

EMPLOYEE HANDBOOK



Ashley County Medical Center

Effective ----- 2/26/2024

This handbook has been prepared to acquaint employees with employment policies and practices of Ashley County Medical Center. It is our hope you will carefully read this handbook and keep it for future reference.

This handbook is for informational purposes only and does not constitute a contract nor is it intended to confer any contractual rights of an employee. Employment is for no fixed term and may be discontinued with or without cause or notice, by the employee or ACMC, at any time. No employee, officer, or agent of ACMC may bind the hospital contrary to the above by either oral or written statements.

THE PERSONNEL GUIDELINES IN THIS HANDBOOK SUPERSEDE AND REPLACE ALL PRIOR PUBLISHED OR UNPUBLISHED POLICIES, GUIDELINE, HANDBOOKS, OR OTHER PUBLICATIONS RELATED TO PERSONNEL MATTERS.

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The purpose of the **ACMC Employee Handbook** is to provide employees of **ACMC** with general information regarding the policies and procedures the Hospital attempts to follow in most cases, *but neither this handbook nor any provision of this handbook is an employment contract or any other type of contract.* Because of the nature of **ACMC** operations and variations necessary to accommodate individual situations, the policies or procedures set out in this handbook may not apply to every employee or in every situation. The Hospital reserves the right to interpret, rescind, modify or deviate from these or other policies or procedures relating to employment matters from time to time as it considers necessary in its sole discretion, either in individual or hospital-wide situations with or without notice.

Employees at **ACMC** are employed for an indefinite term and employment may be terminated, with or without cause, at any time, at the will of either the employee or the hospital. This status can only be altered by a written contract of employment which is specific as to all material terms and is signed by both the employee and the Administrator of **ACMC**.

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WELCOME

You have made a decision to join ACMC, a team of dedicated individuals whose goal is to provide the best medical care to the patients we serve. ACMC's greatest asset is its employee team.

The key to excellence at ACMC is that we care for each patient as a friend, providing for personal as well as clinical needs. Our future reputation depends upon you. We hope your employment will be rewarding and challenging.

This handbook explains our employee policies. Since it is impossible to cover all situations, you are encouraged to seek additional information from your supervisor, department director, or the Human Resources Department.

MISSION STATEMENT

To promote good health and provide quality health care with a qualified staff in a caring and compassionate manner.

VISION STATEMENT

- To expand needed healthcare services.
- To recruit healthcare professionals to meet the needs of the people we serve.
- To promote good health and wellness through the provision of community education and facilities.
- To provide resources for continuous quality improvement.
- To operate in an economically sound manner.

MEDICAL STAFF

Physicians and dentists are appointed to Medical and Dental Staff membership by the Board of Directors. The credentials of each Medical Staff member are thoroughly reviewed by the Board prior to appointment.

The Medical Staff member has complete charge of the patient's medical care and treatment. However, membership is more than responsibility for the medical care of patients. Membership also means that the physician or dentist is part of a self-governing group of men and women responsible for seeing that the best possible care is given to all patients.

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EMPLOYMENT ELIGIBILITY

Applicants extended offers of employment are required to show proof of their employment eligibility. This requirement is mandated by the Immigration Reform and Control Act.

EMPLOYMENT OF FRIENDS AND RELATIVES

Preference is given to applicants who are recommended by APMC employees and who meet all job requirements.

The employment of relatives will be reviewed on a case-by-case basis to ensure that such employment does not involve conflicts of interest or other adverse consequences to business operations. Generally, relatives will not supervise each other.

NEPOTISM CLAUSE

Nepotism is defined as favoritism shown to a relative by employment on the basis of relationship. Related persons shall not serve concurrently within the hospital in any case where one such related person would occupy a position having responsibility for the direct supervision of the other related person. No individual shall be employed in a department or unit which will result in the existence of a subordinate-superior relationship between such individual and any relative of such individual through any line of authority. "Line of Authority" shall mean authority extending vertically of supervision or management. For the purpose of this policy, a relative includes the following relations: Employee spouse, the employee or the spouse's natural and adopted children, parents, grandparents, great-grandparents, brothers, sisters, half brothers and sisters, grandchildren, great-grandchildren, aunts, uncles, nieces, nephews, first cousins, second cousins, and persons married to them, and persons engaged in amorous relationships.

BUSINESS ETHICS AND CONDUCT POLICY

Employees of APMC occupy positions of trust and confidence. Therefore, employees should be above reproach in discharging their duties and job responsibilities.

Employees are expected to adhere to the highest standards of business ethics and to conduct themselves in a manner that will avoid personal conflicts of interest. To facilitate the avoidance of conflicts and to protect both employees and APMC, all potential conflicts are to be disclosed at the time of employment and at any time conflicting situations occur.

Recognizing that the avoidance of all conflicts between personal and institutional interests is not possible, APMC expects employees to recognize conflicts of interest when they occur. If the conflict cannot be reasonably avoided, it should be discussed with the Human Resources Director. Any decision made by the Human Resources Director may be appealed through APMC's Problem Solving Procedure.

It is not possible to describe all of the situations which may cause or give the appearance of a conflict of interest. The examples indicated below represent conflicts of interest most likely to occur at APMC:

- Acceptance of Gifts

The acceptance of gifts by employees from patients, visitors, or suppliers is restricted in order to avoid potential conflicts and the appearance of impropriety. However, the difference between a personal gift and gift for the purpose of influencing an employee's actions is often difficult to define. Expressions of thanks of nominal value from patients, visitors, or suppliers (flowers, candy, pens, desk calendars) may be accepted. The acceptance of cash (a tip) is never permissible nor is the acceptance of gifts having "substantial value."

- Disclosure of Confidential Information

Employees should discuss confidential patient and business-related information only with those individuals having a "need-to-know".

- Improper Use of Position

Employees should not use their position to obtain special advantage or privileges. Improper use of an employee's position can take many forms. For example, an employee may influence or coerce others to give a friend special consideration or preferential treatment.

- Other Employment

Regular full-time and regular part-time employees who accept employment with ACMC owe their primary job responsibility to the hospital. Other employment is understood to be secondary and must not interfere with an employee's job responsibilities at ACMC.

Employees are expected to adhere to the highest standards of business ethics. Whenever an employee is in doubt as to whether a conflict of interest exists or the propriety of any given situation, the employee should discuss the matter with the Human Resources Director before entering into the activity.

Failure to comply with this policy is grounds for disciplinary action including termination of employment.

SOLICITATION AND DISTRIBUTION

To avoid disruption of health care and to prevent the disturbance of patients, the following rules apply to solicitations and the distribution of literature on ACMC property.

- Outsiders

Individuals not employed by ACMC may not solicit or distribute literature on hospital property at any time, for any purpose.

- Employees of the Hospital

Employees of the hospital may not solicit during working time for any purpose.

Employees of the hospital may not solicit at any time, for any purpose, in immediate patient care

areas, such as patients' rooms, operating rooms, and places where patients receive treatment, such as x-ray and therapy areas, or in any other area that would cause disruption of health care operations or disturbance of patients, such as corridors in patient treatment areas, and rooms used by patients for consultations with physicians or meetings with families or friends.

Employees may not distribute literature during working time, for any purpose.

Employees may not distribute literature at any time, for any purpose, in working areas. Working areas are all areas in the hospital, except cafeteria, gift shop, employee lounges, lobbies and parking areas.

- Working Time

Working time includes the working time of both the employee doing the soliciting or distributing and the employee to whom the soliciting or distributing is directed. Working time does not include break periods, meal times, or any other specified periods during the workday when employees are not performing their work tasks.

- Definitions

Solicitation includes, but is not limited to, soliciting funds or signatures, conducting membership drives, and offering for sale merchandise or service.

Distribution includes the handing out of or making available printed literature, pamphlets, flyers and other permanent materials intended for reading or retention.

ACMC recognizes and approves solicitation and distribution of literature by the following outside health related organizations: United Way, American Red Cross Blood Drives, March of Dimes, American Lung Association, American Cancer Society, Go Red and the Red Ribbon Campaign for Drug Free Youth.

PREVENTION OF ALCOHOL AND DRUG ABUSE IN THE WORKPLACE

ACMC is committed to providing a safe working environment and to fostering the well-being and health of its employees. That commitment is jeopardized when any ACMC employee illegally uses drugs on or off the job, comes to work under their influence, possesses, distributes or sells drugs in the workplace, or abuses alcohol on the job. Therefore, ACMC has established the following policy, pursuant to Arkansas Workers' Compensation Rule 36.

The goal of this policy is to balance our respect for individuals with the need to maintain a safe, productive and drug free environment. The intent of this policy is to offer a helping hand to those who need it, while sending a clear message that the illegal use of drugs and abuse of alcohol are incompatible with employment at ACMC.

Employees may not use, possess, sell, trade, offer for sale, or offer to buy illegal drugs or otherwise engage in the illegal use of drugs on or off the job.

Employees may not report to work under the influence of or while possessing in his or her body, blood or urine, illegal drugs in any detectable amount.

Employees may not report to work under the influence of or impaired by alcohol.

Employees may not use prescription drugs illegally, i.e., to use prescription drugs that have not been legally obtained or in a manner or for a purpose other than as prescribed. However, nothing in this policy precludes the appropriate use of legally prescribed medications that does not impair the employee's ability to safely perform his/her job.

The consumption or possession of alcoholic beverages on ACMC's premises is prohibited. An employee whose normal faculties are impaired due to alcoholic beverages while on duty/hospital business shall be guilty of misconduct, and shall be disciplined up to and including termination.

All employees shall be tested after a conditional offer of employment, although they may begin work pending the results of the drug test. If the drug test result is positive, the job offer will be withdrawn. If a new employee refuses to submit to a test for drugs or alcohol, he/she will not be hired.

Random drug testing may be performed four times a year, with 10% of the workforce to be tested each time.

Drug testing shall be conducted following any observed behavior creating "reasonable suspicion." These behaviors include, but are not limited to, causing, contributing to, or being involved in a workplace accident; being observed using drugs at work; or work deterioration.

The following is a partial list of suspicious behaviors which may indicate need for drug testing:

Disorientation	Extremely Nervous	Thick, Slurred Speech
Unusually Talkative	Glassy-Eyed	Profuse Sweating
Poor Motor Coordination	Uncoordinated Gait	Sleepiness and Drowsiness
Belligerence	Jerky Movement of Eyes	Staggering Gait
Blank Stare Appearance	Mood Changes	Dilated Pupils
Odor of Glue, Paint Solvent	Flushed Face, Head, or Neck	Poor Perception of Time, Distance
Redness Around Nasal Area	Use of Sunglasses at Inappropriate Times	Tremor of Fingers, Hands
Unable to Perform Usual Routine Tasks	Unusual Body Position	Odor of Burnt Rope
Muscle Rigidity	Inability to Remember	Hearing and/or Seeing Things

As a condition of employment, employees must abide by the terms of this policy and must notify ACMC in writing of any conviction of a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.

An employee who comes forward voluntarily to request assistance with drug treatment will not be terminated for requesting help, if he has not previously been identified as having suspicious behavior or required to submit to drug testing.

The hospital offers resource information on various means of employee assistance in our community, including but not limited to drug and alcohol abuse programs. A list of assistance programs will be maintained in the Human Resources office; the employee or the employee's insurance will be responsible for payment for his/her participation in the program.

GENERAL PROCEDURES:

Any employee reporting to work visibly impaired will be deemed unable to perform required duties and will not be allowed to work. If possible, the employee's supervisor will first seek another Department Manager's opinion to confirm the employee's status. Next, The Department Manager will consult privately with the employee to determine the cause of the observation, including whether substance abuse has occurred. If, in the opinion of the Department Manager, the employee is considered impaired, the employee will be required to submit to a drug or alcohol test as appropriate, and will be sent home. An impaired employee will not be allowed to drive.

