www.gmsme.org/for-employees). This benefit is available for employees who are regularly scheduled to work 20 hours or more per week.

**Retirement Fund**

GMS recognizes the importance of saving for retirement and offers eligible employees a 401(k) plan through American Funds. After one year of full-time employment an employee becomes eligible to make elective deferrals to the 401(k) plan. For the purposes of this plan, you will have been considered full-time if you completed 1,000 hours of service within a twelve-month period prior to open enrollment. Open enrollment occurs in January and July.

GMS offers a matching contribution equal to the employee’s elective deferral, up to 4% of the employee’s compensation for the calendar year. Elective deferral amount and fund allocations can be changed at any time once the account is established.

Employer Match						
Your Contribution	1%	2%	3%	4%	5%	6%
Employer Match	1%	2%	3%	3.5%	4%	4%

Eligibility, vesting, and all other matters relating to this plan are explained in the Summary Plan Description that can be obtained from the Human Resources Department or the GMS benefits website at [www.gmsbenefits.org](http://www.gmsbenefits.org).

**Workers’ Compensation**

Workers' compensation is a "no-fault" system that provides compensation for medical expenses and wage losses to employees who are injured or who become ill because of employment.

GMS pays the entire cost of workers' compensation insurance. The insurance provides coverage for related medical and rehabilitation expenses and a portion of lost wages to employees who sustain an injury on the job.

GMS abides by all applicable state and federal workers' compensation laws and regulations.

If an employee sustains a job-related injury or illness, it is important to notify the supervisor and Human Resources immediately. The employee will complete an injury report and submit it to the Human Resources Department as soon as possible. A supervisor's follow-up report may be requested by the Director of Human Resources. If appropriate, Human Resources will file the claim with the insurance company. Human Resources will schedule an appointment at *Bayside Employee Health Center* or *Concentra* for the initial care of the injured employee. In cases of true medical emergencies, employees should be sent to the nearest emergency room.

Workers' compensation benefits (paid or unpaid) will run concurrently with FMLA leave, if applicable, where permitted by state and federal law.

## **Employment at Will**

Employment at GMS is on an at-will basis unless otherwise stated in a written individual employment agreement signed by the Executive Director.

This means that either the employee or the company may terminate the employment relationship at any time, for any reason, with or without notice.

Nothing in this employee handbook is intended to or creates an employment agreement, expressed or implied. Nothing contained in this or any other document provided to the employee is intended to be, nor should it be, construed as a contract that employment or any benefit will be continued for any period of time.

Nothing in this statement is intended to interfere with, restrain, or prevent concerted activity as protected by the National Labor Relations Act. Such activity includes employee communications regarding wages, hours, or other terms or conditions of employment. GMS employees have the right to engage in or refrain from such activities.

# EMPLOYEE HANDBOOK ACKNOWLEDGMENT AND RECEIPT

I hereby acknowledge receipt of the employee handbook of GMS. I understand and agree that it is my responsibility to read and comply with the policies in the handbook.

I understand that the handbook and all other written and oral materials provided to me are intended for informational purposes only. Neither it, GMS practices, nor other communications create an employment contract or term. I understand that the policies and benefits, both in the handbook and those communicated to me in any other fashion, are subject to interpretation, review, and change by management at any time without notice.

I further agree that neither this document nor any other communication shall bind GMS to employ me now or hereafter and that my employment may be terminated by me or GMS without reason at any time. I understand that no representative of GMS has any authority to enter into any agreement for employment for any specified period of time or to assure any other personnel action or to assure any benefits or terms or conditions of employment, or make any agreement contrary to the foregoing.

I also understand and agree that this agreement may not be modified orally and that only the Executive Director of GMS may make a commitment for employment. I also understand that if such an agreement is made, it must be in writing and signed by the Executive Director.

\_\_\_\_\_  
Employee's Name in Print

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date Signed by Employee

**TO BE PLACED IN EMPLOYEE'S PERSONNEL FILE**