Random fitness for duty drug testing may be performed at any time for all employees in safety sensitive positions, or at any time that narcotics are missing. These safety sensitive positions include:

Anesthesia	Laboratory
Ashley Health Services employees	All Nursing departments
Engineering and Security	Pharmacy
Ashley Family clinic	Physical Therapy
Hamburg Clinic	Radiology
Housekeeping	Respiratory Therapy
Infection Control	Surgery
Family Clinic	Rural Health Clinic
Oak St employees	Alabama St employees
All other building owned by ACMC	

Test results will be reported by the referral lab to the Medical Review Officer, who shall be responsible for the interpretation of all positive test results.

Opportunity to Contest or Explain Test Results: Employees and job applicants who have a positive confirmed drug or alcohol test result may explain or contest the result to the Medical Review Officer within five (5) working days after receiving written notification of the test result from the Medical Review Officer. If an employee's or applicant's explanation or challenge is unsatisfactory to the Medical Review Officer, the medical review officer shall report a positive test result back to ACMC. The employee will then be terminated. If terminated, an employee may contest the drug test result pursuant to rules adopted by the Arkansas Department of Labor.

Confidentiality: The confidentiality of any information received by the employer through a substance abuse testing program shall be maintained, except as otherwise provided by law.

Job Applicant Drug Testing: All job applicants (post-offer, pre-placement) at ACMC will undergo testing for substance abuse as a condition of employment. Any Applicant with a confirmed and verified positive test result will be denied employment.

Once an offer of employment has been made and accepted, applicants will be required to submit voluntarily to a urinalysis test in the ACMC Lab, and by signing a consent agreement will release ACMC from liability. If the physician, official, or lab personnel has reasonable suspicion to believe that the job applicant has tampered with the specimen, the applicant will not be considered for employment.

ACMC will not discriminate against applicants for employment because of a past history of drug or alcohol abuse. It is the current illegal use of drugs and/or abuse of alcohol, preventing employees from performing their jobs properly, that ACMC will not tolerate.

Employee Drug and Alcohol Testing: ACMC has adopted testing practices to identify employees who use illegal drugs on or off the job or who abuse alcohol on the job. It shall be condition of employment for all employees to submit to substance abuse testing under the following circumstances:

1. When there is reasonable suspicion to believe that an employee is illegally using drugs or abusing alcohol. "Reasonable suspicion" is based on a belief that an employee is using or has used drugs or alcohol in violation of the employer's policy from specific objective and articulable facts and reasonable inferences drawn from those facts in light of experience. Testing for reasonable suspicion of an employee must be done within a reasonable time frame of the precipitating incident; for alcohol, it must be done within eight (8) hours of the incident; for drugs, it must be done within thirty-two (32) hours of the incident. Among other things, such facts and inferences may be based upon, but not limited to, the following:
 - Observable phenomena while at work such as direct observation of substance abuse or of the physical symptoms or manifestations of being impaired due to substance abuse (see chart on page 4)
 - Abnormal conduct or erratic behavior while at work or a significant deterioration in work performance;
 - A report of substance abuse provided by a reliable and credible source;
 - Evidence that an individual has tampered with any substance abuse test during his or her employment with the current employer;
 - Information that an employee has caused or contributed to an accident while at work; or
 - Evidence that an employee has used, possessed, sold, solicited, or transferred drugs while working or while on the employer's premises or while operating the employer's vehicle, machinery, or equipment.Within 24 hours of the observed behavior requiring testing for reasonable suspicion, the manager observing the behavior must turn in a written report describing the behavior to the Human Resources Director. A copy of this documentation may be given to the employee upon request.
2. When employees have an on-the-job injury that requires more than first aid treatment as defined in AWCC Rule 36, the employee shall be required to submit to a substance abuse test.
3. If an employee has been required by ACMC to go through a substance abuse rehabilitation program, the employee will be required to submit to random unannounced drug testing for two (2) years.

Refusal to Submit

Failure to submit to a required substance abuse test is considered misconduct and shall be subject to discipline up to and including termination.

Important Information for Job Applicants and Employees:

When an employee or job applicant submits to a drug and/or alcohol test, they will be given a form by the specimen collector for the employee to list any medications that he/she is taking or substances which he/she feels may alter or affect the outcome of a drug or alcohol test. This form will also have a space for the donor to provide any information that he/she considers relevant to the test.

The information form should be kept by the job applicant or employee for their personal use. If the job applicant or employee has a positive confirmed test result, a Medical Review Officer will attempt to contact the individual in order to privately discuss the findings with that person. The job applicant or employee should keep the form as a “reminder” to discuss this information at that time.

The Medical Review Officer will take this information into account when interpreting any positive confirmed test results. The information provided shall be treated as confidential and will not be given to the employer. Employees and job applicants have the right to consult with a Medical Review Officer for technical information regarding prescription and nonprescription medicine.

It is the responsibility of every employee or applicant to notify the testing laboratory of any administrative or civil action brought pursuant to Act 1552 of 1999 Section 5a. The provisions of this policy are subject to any applicable collective bargaining agreement or contract and include the right of appeal as described in AWCC Rule 35, Section XIV.

Substance abuse testing for job applicants and employees will include a urinalysis screen for the following drugs:

- **Alcohol:** (not required for job applicant testing)
Any “Alcoholic Beverage,” all liquid medications containing ethyl alcohol (ethanol). Please read the label for content. For example; Vicks Nyquil TM is 25% (50 proof) ethyl alcohol, Comtrex TM is 20% (40 proof), Contac Sever Cold Formula Night Strength TM is 25% (50 proof) and Listerine TM is 26.9% (54 proof).
- **Amphetamines, Methamphetamines:** “speed,” “uppers,” etc.
- **Cannabinoids:** THC, marijuana, hashish, pot, grass “hash,” etc.
- **Cocaine:** “coke,” “crack,” etc.
- **PCP:** “angel dust.”
- **Opiates:** Narcotics, Heroin, Codeine, Morphine, smack, dope, etc.

PHYSICAL EXAMINATION

The hospital retains the option to require annual physical exams on all employees as required by state or local law or deemed appropriate by the hospital.

BACKGROUND CHECKS

ACMC will perform a pre-employment background check on all new employees after an offer of employment has been extended.

INFECTION CONTROL REQUIREMENTS TO BE HIRED:

All new employees must provide proof of 2 MMR vaccinations as of 1/1/2009. If they are unable to provide proof, they are to be directed to the local Health Unit to complete the series of two vaccines unless able to provide a Physician’s order excluding the employee from receiving the vaccine due to medical reasons.

All employees must have a TB skin or provide a negative TB test result before employment.

NAME BADGE

Upon employment, all employees receive at no cost, an ACMC name badge. This name badge is to be worn while on duty at ACMC.

Badges are replaced free of charge due to name changes, reasonable wear and tear, and job classification changes. Replacement of lost badges and badges negligently or intentionally destroyed are replaced at the employees cost of \$5.00.

INTRODUCTORY PERIOD

The introductory period for new employees is three (3) months. During this period, employees have the opportunity to adjust and become acquainted with ACMC and to demonstrate proper work attitudes and abilities.

At any time during the first three (3) months of employment, an employee may leave the employ of ACMC without notice and without jeopardizing his or her employment record. Likewise, an employee may be transferred, reassigned, or terminated without prior notice or obligation on the part of ACMC. Successful completion of the introductory period does not alter the at-will nature of your employment.

EMPLOYMENT STATUS

Regular Full-Time

Employees who are regularly scheduled to work at least thirty-six (36) to forty (40) hours per week or Seventy-two (72) to eighty (80) hours in a work period and who have successfully completed their introductory period.

Regular Part-Time

Employees who are regularly scheduled to work and are available to work at least twenty-four (24) hours per week or forty -eight (48) hours in a work period but less than forty (40) hours per week or eighty (80) hours in a work period and who have successfully completed their introductory period.

PRN/Temporary

Employees who work primarily on an “As-needed” or “on-called” basis. PRN employees receive no employee benefits except those required by law. PRN/Temp employees are specifically employed for a period of three months or less or to fill in to meet the needs of the hospital. No regular hours are guaranteed. Employee must work a minimum of three (3) shifts in a 3 – months period to retain their PRN Status.

CHANGE OF EMPLOYMENT STATUS

Regular full-time, and regular part-time status of an employee determines eligibility for employee benefits.

ACMC reserves the right to change an employee's status (to include termination) at any time it determines that such a change is in the best interest of the hospital. Participation in a benefit plan does not convey the right of employment, continued employment, or the right to work a specific number of

hours.

An employee who changes from a non-eligible benefit class to an eligible benefit class becomes eligible for benefits on the first day of the calendar month following a full two-month & the first of the next month introduction period after the change of employment status, provided the employee is otherwise eligible. An employee who changes from an eligible benefit class to a non-eligible benefit class will no longer be eligible for benefits on the date of the status change, other than for those benefits specifically defined.

Employees leaving Full-time or part-time employment will be terminated as of the date of the end of their 2 weeks' notice or 4 weeks' notice for managers. Employee will have at least a **2 to 4-week separation in time** before they can be rehired as **PRN / PRN LEVEL II with management approval**. **This employee waives all rights accrued from past service except those protected by law.**

PRN and/or PRN LEVELII employee must work at least 3 - 8 or 12 hour shift each quarter to remain on the active employment list. If employee doesn't work the required shifts each quarter, the employee will be terminated.

ORIENTATION PROGRAMS

ACMC conducts orientation programs for all new employees. These programs are designed to acquaint new employees with ACMC policies and procedures.

General Orientation

All new employees are required to complete general orientation. This program is conducted thru the Human Resource Department and CareLearning Computer Courses. All new employees must complete all assigned computer courses before beginning to work at ACMC. You will be given a CareLearning ID and Password to login at www.caselearning.com/login/acmc_ar . It will be your responsibility to complete these courses. You may do these courses at the hospital or from your home.

Time spent by employees completing the computer courses will be paid at \$10 per course after all ACMC courses have been completed.

Each year all Employees must complete the mandatory in-services required by Arkansas State Board of Health, OIG, US Dept of Labor and ACMC policy. You will be required to log on to the CareLearning site and complete your job required courses. You will be paid \$10 per course after all have been completed and HR has verified completion through CareLearning.

Department Orientation

Department orientation and introduction to job responsibilities are conducted by department directors. Department orientation is usually conducted during an employee's first few days on the job.

Time spent by employees in department orientation is with pay and considered hours worked.

EMPLOYMENT RECORDS

ACMC maintains a confidential record on every employee. This record is maintained in order to comply with law and facilitate personnel decisions.

ACMC permits an employee to periodically review his or her employment record. By reviewing their records, employees are aware of the documents retained by ACMC and can ensure that those records are current.

The Human Resources Department is responsible for the retention and maintenance of employee records and determines what information will be placed in those records.

An employee may arrange a mutually agreeable time with the Human Resources Department to review his or her employment record. This audit is limited to the employee's own:

- Application for employment
- Introductory and annual performance evaluations
- Disciplinary action documents
- Withholding allowance certificates
- Benefit documents
- Communications concerning job performance, awards and professional associate memberships
- Service to outside organizations
- Personnel action forms

An employee may challenge the accuracy of material placed in his or her employment record. If the outcome of an informal challenge is unacceptable to the employee, the employee may initiate action through the Problem-Solving Procedure.

To facilitate personnel decisions, supervisors have access to employment records on a need-to-know basis.

It is important that employees notify the Human Resources Department of changes in their address, telephone number, name, dependents, beneficiaries, withholding exemptions, and marital status.

SCHEDULING

Because of the nature of hospital work, it is necessary to staff many positions twenty-four hours each day and to schedule employees' evenings, nights, weekends, and holidays. It is not possible to establish the same working hours and days for all employees.

In order to maintain operational efficiency and provide adequate employee coverage, ACMC reserves the right to schedule hours and days of work for each employee.

ATTENDANCE AND PUNCTUALITY

Your job in the hospital is very important and demands your dependability and faithful attendance. Therefore, regular and punctual attendance is an essential function of every position at the hospital. Eight (8) intermittent days a calendar year is unacceptable absenteeism with or without doctor statement and will result in discharge.

Employees unable to report for work as scheduled must notify their supervisor immediately. Such notice should be given at least 6 hours in advance if possible and in accordance with departmental policy.

Unexcused or frequent absences or tardies may result in progressive disciplinary action. Frequent absences or tardiness may subject an employee to termination. Tardiness is defined as recording time after an employee's scheduled time to begin work. In addition, failure to record time is not an acceptable work behavior.

An absence is defined as a paid and/or unpaid period of time in which an employee is unable to attend work as scheduled. If an employee must be absent more than one day, notification must be given each day unless other arrangements have been made.

- Step 1 – Verbal Counseling – 2 absentee or call in
- Step 2 – Written Reminder – 4 absentee or call in
- Step 3 – Probation – 5 absentee or call in
- Step 4 – Suspension Without Pay – 7 days absentee or call in
- Step 5 – Discharge – 8th day termination

LICENSURE, CERTIFICATION AND REGISTRATION

Copies of current registration, certification or licensure of personnel subject to statute or regulations shall be obtained prior to consideration of employment.

All employees, who are required by statute or regulations to retain a license or certification, must present prior to the expiration date, the original to the Director of Human Resources to be copied and placed in the employment record as a condition of continued employment.

MEAL PERIODS AND REST BREAKS

ACMC provides a cafeteria and other designated areas for employees to use during their meal periods and rest breaks.

To minimize violations of federal law regarding time worked and to maintain high standards of cleanliness, employees should consume all food, regardless of where purchased, in ACMC's cafeterias or other designated break areas.

Meal periods and rest breaks are scheduled by each department director or supervisor based on the needs of our patients and the hospital and is not guaranteed.

Meal Period

Employees scheduled to work more than six hours in a workday will typically be provided at least a 30-minute unpaid meal period. During this period, it is anticipated that employees will be completely

relieved of their work responsibilities. If the meal period is interrupted, the meal period is considered time worked for those employees subject to the overtime pay requirements of the Fair Labor Standards Act.

Rest Break

The privilege of enjoying a fifteen-minute rest break for each four-hour period is observed by APMC as long as the break will not interfere with the quality of patient care. The scheduling of rest breaks will be the responsibility of the Department Manager. It must be realized that rest breaks are not "automatic", and work requirements on a given day may preclude taking a break. It should be understood that employees on break do not go into other work areas for non-business purposes and interfere with or distract other employees who are working at that time. Rest breaks are not allowed to be taken within an hour of arriving at or leaving work.

AUTHORIZED LEAVE (AL)

Department work requirements may not always require a full staff. When this occurs, employees may be expected to work less than their scheduled hours.

- When an employee reports for work as scheduled and is given an AL within two hours, the employee will be paid for a minimum of two hours.
- If an employee works more than two hours, then he or she will be paid for time worked.
- If the employee is notified before he or she is due to report to work and told not to report, no compensation is paid unless the employee is called back in due to census changed employee will be paid regular pay..
- If the employee is called off before their regular schedule shift and the employee is called back in due to census changed employee will be paid regular pay.

Employees may substitute either PTO - vacation or holiday time for authorized absences.

ON-CALL AND CALLBACK PAY

An "on-call" employee is defined as a clinical (patient care) employee who is designated by APMC to be available, after regular working hours, to report to work in the event emergency work has to be performed. The hospital will reimburse authorized employees who are eligible for callback pay on an hourly basis of \$2 an hour. If the employee is put on call then called back to work for their regular scheduled shift, the employee will be paid regular time.

If the employee is on call for time other than their regular schedule, the employee will be paid K-time of time and a half their hourly rate. The employee must be on call to receive the K-time.

On-call pay is not payable when an employee is:

- PTO
- Absent for illness
- Absent for funeral leave
- On a leave of absence
- not able or available for work.

If an employee is not "on-call", but is asked to report for work in an emergency situation and performs work, the employee will be paid a minimum of two hours at his or her base rate of pay. If an employee works more than two hours, the employee will be paid for actual time worked.

An "on-call" employee is required to furnish ACMC with a telephone number or be reachable through a long-range pager and be able to report to work in a prompt manner as determined by the hospital. On-call is determined by the department in which the employee works.

PAYROLL DEDUCTIONS

Only those deductions required by law and deductions authorized in writing are withheld from an employee's earnings. Those required by law include:

- FICA (Social Security)
- State Income Tax
- Garnishments
- Federal Income Tax
- Federal Income Tax Liens
- Child Support

Federal and state income tax will vary according to an employee's earnings and the number of dependents claimed.

GARNISHMENTS

If any employee should ever have wages and/or amounts due from the hospital seized by a court order or garnishments, ACMC is required to answer such an order within twenty (20) days.

Payments from court orders or liens must be paid to the clerk of the court, or to the appropriate agency. Any defenses by the employee must be made directly to the court or the agency.

A \$2.50 handling fee will be charged for every check per employee processes.

If an employee receives two (2) garnishments in a 12 months rolling period, the employee may be terminated. Upon receiving the second garnishment, the employee will be given notice of receipt and the employee has twenty (20) days to take care of the garnishment before termination. If the garnishment is paid off before the twenty (20) days, it will not be counted toward the second garnishment. If ACMC receives multiple garnishment orders resulting from the same debt or same judgment, it will be treated as a single garnishment.

Court-ordered child support, IRS, bankrupt or any type of wage assignment is not considered to be garnishment or salary lien.

TIME AND ATTENDANCE RECORDS

- Employees are required and responsible for clocking their own time. Clocking-in or out for another employee is subject to immediate dismissal.
- Employees are expected to clock in and out as near to their exact scheduled time of work as possible to avoid overtime. Time will be paid at exact time worked.

- The payment of overtime and time deductions are calculated in quarter-hour increments.
- An employee, upon "clocking-in", is to proceed immediately to his or her work station.
- Overtime must be approved in advance by an employee's department director.
- An employee should not leave the general work area except for meal periods, which are at least 30 minutes in duration, and 15-minute rest breaks which may be taken, workload permitting. If an hourly employee leaves the hospital for personal reasons anytime during the work period (i.e., lunch, doctor's appointment, pick-up meals for employees, attend a child's school activity, etc.), he or she must clock out when leaving the hospital and clock back in when arriving back at the hospital.
- Each employee is responsible for the accurate keying their time in. To signify the approval of time entered, each employee and the department manager must sign off on the time sheets before it is turned into Payroll before Monday afternoon after the end of the pay period.
- If an employee fails to key in their time, they must report the error to the Department Manager for approval and the Department Manager will be contacting the Payroll Clerk with the changes.

The Human Resource Department, Information Management Manager, and individual department directors are responsible for orienting employees on the proper use of the time and attendance system.

OVERTIME HOURS

Because we take care of patients around the clock every day of the year, the ability to work overtime is an essential function of every position at the hospital.

Every effort will be made to distribute overtime equitably among employees and to notify employees as far in advance as possible of the need to work overtime. Overtime must be approved in advance by a supervisor or department director.

PAYMENT OF WAGES

40 Hour Workweek

The Fair Labor Standards Act requires the payment of at least one-and-one half times the regular rate of pay to non-exempt employees after 40 hours of work in a work week of seven (7) consecutive days. The work week is defined as beginning on Sunday at 07:00 a.m. and ending at 06:59 a.m. the following Sunday.

8 and 80 Hour Work Period

The Fair Labor Standards Act contains a special provision for hospitals which permits payment of overtime after 80 hours in a work period of 14 consecutive days. The work period is defined as beginning on Sunday at 7:00 a.m. and ending at 6:59 a.m. two weeks later on Sunday. For time-keeping purposes, should an employee's workday cut across two calendar days, time worked is

treated as worked on the day the shift began.

If this special provision is used, ACMC is required to pay one-and-one-half the regular rate after 8 hours of work in any workday even if the employee fails to exceed 80 hours in the work period.

Daily overtime hours are credited only once toward overtime compensation payable under this provision. The department director determines the appropriate overtime pay method and will advise each employee.

We have **Direct Deposit at ACMC**. If you are interested in the Direct Deposit of your payroll check please complete an election form and provide a VOIDED CHECK to Human Resources.

Payday is every other Thursday for the previous two weeks of work. Electronic deposits will be transferred to your designated banking institute on Thursday morning. All paper check will be mailed on Thursday. No checks will be left in departments unattended

ACMC has electronic pay studs, W-2 and 1095 form for your convenience. The website is https://paystub.trubridge.net/pros_login . New users - Login – new user, create ID and password. All pay studs will be able to be seen back to pay date 11/2/2023. W-2 and 1095 will start as the end of calendar year 2023 going forward.

PAYCHECK ERRORS

Employees should notify their department director if they believe a calculation error has been made in their pay. If an error has been made through no fault of the employee, a supplemental check will be issued as soon as possible. If the error is the fault of the employee, the error will be corrected on the next regular paycheck.

LOST PAYCHECK

A lost paycheck should be reported to the Payroll Department. Payment may be stopped and another check issued. If a stop payment is issued, the employee will be responsible for reimbursing ACMC for the bank's stop payment charge.

PROMOTIONS AND INTERNAL TRANSFERS

ACMC encourages and promotes the professional growth of each employee. Employees, therefore, are invited to apply for positions for which they are qualified.

Summaries of vacant full-time and regular part-time positions are posted. If an employee is interested in a posted position, he or she should contact the Human Resources Department and apply online.

To qualify for a department transfer, an employee must:

- Meet all specifications and requirements of the posted position.
- Not have been on disciplinary probation or suspension during the past six months.

The hiring department director will select and interview applicants who best meet the requirements of

the position.

If accepted for transfer, the effective date will be two weeks from the acceptance date of the job offer. Exceptions will be made only if agreed upon by the current department director and the hiring department director.

When accepting a job transfer, the employee will not be eligible for another job transfer for at least one (1) year unless it is for a promotion to a higher level of employment. The first 90 days in the new position will be considered an introductory probation period. See Introductory Period Policy.

Upon transfer, an employee's review date and/or pay grade may change. All benefits will remain the same.

The hospital may initiate transfers or promotions as work requirements and availability of qualified staff dictate.

REDUCTION IN FORCE AND RECALL

In the event it is necessary to reduce staff, reductions in force and recalls from reductions in force will be consistent with ACMC patient care requirements.

ACMC believes that those employees with the longest continued service shall be provided the greatest employment security. If a reduction in force is necessary, layoffs will be based upon seniority, provided those employees remaining have the ability, as determined by ACMC, to perform the available work. Employee seniority will be used as a tie breaker only if skill, ability, experience and performance are equal in the sole discretion of the hospital. Employees selected for reduction in force will be given as much notice as is reasonable under the circumstances and as required by law. Benefits do not accrue during layoff.

The Human Resources Department will provide the following assistance:

- Information concerning COBRA rights, benefit conversion privileges, and unemployment compensation.

Employees will be recalled according to need, job classification, and ability to do the job. Recall is not guaranteed.

TERMINATION OF EMPLOYMENT

It is expected that employees will give written notice, to their department director. Fourteen working days (14) for clinical positions and a two weeks' notice for clerical positions is required prior to their expected date of termination. Management personnel are expected to give four weeks' notice. Failure to give the required notice may result in an unsatisfactory employment reference. Once a notice of termination is given, the employee is required to work their scheduled days. No PTO will be allowed without the Department Manager or CEO permission. Any days taken off during the working day notice will be added on to the end making a total of 14 working days' notice.

Terminating employees are required to "clear" through their department director, the Business Office and the Human Resources Department. This clearance procedure assures that all ACMC property has been returned, arrangements have been made to pay outstanding accounts, and to affect the proper

transfer of employee benefits.

EXIT INTERVIEW QUESTIONNAIRE

Employees leaving ACMC are requested to complete an exit interview questionnaire. The questionnaire is designed to obtain information that could lead to improvement in hospital facilities, services and policies.

Information obtained from exit interview questionnaires is confidential and will not adversely reflect upon the terminating employee.

REEMPLOYMENT

Employees who voluntarily resign in good standing and who make application for reemployment will be considered for reemployment. Employees who quit without notice or are discharged for cause are not normally considered for reemployment.

A former employee who is reemployed waives all rights accrued from past service except those protected by law.

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SOCIAL SECURITY

All ACMC employees participate in Social Security. Money to provide social security retirement income, survivor and disability benefits, and hospitalization insurance (Medicare) are paid for by contributions deducted from employee earnings and MATCHED EQUALLY by ACMC.

SUMMARY PLAN DESCRIPTIONS

ACMC offers employees a comprehensive benefit program which is described in detail in separate Summary Plan Descriptions. Copies of the Summary Plan Descriptions are provided to employees by the Human Resources Department. The benefits for which an employee is eligible depends upon his or her employment status and length of service. Employees should review and update their benefits regularly. Insurance benefits will begin on the 1st of the month following three months of employment.

Summary Plan Descriptions are available for the following:

- Health, Dental and Vision Insurance
- Life Insurance
- Long-Term Disability Insurance
- Section 125 (Cafeteria Plan)
- Retirement Plan

EMPLOYEE PHARMACY PROGRAM

As a benefit to employees, ACMC offers all employees, prescription drugs on a cost-plus basis (costs plus \$3) through the Hospital Pharmacy. Employees may purchase prescription drugs for themselves and their immediate family members.

No Narcotics will be sold through the ACMC Pharmacy Program.

Hours of service for filling employee prescriptions are 1:00 p.m. - 3 p.m., Monday through Friday.

A prescription must be on file for all prescription drugs dispensed to Hospital employees and their immediate families. Handwritten and telephone prescriptions will be honored. Employee prescription records will be kept separate from all inpatient records.

By law, the only individuals eligible for this program are employees and immediate family members.

Payment for medications may be made by payroll deduction. Insurance drug cards will not be accepted for payment of charges. PRN employees will not be able to charge medications but must go Financial Counseling to pay for all medications.

Prior to a prescription being filled, employees must go to Admissions and provide information about themselves and family members to be placed in the computer for record keeping. Employees and their immediate family members must be enrolled on the ACMC Pharmacy program in order to utilize the employee medication service.

Statements for insurance filing purposes will be available if needed.

Policy for APMC Health Plan Employee Pharmacy Policy

As a benefit to employees who have the APMC Health Insurance, APMC will offer a reduced co-pay rate for filling their prescription in the APMC pharmacy.

APMC Pharmacy Co-Pay is for a one-month supply. If purchasing two or three months supply, the co-pay will be the rate times the monthly amount. The same exclusions stated in the health insurance booklet will apply in the APMC pharmacy.

All pharmacy expenses will be payroll deduction only.

Statements for expenses will be available if needed.

PAID TIME OFF (PTO)

APMC provides full time and part time employees paid time off (PTO) under two related plans:

- Paid Time Off (PTO)

Paid time off hours are used for almost all types of absences such as vacation, holidays, family illness, medical and dental appointments, parent-teacher conferences, and the first 2 consecutive scheduled days of work lost due to personal illness, Office closures due to weather. PTO can only be used on scheduled workdays. All scheduled PTO must be pre-approved by Department Manager.

- Extended Illness Time (EIT)

Extended illness time is used to provide continuation of income when an employee is absent from work due to personal illness for more than two consecutive scheduled days of work.

Paid time off should meet the needs of employees to be away from the hospital while, at the same time, provide the greatest flexibility in planning for and using paid time off.

Paid Time Off (PTO)

Full time and part time employees are given PTO on the basis of paid hours up to a maximum of 80 hours each pay period exclusive of on-call hours. PTO is earned beginning the first day of employment but cannot be used until completion of the 3-month introductory period.

<u>Years of Service</u>	<u>Hourly Factor</u>	<u>Maximum Potential Annual PTO Hours</u>	<u>Maximum PTO Hours Accumulation</u>
0 through 9	.0846	176	160
10 through 19	.1039	216	200
20 or more	.1231	256	240

APMC requires employees to take at least one half (1/2) of their PTO time earned each calendar year. Any portion of the required 1/2 of PTO time not taken will be forfeited.

When an employee requests time off it will come out of PTO hours.

If the Hospital requests an employee to take time off from regularly scheduled work time (AL), the

employee may elect to take time off with pay by using PTO hours or take time off without pay.

Employees may carry over PTO time from year to year (subject to the 50% use requirement above) up to maximum balances as of December 31 of each year as listed above. **Any PTO above the Maximum PTO on December 31 will be forfeited.** (ACMC may waive this requirement with the specific approval of the CEO to meet ACMC's needs).

Since each department within the Hospital has different responsibilities and methods of scheduling staff, there is no overall policy as to when an employee may request time off. Each employee is subject to the time off policy of the department in which he or she works.

Payment for PTO hours in lieu of time off is not permitted. However, in the event an employee changes employment status to a classification which is not eligible for PTO, the employee can either be paid for or continue to carry forward PTO may not use PTO until they have changed back to Part Time or Full Time status.

If an employee is on scheduled PTO, PTO hours still apply when an employee gets sick on vacation unless the employee is hospitalized. Then the EIT rules of 16 hours will be applied at the time of the hospital stay. Documentation must be provided.

In lieu of taking unused PTO time off above the 50% requirement, employees may, at the exclusive option of the employee, on their **birthday each year** sell back to the hospital their unused PTO time (or any portion thereof). If the employee elects to sell back to the hospital unused PTO time **the Hospital will pay to the employee 50% of the value of the PTO time** and include the pay in the employee's next regular payroll check (less appropriate payroll tax deductions).

If an employee is ill, the first two (2) days or 16 hours of illness must be used as PTO time.

Upon voluntary termination of employment (resignation with appropriate notice, retirement, discharge, death) or if the employee moves to a PRN status, ACMC pays the employee for the unused PTO time at the employees hourly rate of pay at the time of termination, **except those employees who terminate prior to completing one (1) full year of employment shall forfeit unused PTO balance at the time of termination.**

Non-Exempt (hourly) employees are required to give two (2) weeks (14 days) notice of resignation/retirement. **Employees who fail to give proper notice of resignation/retirement shall forfeit outstanding PTO balances.** (ACMC may waive this requirement with the specific approval of the CEO).

Exempt (salaried) employees are required to give four (4) weeks (28 days) notice of resignation/retirement. **Employees who fail to give proper notice of resignation/retirement shall forfeit outstanding PTO balances.** (ACMC may waive this requirement with the specific approval of the CEO).

Employees may not use PTO time in combination with resignation, but may use PTO in combination with retirement. PTO time on an individual basis may be granted at the discretion of the department manager after receipt of an employee's resignation.

Extended Illness Time (EIT)

Extended Illness Time is accrued earned hours for the purpose of receiving pay while an employee is off for an extended period of time due to **their own personal illness only.** **Extended Illness Time (EIT) is used when more than 2 consecutive scheduled days of work or 16 hours are lost due to personal illness.** Full Time and part time employees accrue EIT on the basis of paid hours up to a maximum of 80

hours each pay period exclusive of on-call hours. EIT is accrued beginning the first day of employment but cannot be used until completion of 3-month introductory period.

<u>Hourly Factor</u>	<u>Maximum EIT Accumulation</u>
.0193	1040 hours or (6 months)

All full-time and part-time employees of ACMC (who work an average of 48 hours per pay period) accrue EIT at the rate of .0193 for each regular hour of pay (40 hours annually).

Unused EIT time may be carried over from year to year, with a maximum accumulation of 1040 hours (6 months).

EIT may be used when an employee is off work for an extended time due to their personnel illness only. **COVID, Flu and any other commutable diseases** of the employee will follow the regular EIT rules for EIT pay and Use of PTO or (If no PTO available) then NO Pay will be determined by the total accrued EIT hours each employee has at the time of the absence. The emergency COVID policy expired on 12/31/20. Requirements on using PTO before EIT will be as follows: (The 16 hour rule of having to be off will be applied regardless of the category of a, b, or c).

- a. 0 to 80 hours accrued –The first 16 hours of absence is taken at either PTO time or if no PTO then no pay, then the balance of the time off is paid as EIT time.
- b. 80 to 160 hours accrued – The first 8 hours is taken at either PTO or if no PTO then no pay before EIT.
- c. all over 160 hours accrued - EIT may be used starting the first day, but this will be applied after the required 16 hours of absence, PTO or No Pay is not required before using EIT but you must be off 16 hours to use EIT.

When an employee is terminated or has a status change to PRN/temp from ACMC's employment, All accumulated, unused EIT time will be forfeited. If the individual is re-employed in the future the EIT balance will start at ZERO.

To be eligible for EIT, an employee must give management reasonable advance notice of his or her inability to report for work and keep management informed of the expected date of return. The Hospital reserves the right to require medical certification of the nature of the illness and medical release permitting the employee to return to duty indicating any work limitations.

In the event an employee changes employment status to a classification, which is not eligible for EIT, the employee maintains his or her EIT balance, but is unable to use unless the employee returns to Full or Part Time status and after the required 3 month introductory period. Payment of accrued but unused EIT is not permitted upon termination of employment. Upon termination all accumulated, unused EIT time will be forfeited.

Employees having employment outside of ACMC are not eligible for EIT if they work for their other employers while on EIT at ACMC.

JURY DUTY

ACMC believes that it is an employee's obligation as a citizen to serve if summoned for jury duty. In recognition of this civic obligation, all employees will be granted time off to serve on jury duty without sustaining any loss of income.

Employees will be paid their base rate of pay, in addition to their jury duty pay, for all regularly scheduled time not worked because of jury duty. To be eligible, employees are required to:

- Notify their supervisor as soon as they receive a jury duty summons. Department work schedules can then be arranged to provide adequate coverage.
- Furnish their supervisor with satisfactory evidence that jury duty was performed on the days pay is authorized.

- Contact their supervisor as soon as they are temporarily or permanently excused from jury duty. Employees may be required to report to work prior to and at the end of each day served on jury duty.

For the purpose of computing overtime, jury duty is not considered time worked.

LEAVES OF ABSENCE

ACMC recognizes that personal situations arise that require an employee's absence from work. In its desire to be consistent and fair with employees in meeting these situations, ACMC has established the following policy under which leaves of absences are permitted.

- **Personal Leave of Absence**

An employee who has completed six (6) months of continuous regular full-time or regular part-time employment may request a personal leave of absence without pay for a period not to exceed thirty (30) calendar days. Whether or not personal leave is granted is solely at the discretion of ACMC.

An employee on personal leave is not guaranteed reemployment upon expiration of his or her leave. Likewise, an employee failing to return to work at the expiration of his or her personal leave will be terminated as of the last day of the personal leave.

Employees must, prior to going on personal leave, make arrangements with the Human Resources Department to pay for any benefits which could be lost as a result of not having payroll deductions.

- **Military Leave of Absence**

All regular full-time and regular part time employees are entitled to leave without pay for qualifying service in the uniformed services (including Army and Air National Guard). Employees may substitute any accrued leave for unpaid military leave, but are not required to do so.

Employees who are eligible are entitled to reinstatement or re-employment rights without loss of seniority. Eligibility for reinstatement will be determined in accordance with applicable state and federal laws. As of the date of this policy, you must seek re-employment within a specified period of time depending on the length of your military leave. For example, employees who have taken less than thirty one (31) days military leave must report to work the next regular work day after you are released. Employees who serve more than thirty (30) days but less than one hundred eighty-one (181) days must seek re-employment within fourteen (14) days and employees who serve more than one hundred eighty (180) days must reapply within ninety (90) days.

Employees must notify us of the need for military leave as far in advance of the leave as practicable so that we may plan for your absence. When an employee is called to active military service, personnel records should contain a copy of the orders reflecting the beginning date and expected return date and whether the employee has elected to use accrued paid leave.

- **Administrative Leave of Absence**

An administrative leave may be granted to an employee when it is determined to be in ACMC's best interest or required by law. The conditions of an administrative leave are at the sole

discretion of ACMC subject only to applicable law.

- **Family and Medical Leave of Absence**

Employees, who satisfy eligibility requirements, may take up to 12 weeks of unpaid leave within a twelve-month period for family and medical reasons under the Family Medical Leave Act (FMLA). At no time may an employee use more than 12 weeks of leave within any 12-month period (except in the case of qualifying Military Family Leave: see separate policy). We use a “rolling” 12 month period. Looking back from the date of the request for leave to determine how much leave the employee has taken during the 12 months preceding the leave.

To be eligible for FMLA benefits an employee must have worked for ACMC for a total of at least 12 months; have worked at least 1250 hours during the previous 12 months; and work at a location where at least 50 employees are employed by ACMC within 75 miles.

Employees will be required to use all accrued EIT and PTO during the leave period. Once paid leave is exhausted, the balance of the employee’s 12-week entitlement will be without pay. Employees on intermittent leave must make reasonable effort to schedule treatment to avoid disruption of operations. Employees are neither allowed nor required to take more leave than medically necessary.

While on leave, employee health, life and disability premium payments continue, if applicable. While on paid leave normal payroll deduction will be made, including premium payments. Employees on unpaid leave must make arrangements with the HR department to pay the employee’s portion of the premiums.

Benefits that operate on an accrual basis will cease to accrue during any period of leave, which is unpaid. This applies to employees on all types of unpaid leave.

Employees are required to provide us with information to allow us to determine whether any and all leave is FMLA qualifying. Employees are also required to provide written notice, 30 days in advance of the need to take FMLA when the need is foreseeable. If the need for the leave is unforeseen, the employee must provide as much advance notice as practicable under the circumstances (generally the same day the employee becomes aware of the need for leave), including an explanation why 30 days’ notice was not practicable. Periodic reports during FMLA leave regarding the employee’s status and intent to return to work will also be required. Failure to follow notice requirements may result in delay or loss of FMLA leave and may result in unpaid leave if the employee does not follow our notice provisions for requesting paid time off.

ACMC reserves the right to request medical certification(s) supporting the need for leave due to a serious health condition affecting the employee or an immediate family member or a second opinion and third by a physician of ACMC’s choice (at our expense). It is the employee’s responsibility to see that the certification is completely filled out and returned timely. Employees who take leave for their own serious health condition will be required to present a return to work certificate prior to being allowed to return to work. This certification will require the treating physician review a job description or list of essential functions and attest the employee can safely perform those duties.

Upon returning to work after taking leave under FMLA, employees will be restored to the same position held prior to the leave or a position with equivalent employee benefits, pay and other terms and conditions of employment.

If an employee fails to return to work after all job protected leave is exhausted, we will assume that the employee has resigned and he may be liable for the contribution of insurance premiums

during the leave period.

WORKERS' COMPENSATION

Workers' compensation is an insurance program, required by the State of Arkansas, which provides medical and disability insurance to employees incurring job related injury or disease. Medical expenses and lost wage benefits are paid in accordance with state law. Under current law, lost wage benefits are not paid until the eighth day of disability unless the job-related disability exceeds fourteen or more days.

All job-related injuries must be reported immediately. Failure to do so could jeopardize an employee's job and eligibility for workers' compensation benefits. **Call 1-800-775-5866** to Medcor for all work-related injuries for on-line injury assessment service. This call must be made regardless of going to the ER or Dr. Rindt's office or if you feel you do not need immediate attendance. Once you have been treated you must complete the Arkansas Workman Comp. Form N and have a drug test performed immediately which will be turned into the HR Department.

ACMC employees who have a work-related injury must go to the ACMC ER for the first initial visit and then you will be referred to Dr. Brad Walsh or Dr. Ben Walsh for following up visits. ACMC has designated Dr. Brad Walsh as the ACMC Workman Comp. Physician not a nurse practitioner. Failure to follow procedures may jeopardize eligibility for workers' compensation benefits.

COURTESY DISCOUNTS ON PATIENT ACCOUNTS

Hospital employees who have the ACMC Health Insurance who function as full-time and part-time employees and their dependants at time of service shall receive a discount of **20 percent of the uninsured balance.**

Regular full-time and part-time employees of ACMC and their dependants who do not have the ACMC Health Insurance are eligible to receive discounts of **20 percent of the original balance of the account after insurance payment** has been received by the hospital.

The employee must present their bill to the Business Office within thirty (30) days of statement and request that the discount be applied. Additional information on this policy may be obtained from the Business Office.

Full-time and part-time hospital employees who do not have any insurance will receive a discount to the amount that would have been allowed under the ACMC Health Insurance plan fee schedule. (currently Arkansas First Source)

TAX SHELTER ANNUITY (TSA)

Section 403(b) of the Internal Revenue Code permits employees of not-for-profit hospitals to defer, on a before tax basis, current earnings for retirement.

ACMC offers full-time and regular part-time employees the opportunity to enroll in individual 403(b) tax shelter annuity programs through payroll reduction. Employees can accumulate additional retirement monies by deferring taxes on current wages and the investment earnings produced by their deferred income.

Further information can be obtained from the Human Resources Department.

PAYROLL DEDUCTION SAVINGS PLAN

The Payroll Deduction Savings Plan allows an employee to make direct savings deposits into a bank savings account or Credit Union. Employees may make withdrawals from their savings account and Credit Union at anytime.

Authorization forms are available in the Human Resources Department.

CAFETERIA

ACMC provides food service from 11:00 a.m. to 1:00 p.m. Monday through Sunday in the cafeteria. Employees are entitled to a discount when purchasing food in the cafeteria. Meals for full and part time employees may be charged and deducted from their next payroll check. PRN/TEMP employees will not be able to charge meal tickets.

EDUCATION, CERTIFICATION PAY AND TRAVEL PROGRAMS

Purpose:

ACMC will pay the costs for continuing education for full-time and part-time employees to meet ACMC's required certifications and extended education programs. To reward employees for attaining increased knowledge that can be utilized to enhance patient care.

Policy:

It is the policy of ACMC to pay the approved expenses including wages associated with taking certification courses required by ACMC.

The employee, at the time of application for reimbursement (or pre-registration for the program if ACMC pays the pre-registration fees) will be required to sign a commitment to work for ACMC for a minimum of one (1) year following completion of the education program. If the employee voluntarily terminates employment from ACMC prior to completion of one year of employment ACMC will forgive 1/2 of the cost of the education program, regular wages while taking the class, mileage to classes and any other expenses incurred while taking the class for each month of work actually completed, then deduct the balance of the cost from the employee's final payroll check(s).

Occasionally, ACMC pays the cost of other extended education programs for employees with no commitment from the employee to continue employment with ACMC or for the specific purpose for which ACMC has paid the cost of the education program. In Cases where ACMC pays such cost, the provisions of Paragraph 2 above shall apply.

1. Certification pay for the first certification will be \$.25. ACMC will pay \$.25 for up to 7 certifications. There will not be any more hourly wage reimbursements after seven (7) certifications.
2. In some areas ACLS is not mandated, however ACMC will pay for the hourly wage reimbursement to those nurses and respiratory therapists who do receive the certification. This applies only to ACLS.
3. Certification pay will be awarded upon presentation of documentation for the period of the certification.
4. Each certification must be appropriately renewed in order for certification pay to continue. If a certification was obtained and expires, nursing employees have 90 days to renew that certification or else will not be allowed to work their shifts until it is obtained. If this is a state mandated certification renewal and work requirements may be different.

5. Certification pay will begin on the pay period following the date certification is presented to the Director of Human Resources. There will be no retroactive pay. Certification pay will be removed if certs are expired.
6. All employees (Nursing, RT, Lab, X-ray, PT, OT etc.) who regularly work in a clinical capacity will be required to be trained in CPR and to retain certification during their employment. All New Hires must have CPR before starting to work at ACMC. There is no pay reimbursement for this certification. ACMC will not pay for employees to take this certification outside of the hospital unless that certification is no longer offered in our facility.
7. It is the policy of ACMC to require certification of employees who work in certain clinical areas. New employees will have one year to acquire the necessary certification(s). The areas are listed below.

<u>Home Dept.</u>	<u>Certification</u>	<u>Job</u>
<u>Classification</u>		
OR & /Day Surgery	ACLS, NIH Stroke Scale*	RN's, LPN's
ER	ACLS, PALS, NIH Stroke Scale*, TNCC, NRP, A-TEAM,	RN's
CCU	ACLS, PALS, NIH Stroke Scale*,	RN's
Med Surg	ACLS, PALS, NIH Stroke Scale*,	RN
Med Surg	ACLS and PALS w/approval by CNO	LPN's
RT	ACLS, PALS and NRP	CRT & RT
Social Service Worker	CDP, CPI	Social Service

All certifications must go through the CNO for certification approval.

Any certification required for the Clinical IT nurse through CPSI to maintain license will be compensated at the current certification rate.

*The NIH stroke scale is to be completed yearly by all RN staff and will be compensated upon completion and verification of performing a MOCK on ARVSAVES. This will be considered as an available compensated certification.

8. When an employee is taking one of the above certifications or a course approved by ACMC, **ACMC will pay for:**

- The cost of the registration for the class.
- The employees' regular pay while taking the class if the class is taken on a regularly scheduled work day.
- Mileage will begin from the hospital to the class & back to the hospital. Car Pooling is encouraged if several are attending the same class.

ACMC will not pay for:

- Meals
- Hotel (unless the course is greater than 125 miles away & only with permission from the DON, CEO or Human Resources Director)
- Mileage for certifications other than ACLS, NRP, PALS, FHM, TNCC.
- Registration for any class when that class can be obtained for free or at a reduced cost at ACMC.

9. ACMC will pay for stated certifications to other sources, but only up to what it would cost if the employee took if held at ACMC.
10. ACMC requires that each employee sign a promissory note for each class and all expenses incurred while taking the class that ACMC pays for registration. This is waived for each employee that has been an employee at ACMC for a period of 10 years.

11. The employee regardless of whether he has signed a promissory note or not, will be responsible for the cost of registration, if the employee cancels within 48 hours of the class. This would be waived with a signed note from the MD stating that the employee was sick or upon death of an *immediate* family member.

OTHER EDUCATION TRAINING AND MEETINGS

12. Employees will only be paid for education hours that are required by ACMC. When an employee decides to attend a meeting that is not required by ACMC, he may be given permission to go but will not be paid.
13. Mileage will be paid for classes or meeting approved by the CEO. (Car Pooling is encouraged if several are attending the same class.)
14. Other educational classes may be assigned as opportunities for performance improvement via Learn on Demand, Tandberg or in service opportunities. These are not subject to compensation
15. PRN staff do not receive cert pay and may be entitled to attend classes at no expense under the discretion of the CNO or administration.

401(k) RETIREMENT

ACMC provides a Safe Harbor Contribution to all employees who qualify.

The 401(k) is the only pension/retirement program offered by ACMC to its employees. The 401(k) is structured in accordance with section 401(k) of the Internal Revenue Code. Employees may set aside up to 85% of their total income, not to exceed federal annually limit in pre tax dollars in the 401(k) and 403(b) plans combined. Employees who are 50 and above may contribute an extra federal catch up contribution limit. ACMC safe harbor contribution will be 3% of employee's salary and deposited approximately March of the following year.

Vesting – The employee is 100% vested in the employee's contribution immediately. The employee becomes 100% vested in ACMC's safe harbor contribution upon receipt of funds in employee's account. Vesting schedule will remain for any other employer matching contribution of 100% after completing three (3) years of employment.

Eligibility – Only **Full-Time and Part-Time employees** of ACMC who work 1000 or more hours in the year are eligible to participate. **Eligibility begins after Completion of one (1) full year of employment.** Employee must be a legal citizen of the United States to participate.

Election forms – All ACMC employees are required to complete an election form whether or not they plan to participate in the 401(k). These forms will be used if you meet the requirement of eligibility for the Safe Harbor contribution.

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EMPLOYEE JUSTICE**

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EQUAL OPPORTUNITY EMPLOYMENT

The Hospital is committed equal employment opportunity. The Hospital endorses an environment where success depends on the full and effective use of the abilities of all employees regardless of race, color, religion, sex, national origin, age, disability, genetic information, veteran status or other legally protected trait. THE HOSPITAL is committed to treating its employees equally and fairly with regard to wages, salaries, benefits, training, promotions and other terms and conditions of employment.

As part of its commitment to nondiscrimination and equal employee opportunity, the Hospital is committed to providing reasonable accommodations to the known physical or mental limitations of qualified applicants or employees with disabilities unless the accommodations would impose an undue hardship on the Hospital.

Specifically, the Hospital provides reasonable accommodations to ensure equal opportunity in the application process, to enable a qualified individual with a disability to perform the essential functions of a job, and to enable an employee with a disability to enjoy benefits and privileges of employment.

The Hospital cannot make an accommodation when it is unaware of the need. It is primarily the responsibility of the applicant or associate with a disability to inform the Hospital that an accommodation is needed to participate in the application process, to perform essential job functions, or to receive equal benefits and privileges of employment.

SEXUAL AND OTHER UNLAWFUL HARASSMENT

As an equal opportunity employer, we are committed to providing a work environment that is free of unlawful harassment. This includes work related conduct away from our worksite. Actions, words, jokes or comments based on an individual's sex, race ethnicity, age, religion or any other legally protected characteristic will not be tolerated. As an example, sexual harassment, both overt and subtle, is a form of employee misconduct that is demeaning to another person, undermines the integrity of the employment relationship, and is strictly prohibited. Unwelcome sexual advances requests for sexual favors, and other verbal or physical conduct of a sexual nature will not be tolerated.

Such conduct can be verbal (i.e., sexual, racial or ethnic jokes, sexual remarks, racial epithets invitations), nonverbal (i.e., gestures, suggestive actions, facial expressions, displaying sexual or other offensive material), or physical (i.e., touching, pinching, patting, stroking, cornering, kissing). Additionally, conduct that is not sexual in nature but is engaged in because of the victim's gender can be sexual harassment and will not be tolerated.

Any employee who becomes aware of possible unlawful harassment must, as a condition of his continued employment, promptly report the incident to his/her supervisor or to Human Resources. APMC will fully investigate the matter in a timely manner. Any supervisor who receives a report or otherwise becomes aware of possible harassment must report that immediately to Human Resources. Prior to completion of the investigation, we may take reasonable steps to address the complaint, such as separating, the accused and accuser. Confidentiality to the extent practicable will be maintained. Employees can raise concerns and make reports without fear of reprisal.

This policy applies to employees, patients, medical staff, visitors, suppliers, vendors, contractors, temporary employees and others. Thus, employees should report any possible harassment by or of these individuals.

Anyone engaging in unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

DISCIPLINE

At ACMC, rules are necessary for the successful operation of the institution and to ensure the safety, property, and interests of patients, employees, medical staff, and the public.

When an employee fails to observe ACMC rules and regulations, a policy of progressive discipline will be generally followed. The progressive disciplinary step process will be taken for minor infractions but ACMC reserves the right to forego steps 1 thru 4 for major infractions and go to Step 5 when immediate discharge is determined to be in the best interest of the hospital.

An employee receiving no disciplinary action for a period of two years will have previous violations in his or her employment record rescinded.

Step 1 -Verbal Counseling

Verbal counseling is the first step in the progressive disciplinary process. It involves a discussion between a supervisor and an employee. The objective is to correct the problem in an informal manner. A record of the verbal counseling will be placed in the employee's file. The employee is asked to sign the verbal counseling form and allowed to comment, in writing, on the report. Verbal counseling record will be removed after one (1) year if no further violations occur within that year.

Step 2 -Written Reminder

A written reminder is the second step in the progressive disciplinary process. It formalizes a discussion between a supervisor and an employee about a conduct or performance deficiency. The objective of a written reminder is to correct the problem in a more formal manner. A written summary of the discussion is prepared with a copy given to the employee and a copy placed in the employee's personnel file. The employee is required to sign the written reminder and allowed to comment, in writing, on the reminder.

Step 3 - Probation

Probation is the third step in the progressive disciplinary process and is considered CRITICAL and places the employee on notice that his/her job is in jeopardy. The probationary period will not exceed 6 calendar months. Wage increases, promotions, and /or transfers to other positions or departments will not be authorized during the probationary period.

Step 4 -Suspension Without Pay

Suspension Without Pay is the fourth step in the progressive disciplinary process. Suspension Without Pay is used only after other disciplinary actions have failed. Suspension Without Pay will usually be for 3 working days, but may be more. This is the final action prior to discharge.

Step 5 -Discharge

Discharge is an action taken by management when all other positive steps have failed or when an employee has committed a major offense. An employee will typically be suspended without pay pending full investigation and final decision regarding discharge.

Examples of infraction subject to the progressive discipline include, but are not limited to:

Horseplay

Having personal visitors in work areas without permission

First instances of tardiness or absenteeism

Excessive use of APMC telephones for personal calls

Causing or contributing to unsanitary conditions

Removing or eating food or refreshments intended for patients

Failure to give reasonable notice when unable to report for work as scheduled

Failure to cooperate or maintain good working relationships with all employees

Violation of APMC's Solicitation and Distribution Policy

Unauthorized extension of break periods

Missing Mandatory Meetings

While APMC cannot list all the reasons why it may be appropriate to discharge, even on the first offense, examples of infractions, which may lead to immediate discharge include, but are not limited to:

Sleeping while on duty

Abuse and/or battery toward patients, visitors, volunteers, employees, or the medical staff

Violation of HIPAA regulations

Refusal to report to a work assignment or leaving an assignment without permission

Recording another employee's time

Use of tobacco on hospital property

Refusal to follow instructions concerning a job-related matter

Neglect of duty

Possession of firearms, explosives, or other weapons on ACMC property

Conviction of a felony or any other act which brings adverse publicity or discredit to ACMC

Violation of ACMC's Substance Abuse Policy.

Theft, destruction, or unauthorized use of ACMC property or the personal property of others

Falsifying or altering ACMC records or reports

Gambling on ACMC property

Disregard of ACMC safety rules and regulations

Disorderly conduct

Threatening or intimidating supervisors, security officers, or co-workers

Causing, leading, participating in or attempting to cause a work stoppage or slowdown not protected by law

Absence without notice for three consecutive scheduled workdays

Intentional or negligent acts, which harm or could harm patients

Falsifying applications for licensure in the attempt to receive any license.

Dishonesty

Insubordination

Discrimination or violation of our harassment policy

PROBLEM SOLVING PROCEDURE

We strive to treat all employees fairly and give them an opportunity to discuss their job related problems, issues or concerns. For that reason, employees who have completed their three month introductory period may address certain issues through this problem solving procedure. Only matters involving written discipline, discharge, promotion, demotion, suspensions and other similar job actions that materially affect a term or condition of employment are eligible for

review. ACMC reserves the right to determine that an issue is not eligible for review any time during the process.

Employees are encouraged to resolve complaints at the earliest opportunity. This policy is not intended to impede the dialogue between supervisors and employees that should be used for normal day-to-day problem solving.

Human Resources is available to help facilitate this process at any point, but each party, supervisor and employee is responsible for presenting their own case.

I. Step One (Supervisor).

An employee who has a complaint should make every effort to discuss the problem with the immediate supervisor within five (5) business days from date the employee becomes aware of the issue. The supervisor should respond to the employee orally within five (5) business days from receipt of the complaint with documentation for the employee's personnel file.

II. Step Two (Department Head).

If after Step One the complaint is not resolved to the employee's satisfaction, it is the employee's responsibility to discuss the problem with the department head within the next five (5) business days. The department head will respond orally within five (5) business days for receipt of the complaint with documentation for the employee's personnel file.

III. Step Three (Hospital Administrator)

If after Step Two the complaint is not resolved to the employee's satisfaction, a written complaint must be presented to Human Resources to forward to the Hospital Administrator.

The Hospital Administrator will, in his sole and absolute discretion, determine whether there has been unfair treatment and, if so, the appropriate resolution. The Administrator may, in his sole and absolute discretion, meet with the employee and/or supervisor or department head or conduct any other investigation he deems appropriate.

The process under this policy will be as informal and non-adversarial as possible. Neither the employee nor the supervisor, nor department head will be represented by an attorney. Every employee is encouraged to use this policy and to seek the assistance of Human Resources. No employee will be subject to retaliation as a result of participating in this process.

Suspended and/or terminated employees may also use this procedure. These employees or former employees will have three (3) business days from termination to submit a written request for review to Human Resources. This review will be completed by Human Resources and the Hospital Administrator.

This policy does not change the at-will nature of employment with ACMC. Likewise no employee may rely on this policy to argue that ACMC has breached any agreement or contract. The Administrator shall be solely responsible for interpreting this policy and rendering a final decision on any issue presented under this policy.

Deficit Reduction Act of 2005 Compliance Policy

To satisfy the requirements of Section 6032 of the Deficit Reduction Act of 2005 by setting forth certain federal and state laws relating to liability for false claims and statements; protections against reprisal or retaliation for those who report wrongdoing; and ACMC policies and procedures to detect and prevent fraud, waste and abuse.

Scope: This policy applies at all directors, officers' administrators, managers, staff, employees, contractors and agents of ACMC.

It is the policy of ACMC to obey all federal and state laws, to implement and enforce procedures to detect and prevent fraud, waste and abuse with respect to payments to ACMC from federal or state healthcare programs, and to provide protections for those who report actual or suspected wrongdoing.

Distribution: This Policy shall be distributed to all current and new Board members, officers, administrators, managers, staff, employees, contractors and agents of ACMC. This policy will be included in the employee handbook.

Explanation of Laws: Set forth below are summaries of certain statutes that provide liability for false claims and statements. These summaries are not intended to identify all applicable laws but rather to outline some of the major statutory provisions as required by the Deficit Reduction Act of 2005.

Federal False Claims Laws:

Civil False Claims Act; 31 U.S.C. §§ 3729-3733

The federal Civil False Claims Act imposes civil liability on any person or entity who:

- Knowingly files a false or fraudulent claim for payments to Medicare, Medicaid or other federally funded health care program;
- Knowingly uses a false record or statement to obtain payment on a false or fraudulent claim from Medicare, Medicaid, or other federally funded health care program; or
- Conspires to defraud Medicare, Medicaid or other federally funded health care program by attempting to have a false or fraudulent claim paid.

“Knowingly” means:

- Actual knowledge that the information on the claim is false;
- Acting in deliberate ignorance of whether the claim is true or false; or
- Acting in reckless disregard of whether the claim is true or false.

A person or entity found liable under the Civil False Claims Act is subject to a civil money penalty of between \$5,500 and \$11,000 plus three times the amount of damages that the government sustained because of the illegal act. The amount of damages in health care terms is the amount paid for each false claim that is filed.

Anyone may bring a qui tam action under the Civil False Claims Act in the name of the United

States in federal court. The case is initiated by causing a copy of the complaint and all available relevant evidence to be served on the federal government. The complaint remains sealed for at least 60 days and will not be served on the defendant so that the government can investigate the complaint. The government may obtain additional investigation time by showing good cause. After expiration of the review and investigation period, the government may pursue the matter in its own name or decline to proceed. If the government declines to proceed, the person who filed the action has the right to continue with the case.

If the government proceeds with the case, the person bringing the action will receive between 15% and 25% of any recovery, depending upon the contribution of that person to the success of the case. If the government does not proceed with the case, the person bringing the action will be entitled to between 25% and 30% of any recovery, plus reasonable expenses and attorneys' fees and costs.

Program Fraud Civil Remedies Act; 31 U.S.C. §§ 3801 -3812

The Program Fraud and Civil Remedies Act ("PFCRA") creates administrative remedies for making false claims and false statements. These penalties are separate from and in addition to any liability that may be imposed under the Civil False Claims Act.

The PFCRA imposes liability on people or entities who file any claim that they know or have reason to know:

- Is false, fictitious, or fraudulent;
- Includes or is supported by any written statement that contains false, fictitious, or fraudulent information;
- Includes or is supported by a written statement that omits a material fact, which causes the statement to be false, fictitious, or fraudulent, and the person or entity submitting the statement has a duty to include the omitted fact; or
- Is for payment for property or services not provided as claimed.

A violation of this section of PFCRA is punishable by a \$5,000 civil penalty for each wrongfully filed claim, plus an assessment of twice the amount of any unlawful claim that has been paid.

In addition, a person or entity violates the PFCRA if they submit a written statement which they know or should know:

- Asserts a material fact that is false, fictitious or fraudulent; or
- Omits a material fact that they had a duty to include, the omission causes the statement to be false, fictitious, or fraudulent, and the statement contained a certification of accuracy.

A violation of this section of the PFCRA carries a civil penalty of up to \$5,000 in addition to any other remedy allowed under other laws.

State False Claims Laws:

Arkansas Medicaid Fraud Act; Ark. Code Ann. §§ 5-55-101 et seq.

The Arkansas Medicaid Fraud Act imposes criminal liability on people or business entities for certain fraudulent actions taken "purposely," which means with a conscious intent to take the action or cause the result. Criminal liability is imposed for purposely taking any of the following actions:

- Making a false statement or representation of material fact in any application for any benefit or payment under the Arkansas Medicaid Program;
- Making a false statement or representation of material fact for use in determining rights to a Medicaid benefit or payment.
- Concealing or failing to disclose an event that affects the right to any Medicaid benefit or payment of the person filing the claim or anyone on behalf of whom that person is filing, with an intent to fraudulently secure payment;
- Converting a Medicaid benefit or payment to another use after receiving it for the benefit of another person.
- Presenting a claim for a physician's services knowing that the individual who furnished the service was not licensed;
- Making or inducing the making of, any false statement or representation of a material fact with respect to the conditions or operation of any institution, facility, or entity in order for the institution, facility, or entity to qualify as a hospital, rural primary care hospital, skilled nursing facility, nursing facility, intermediate care facility for the mentally retarded, home health agency, or other entity, or with respect to information required pursuant to applicable federal and state law, rules, regulations, and provider agreements;
- Charging rates for services to a Medicaid patient that are in excess of the rates established by the state;
- Charging, soliciting, accepting or receiving, in addition to the Medicaid payment, any consideration (other than a charitable, religious, or philanthropic contribution) as a precondition of admitting a Medicaid patient to a facility or as a requirement for a Medicaid patient's continued stay in a facility;
- Making a false statement or representation of a material fact in any application for benefits or payment;
- Soliciting or receiving any remuneration in exchange for: (1) a referral of an individual for any item or service payable by Medicaid; or (2) the purchase, lease, order or recommendation to purchase, lease or order any good, facility, service, or item payable by Medicaid;
- Offering or paying any remuneration in order to induce (1) a referral for any item or service payable by Medicaid; or (2) the purchase, lease, order or a recommendation to purchase, lease or order any good, facility, service, or item payable by Medicaid.

The anti-kickback provisions of the Medicaid Fraud Act do not apply to discounts that are properly disclosed and reflected in Medicaid charges or claims; payments under bona fide employment relationships; payments to purchasing agents pursuant to a written contract; or payments authorized under Arkansas Department of Health and Human Services ("DHHS") regulations.

Medicaid fraud is a Class B felony if the aggregate amount of illegal payments is \$2,500 or more and a Class C felony if the aggregate amount is less than \$2,500 but more than \$200. Penalties for a Class B felony may include imprisonment of not less than five or more than 20 years and/or a fine of up to \$15,000, and for a Class C felony, imprisonment for not less than three or more than 10 years and/or a fine of up to \$10,000. For illegal payments of less than \$200, the offense is a Class A misdemeanor, which carries possible imprisonment of up to one year and/or a fine of up to \$1,000.

The Medicaid Fraud Act also provides for additional criminal fines. Any person or entity found guilty of illegally receiving Medicaid funds is required to make full restitution to DHHS and pay

a fine of three times the amount of the illegally received payments. A person or entity found guilty of fraudulently submitting Medicaid claims may be required to pay a fine of up to \$3,000 for each fraudulent claim. Violators also may be suspended from participation in the Medicaid program.

The Arkansas Attorney General may pursue a civil action against a person or entity based upon Medicaid fraud. If a civil judgment is entered on an Attorney General complaint alleging the fraudulent receipt of Medicaid payments, the violating party is required to pay a civil penalty of two times the amount of all payments judicially found to have been fraudulently received. For judgment on a complaint alleging fraudulent submission of Medicaid claims, a civil penalty of up to \$2,000 for each fraudulently submitted claim may be imposed. In either case, the violator may be required to reimburse the state for the expenses of enforcement.

In Medicaid fraud cases, the court may award up to 10% of the aggregate penalty recovered, but not more than \$100,000, to anyone who provided information that led to detecting and bringing to trial and punishment persons guilty of violating the Medicaid Fraud Act.

Arkansas Medicaid Fraud False Claims Act – Ark. Code Ann. §§ 20-77-901 et seq.

The Arkansas Medicaid Fraud False Claims Act (the “Medicaid False Claims Act”) provides for civil penalties for knowingly engaging in the same activities that are prohibited under the Medicaid Fraud Act. “Knowingly” means that the person has actual knowledge of the information or acts in deliberate ignorance or reckless disregard of the truth or falsity of the information. Unlike the Medicaid Fraud Act, there is no requirement of a specific intent to defraud in order to impose liability under the Medicaid False Claims Act.

Violators must make full restitution to the State of Arkansas, through the Attorney General, and pay a civil penalty of not less than \$5,000 or more than \$10,000 for each violation. They also must pay three times the amount of all payments fraudulently received, unless the party promptly disclosed the violation to the Attorney General’s office before any criminal, civil or administrative action had commenced, at the time of the disclosure the party had no knowledge of the existence of an investigation into the violation, and the party fully cooperated with the investigation. In the case of a prompt disclosure that meets the statutory requirements, the assessment may be reduced to two times the amount of fraudulent payments or less. The violating party also may be required to reimburse the state for the expenses of enforcement.

As under the Medicaid Fraud Act, the Medicaid False Claims Act contains a provision that rewards those who report wrongdoing. Up to 10% of the aggregate penalty recovered, but not more than \$100,000, may be awarded to anyone who provided information that led to detecting and bringing to trial and punishment those who violated the Medicaid False Claims Act.

Anti-Retaliation Protection: Individuals within an organization who observe activities or behavior that may violate the law in some manner and who report their observations either to management or to governmental agencies are provided protections under certain laws.

For example, protections are afforded to people who file qui tam lawsuits under the Civil False Claims Act, which is discussed above. The Civil False Claims Act states that any employee who is discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against in the terms and conditions of employment because of lawful actions taken in furtherance of a qui tam action is entitled to recover damages. He or she is entitled to “all relief necessary to

make the employee whole,” including reinstatement with the same seniority status, twice the amount of back pay (plus interest), and compensation for any other damages the employee suffered as a result of the discrimination. The employee also can be awarded litigation costs and reasonable attorneys’ fees.

Role of False Claims Laws: The false claims laws discussed above are an important part of preventing and detecting fraud, waste, and abuse in federal and state health care programs because they provide governmental agencies the authority to seek out, investigate and prosecute fraudulent activities. Enforcement activities take place in the criminal, civil and administrative arenas. This provides a broad spectrum of remedies to battle these problems.

Anti-retaliation protections for individuals who make good faith reports of waste, fraud and abuse encourage reporting and provide broader opportunities to prosecute violators. Statutory provisions, such as the anti-retaliation provisions of the Civil False Claims Act, create reasonable incentives for this purpose. Employment protections create a level of security employees need in order to help in prosecuting these cases.

ACMC’s Plan for Detecting and Preventing Fraud and Abuse:

- ACMC will abide by the letter and spirit of all applicable laws and regulations and will act in such a manner that the full disclosure of all facts related to any activity will reflect favorably upon ACMC.
- ACMC will abide by the letter and spirit of all applicable laws and regulations and will act in such a manner that the full disclosure of all facts related to any activity will reflect favorably upon ACMC.
- ACMC will adhere to the highest ethical standards of conduct in all business activities and will act in a manner that enhances ACMC’s standards of conduct in all business activities and will act in a manner that enhances ACMC’s standing as a vigorous and ethical contributor within the community.
- ACMC will deal fairly and honestly with those who are affected by our actions and treat them as we would expect them to treat us if the situation were reversed.
- ACMC will undertake only those activities that will withstand public scrutiny and not pursue any course of action which involves a violation of the law or these principles.
- ACMC will promote relationships based on mutual trust and respect and provide an environment in which individuals may question a practice without fear of adverse consequences.
- ACMC expects outside colleagues, e.g., vendors, consultants and others whose actions could be attributed to ACMC, to adhere to the same standards in their dealings with ACMC and with others on our behalf, and we will inform each at the initiation of our dealing with them.
- The Utilization Review Department will review random chart samples quarterly (at least 10 charts) for appropriate charging and coding.
- The Chargemaster Coordinator will do ongoing reviews of patient charges to ensure that charges are consistent across all financial classes.
- ACMC will have CPT code books available for all appropriate departments.
- The Chargemaster Coordinator will coordinate annual Chargemaster reviews with all patient care departments to assure accuracy of coding and charging.
- The Chargemaster Coordinator will review revenue codes annually.
- ACMC will subscribe to an e-mail listserv of CMS coding and charging updates.
- Employees will be educated on Compliance Policies and Procedures at initial time of employment and annually.
- A copy of the hospital wide Compliance Plan will be located in each department, and in each manager’s office.

- Employees will be educated regarding how to report a concern and use of the Compliance Hotline, which will be posted in places that are easily accessible to employees. **(1-800-507-9920)** Any Compliance concern may be reported to the Compliance Officer at extension 232, or 364-1232 from outside the hospital, or to the Compliance Hotline. Reports may be mad anonymously.

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BULLETIN BOARDS

Bulletin boards are provided at ACMC for the posting of employee notices and information of general interest. Additional bulletin boards may be available in each department. Employees are urged to read the bulletin boards regularly.

All postings must be approved in advance by management.

DRESS AND GROOMING

Employees are required to maintain standards of dress and grooming that are appropriate to their individual departments and the work they perform.

All Employees

- While on duty, employee identification tags are to be worn at all times with the name and picture visible.
- Body odor, bad breath, and excessive perfume can be offensive to patients and co-workers. Good personal hygiene is extremely important to patient care, as well as, the comfort of co-workers and the professional image of ACMC.
- The employee's appearance should be professional. All clothing must be neat, clean and in good repair. Dress requirements may vary by department.
- Clothing must be worn in good taste, tailored, professional but not provocative. Clothing should not show undergarment lines and should be styled in such a way to prevent exposure when stooping and bending. Undergarments should not show through clothing or otherwise be visible.
- Hair must be clean, well groomed and appropriate for the work area. Hair should not interfere with patient care. Beards, sideburns, and moustaches must be kept clean and neatly trimmed. Tattoos, which compromise a professional appearance, should be kept covered. Body piercing should not be obvious, except for earrings (one per ear).

Clinical – Direct Patient Care employees

(Nursing, RT, PT, Radiology, Lab, Pharmacy, Out Patient Clinic, Physician Office, Dietary, and Ward Clerks)

- All Direct Patient Care employees will dress professionally in neat, clean scrubs or professional attire with a white lab coat. Hose or socks will be worn at all times.
- To assure safety and infection control no open toe shoes will be allowed.
- Rings are to be limited to one per hand.
- Fingernails must be clean and a reasonable length that does not interfere with patient care duties. Nail polish is discouraged, but if worn must be conservative in color and unchipped. **No false fingernails or nail enhancers** shall be worn by direct care providers.
- When working in specialty units (surgery and day surgery), personnel will follow the guidelines set by the state health regulations.

Non-Clinical – Non-Patient Care employees

(Management, Clerical, Department Sec., Admission Rep., etc)

- Non-Clinical employees will dress professionally in neat, clean business attire. Clothing must be worn in good taste. Sleeveless blouses or dresses must be worn with a jacket or sweater.

- Footwear must be appropriate for the type of work being performed and must be kept clean/polished and provide safe, secure footing. Open toe shoes will be allowed but must be a dress style shoe. No flip flop, beach type shoes will be allowed.
- Rings will be allowed in non-clinical areas. Excess jewelry will not be allowed. Please use good judgment.

Material Management and Maintenance

- Jeans or work uniforms will be allowed in this area only due to the type of work performed. Jeans must be clean, and in good repair (No holes in Jeans).
- Security Guards will wear appropriate hospital uniform.

Wellness Center

- Wellness Center employees will dress appropriately for exercising. (no short shorts, tight fitting clothes, low cut tops, no flip flops, or sandals) Tee shirts, sweat pants and tops will be allowed in WC.

The appropriateness of dress (including clothing styles, perfumes, make-up and hairstyles) is left to the judgment of APMC Management.

The following list outlines items that are not considered professional attire and will not be permitted.

Dirty Shoes	Tank or Halter tops
Extensively Long fingernails	T-shirts
Sweatshirts or sweatpants	Wind Suits
Shorts	Political buttons
Mini Skirts	Pants that are above mid-calf
See-through clothing	Jeans of any color
Spandex or leggings	Bare midriff tops
Sleeveless shirts unless with a jacket	visible tattoos and body piercing
Sun Dresses	Camouflage apparel

Casual Day

Friday will be designated as “Casual Day.” Casual Day attire will be applicable to the department specific dress codes. APMC Tee shirts will be allowed with casual pants. No jeans will be allowed. (Example: Khaki pants with polo shirt or Capri pants are appropriate.)

Special Events

Dress Code Standards may be waived by APMC CEO for special events, hospital week and etc. Employees will be informed of such events.

Exceptions

When an employee is off duty (Saturday, after hours, etc.) and comes in to work in their department for an hour or two and in the privacy of their office, not in a public area, it is permissible to come in more casual clothes (jeans, shorts, tee shirts, etc.)

Enforcement

Department Directors and Administration will be responsible for the enforcement of the APMC Dress Code. Dress Code Violations should be reported to HR Director and/or respective member of Administration and the respective Department Director. Personnel may be directed to go home and change depending on the inappropriateness of the attire at any time such time away from work shall be without

pay. Other discipline will be based on the severity of the Dress Code Violation.

SAFETY, EMERGENCY PREPAREDNESS, AND HAZARDOUS COMMUNICATION PLANS

One of the major responsibilities of the hospital is serving the community and providing emergency services needed in case of disaster. Employees are expected to respond, when needed, should a disaster occur. In addition, each employee should be familiar with the hospital's disaster plan. Administration authorizes the activation of the hospital's disaster plan; in which case all departments are to initiate their specifically assigned duties. The plan is updated periodically and is distributed to each department manager.

The hospital maintains, in the interest of patients and employees, carefully planned and reviewed fire safety procedures. These procedures are maintained in each department. Each employee should be familiar with these procedures and be able to execute them in case of a fire drill or actual fire.

The hospital also maintains and monitors a Hazard Communication Program. This program consists of the following elements: hazardous chemical inventory, material safety data sheets (MSDS), proper container labeling, employee information and training, and informing employees performing hazardous non-routine tasks.

HOSPITAL PROPERTY AND EQUIPMENT

Hospital property, including tools, equipment and supplies are to be used for Hospital business. Employees may not remove Hospital property for personal use without the written approval of the department director.

All business systems and all communications and information transmitted by, received from, or stored in these systems are the property of ACMC and are to be used for job-related purposes. Personal use of any software and business equipment, including, but not limited to telephones, scanner, fax, copiers, and computers is prohibited.

Employees using this equipment for personal purposes do so at their own risk. Further, employees are not permitted to use a code, access a file, or retrieve any stored communication unless authorized to do so or unless they have received prior clearance from the office manager. No employee may use a pass code or voice-mail access code that is unknown to ACMC. Improper use of the e-mail system (e.g. spreading offensive jokes or remarks) will not be tolerated.

To ensure that the use of electronic and telephone communications systems and business equipment is consistent with ACMC's legitimate business interests; we may monitor the use of such equipment from time to time. This may include listening to stored voice-mail messages or viewing internet history or stored e-mail messages.

No employee shall, when accessing the Internet through ACMC systems:

1. Access the Internet for personal use, unless expressly authorized.
2. Transmit or access information and/or other materials, over the Internet or any other

- network on or off site which you know, or should reasonably know, to be fraudulent, harassing, or obscene.
3. Deliberately attempt to degrade the performance of a computer system on the Internet.
 4. Use loopholes in computer security systems or knowledge of a special password to gain access to any computer system over the Internet, damage it, obtain extra resources, or take resources from another user.
 5. Use the Internet to acquire contacts for personal financial gain.
 6. Place the intellectual property, or other confidential or proprietary information of ACMC on the Internet.
 7. Participate in any activity on the Internet which would damage the image of ACMC.

Cell Phone Use

- ACMC designates all ACMC vehicles and employee vehicles as a text free zone during working time per OSHA guidelines.
- Employees should not use their cell phones for calling or texting while working unless you are a hospital approved cell phone carrier.
- Employees should not make or receive personal cell phone calls or text while driving on company business whether driving a personal or ACMC vehicle.
- If you are on call for the hospital and must have your cell phone on, please do not answer until you are able to pull over safely and then return the call. **DO NOT ANSWER WHILE DRIVING.**
- Hands free, voice dial, and other such options should be used if available.
- Arkansas State Law Act 37 as of Oct 1, 2012 prohibits any Cell phone use in School Zones and any Construction Zone for both calling and texting. All ACMC employees are to strictly follow the Act 37 while on ACMC business.

INCIDENT REPORTS

Unusual Incidents or Accidents

Employees are an integral part of the hospital's safety program. Employees should immediately report unsafe conditions, unsafe work habits, and potentially dangerous situations.

On-Duty Employees

An Employee Notice of Injury must be completed for any on-the-job accident. Employees requiring medical attention are treated in the Emergency Department. Failure to report an injury in a timely manner could result in discipline and denial of workers' compensation benefits.

Patients or Visitors

Issues or circumstances out of the ordinary should be reported to administration, or recorded for future evaluation. Such occurrences might involve a question about medication or theft. These instances must be reported on the standard Occurrence/Variance Report Form, which is available

from the Department Manager or from the hospital's Risk Manager. This form is submitted through the Supervisor or Department Manager to Risk Management within 24 hours.

YOUR VALUABLES

Employees should not bring unnecessary items to work.

Valuables and money should be secured by employees while on duty. APMC does not assume responsibility for the loss of any personal property.

INSPECTIONS OR SEARCHES

To safeguard our employees, medical staff, patients, and visitors and to protect their property and the property of the Hospital, and to help prevent the possession, sale, and use of illegal drugs on our premises, in keeping with the spirit and intent of our drug-free workplace policy, we reserve the right to question employees and all other persons entering and leaving our premises, and to inspect any packages, parcels, purses, handbags, briefcases, lunchboxes, or any other possessions or articles carried to and from Hospital. In addition, we reserve the right to search any employee's office desk, files, locker, or any other area or article on our premises. In this connection, it should be noted that all offices, desks, files, lockers, and so forth, are company property and are issued for the use of employees only during their employment with us. Inspections May be conducted at any time at the discretion of the Hospital administration.

Persons entering the premises who refuse to cooperate in an inspection conducted pursuant to this policy will not be permitted to enter the premises. Employees working on or entering or leaving the premises who refuse to cooperate in an inspection as well as employees who after the inspection are believed to be in possession of stolen property or illegal drugs, will be sent immediately to the Human Resources and will be subject to disciplinary action up to and including discharge.

PATIENT AND EMPLOYEE RELATIONS

Patients are the guests of APMC. They come to the hospital at a time when they are in need of medical care. A patient in unfamiliar surroundings has fears and worries facing procedures that are new and bewildering.

Positive employee attitudes are critical in the treatment of each patient. A cheerful manner, an interest in patients, a spirit of cooperation and friendliness toward others--all bring about meaningful patient and employee relations.

It is reassuring to patients, families, visitors and employees to find a friendly and quiet atmosphere.

PRESS RELEASES

Only employees designated by the Administrator are authorized to release information to the news media. Employees disclosing confidential information may be held legally liable and could become involved in costly and personally damaging legal action.

SECURITY

Security is everyone's concern. To protect patients, employees, visitors, and the Hospital, employees should be alert to the presence of suspicious or unauthorized individuals. Employees are encouraged to notify their supervisor of any suspicious activity.

TOBACCO-FREE WORKPLACE

Policy:

Due to the acknowledged hazards arising from exposure to environmental tobacco smoke, and the Arkansas Act #134 of 2005, it shall be the policy of Ashley County Medical Center to provide a smoke free environment for all employees and visitors. This policy covers the smoking of any tobacco product and the use of smokeless or chewing tobacco and applies to both employees and non-employee visitors of ACMC.

- There will be no smoking or vaping of tobacco products within the facilities, on the property or personal cars in the parking lots of Ashley County Medical Center at any time. Department Managers are charged with enforcement of this policy. All employees who smoke must leave ACMC property to smoke.
- There will be no smoking in any ACMC vehicle at any time.
- Supervisors will discuss the issue of rest breaks with their staff. Together they will develop effective solutions that do not interfere with the productivity of the staff.
- ACMC Employee Handbook policy (page 8) for rest breaks reads: The privilege of enjoying a fifteen-minute (15 minutes) rest break for each four-hour period is observed by ACMC as long as the break will not interfere with the quality of patient care. The scheduling of rest breaks will be the responsibility of the Department Manager. It must be realized that rest breaks are not “automatic” and work requirements on a given day may preclude taking a break. It should be understood that employees on break do not go into other work areas for non-business purposes and interfere with or distract other employees who are working at that time. Rest breaks are not allowed to be taken within an hour of arriving at or leaving work.
- Please note in the ACMC Employee Handbook on page 11, under the heading Time And Attendance Records, reads: An employee should not leave the general work area except for meal periods, which are at least 30 minutes in duration, and 15-minute rest breaks which may be taken, workload permitting. If an hourly employee leaves the hospital for personal reasons anytime during the work period, he or she must clock out when leaving the hospital and clock back in when arriving back at the hospital.

Procedure:

- Employees will be informed of this policy through signs posted in ACMC facilities and vehicles, the policy manual, and orientation and training.
- Visitors will be informed of this policy through signs.
- ACMC will assist employees who wish to quit smoking by facilitating access to recommended smoking cessation programs and materials and by offering a discount on most approved smoking cessation aides. (The pharmacy shall maintain the list of

approved items.) The discount will only be good for one occurrence of smoking cessation and for the recommended time of treatment up to 8 weeks.

- Any violations of this policy will be handled through the standard disciplinary procedure.

- Step 1 – Verbal Counseling
- Step 2 – Written Reminder
- Step 3 – Probation
- Step 4 – Suspension Without Pay
- Step 5 – Discharge

The goal of our smoke free policy is to provide a safe and healthful workplace for all employees.

VISITORS, PHONE CALLS, AND PERSONAL MAIL

Employees are discouraged from having visitors. Receiving and making personal phone calls while on duty is discouraged. Personal long-distance calls charged to the hospital are prohibited.

Because numerous pieces of business mail are received daily at ACMC, employees are to have all personal mail sent to their home address.

WEARING OF BUTTONS, PINS OR OTHER INSIGNIA

ACMC recognizes the need to maintain a balance between the right of employees to wear buttons, pins, or other insignia and (1) the need for the hospital to maintain a safe work environment for employees and patients, and (2) the desire to project a positive image to patients and the general public. Employees are permitted to wear buttons, pins, and other insignia designating accreditation, certification, licensure, or membership in recognized professional organizations. Employees also are permitted to wear buttons, pins, and other insignia awarded by ACMC for individual and group achievement. The wearing of other buttons, pins, or insignia is prohibited.

WITNESSING LEGAL PAPERS

Employees are not to act as a witness to the Last Will, advanced directive living wills or any other legal document of a patient. Such requests should be referred to a patient's relative or other individual who is not an employee.

LAW ENFORCEMENT, GOVERNMENT AGENCIES AND SUBPOENAS

Any visitor to the Hospital representing a law enforcement or government agency shall be directed to the Human Resource Office during normal daytime hours or shall be directed to the House Supervisor during evening, night and weekend hours. Such visitors shall not go into a department to arrest, detain or speak with an employee, an employee's department manager/supervisor or an employee's co-worker. At the request of a properly credentialed visitor, the Director of Human Resources or his/her designee may summon an employee to the Human Resources Department.