



DIRECT CARE WORKER EMPLOYEE HANDBOOK

Attendant Care Services

Revised June, 2017

Arizona Consumer Direct Personal Care, LLC
doing business as Consumer Direct Care Network Arizona (Consumer Direct)

**50 N. Alvernon Way
Tucson, AZ 85711**

Phone: 888-398-8409

Fax: 877-398-8413

infoCDAZ@consumerdirectcare.com

EVERY LIFE. EVERY MOMENT. EVERY DAY.



This handbook is property of Consumer Direct Care Network Arizona and may not be duplicated in any form without express permission from Consumer Direct.

TABLE OF CONTENTS

IMPORTANT NOTICE TO EMPLOYEES..... 1

OVERVIEW OF HUMAN RESOURCES STANDARDS & DEFINITIONS 2

NON-DISCRIMINATION IN EMPLOYMENT2

EQUAL OPPORTUNITY EMPLOYMENT.....2

HIRING - REQUIREMENTS2

COMMUNICABLE DISEASES.....2

HARASSMENT/SEXUAL HARASSMENT2

RETALIATION3

FIRST AID AND CPR TRAINING3

PROBATIONARY PERIOD3

EXEMPT / NON-EXEMPT STATUS.....4

REGULAR FULL-TIME EMPLOYEE4

REGULAR PART-TIME EMPLOYEE4

CASUAL EMPLOYEE4

WAGE AND SALARY4

PAY PERIOD / PAY DAY4

HOURS OF WORK.....4

RESIGNATION5

LAYOFF / REDUCTION IN STAFF.....5

PAY DAYS AND FINAL PAY5

PAYROLL REPORT REQUESTS5

MEAL PERIODS.....5

TARDINESS.....6

ATTENDANCE / ABSENTEEISM.....6

INFORMATIONAL MEETINGS.....6

PERSONNEL INFORMATION.....6

TIME REPORTING.....6

OVERTIME7

DEDUCTIONS.....7

EDUCATION7

DISCIPLINE / TERMINATION.....7

INTERNAL GRIEVANCE PROCEDURE7

DRESS CODE - DCWS.....8

EMPLOYEE BENEFITS..... 9

FAMILY AND MEDICAL LEAVE ACT OF 19939

MILITARY LEAVE.....9

MATERNITY LEAVE9

LEAVES OF ABSENCE9

FUNERAL LEAVE / EMERGENCY LEAVE.....10

JURY DUTY / WITNESS10

ILLNESS / DISEASE.....10

PAID SICK LEAVE10

SAFETY & INJURY REPORTING 12

HAZARDOUS MATERIALS12

THREATS AND VIOLENCE IN THE WORK ENVIRONMENT12

WEAPONS12

EMERGENCY PROCEDURES.....13

MEMBER ACCIDENT OR INJURY – INCIDENT REPORTING13

DCW INJURY REPORTING.....13

NON-WORK-RELATED INJURIES13

EARLY RETURN TO WORK PROGRAM	13
GENERAL POLICIES AND PROCEDURES	15
NON-SOLICITATION	15
PRIVATE PAY POSITIONS.....	15
FINANCIAL RESPONSIBILITY	15
EQUIPMENT FAILURE / DAMAGE.....	15
VEHICLE USE	15
MEMBER CONFIDENTIALITY	15
MEMBER RELATIONS.....	16
COMPANY CONFIDENTIALITY.....	16
THEFT OF DRUGS OR MEMBER PROPERTY	16
ALCOHOL / DRUGS	16
STANDARDS OF CONDUCT	17
POLICY	17
PROTOCOLS	17
CONFLICTS OF INTEREST.....	18
PUBLIC CONDUCT	19
FRAUD	20
CORPORATE COMPLIANCE	21

IMPORTANT NOTICE TO EMPLOYEES

The policies, procedures and programs outlined in this Handbook are designed to serve as guidelines to acquaint employees with information regarding their employment.

No policy or provision in this Handbook is intended to create an express or implied contract binding the employee or Consumer Direct to an agreement of employment for a specific period of time. Either the employee or the employer can terminate at any time during the probationary period (first 180 days) for any reason, with or without cause or notice.

Consumer Direct reserves the right, in its sole discretion, to supersede, modify, revoke, suspend, terminate, revise, or deviate from the policies, procedures, guidelines and programs and information in this Handbook as circumstances or situations warrant, in whole or in part, at any time with or without cause.

No representative or agent other than the Program Manager or Human Resources Manager can authorize or sign an employment agreement contrary to the above terms or otherwise make any binding offer of employment for a specific term. To be effective, any agreement altering the terms and provisions of this Handbook must be in writing and signed by the Program Manager or Human Resources Manager.

Employees are expected to accept responsibility for familiarizing themselves with the information in this Handbook and to seek verification or clarification of its terms or guidance when necessary. Employees should consult their Support Coordinator or Program Manager if they have any questions that are not answered in this Handbook. This Handbook supersedes and replaces all previous versions.

OVERVIEW OF HUMAN RESOURCES STANDARDS & DEFINITIONS

NON-DISCRIMINATION IN EMPLOYMENT

Consumer Direct complies with federal and state laws regarding non-discrimination in employment. Applicants are considered for employment and hired without discrimination because of race, color, religion, gender, national origin, age, marital status, military status, physical or mental disability/handicap, or any other characteristic protected by law.

EQUAL OPPORTUNITY EMPLOYMENT

In order to provide equal employment and advancement opportunities to all individuals, employment decisions at Consumer Direct will be based on merit, qualifications, skills and abilities. Consumer Direct does not discriminate in employment opportunities or practices on the basis of race, color, religion, gender, national origin, age, marital status, military status, physical or mental disability/handicap, or any other characteristic protected by law.

Pursuant to the Americans With Disabilities Act, Consumer Direct will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in undue hardship. This policy governs all aspects of employment, including selection, job assignment, compensation, advancement, discipline, termination, training and access to benefits.

Applicants or employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of their Support Coordinator or the Human Resources Manager. Employees can raise concerns and make reports without fear of reprisal. Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action, up to and including termination of employment.

HIRING - Requirements

- Completed Application/Paperwork
- Valid Identification (I-9 requirement)
- Fingerprint Clearance
- DCW Training
- First Aid Certification
- CPR Certification
- TB test

COMMUNICABLE DISEASES

Communicable diseases are regarded as physical disabilities. Consumer Direct will not discriminate against any applicant or employee who has a communicable disease; however, reasonable demands of a job/position may render an applicant or employee ineligible for employment. Consumer Direct will evaluate all factors after obtaining the reasonable medical judgment of health officials, and will evaluate the nature, duration, and severity of the risk of any communicable disease to determine if an individual is qualified for employment.

HARASSMENT/SEXUAL HARASSMENT

All forms of harassment, including any degrading work assignments, words, or actions toward an individual or an individual's race, color, religion, gender, age, or national origin, are prohibited.

It is specifically emphasized that sexual harassment in any form is expressly prohibited. It is your responsibility to report **any** harassing behavior to your Support Coordinator immediately. If the employee has any reason to feel that they cannot report the harassment to their Support Coordinator, they may take their concerns directly to the Human Resources Manager. Such reports can be made without fear of reprisal. All reports of harassment shall be investigated promptly. Sexual harassment includes unwelcome verbal or physical conduct when:

- Submission to the conduct is implicitly or explicitly made a term or condition of employment
- Submission to or rejection of the conduct is used as the basis for an employment decision affecting the individual, or
- The conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive work environment.

Sexual harassment also includes:

- Harassment directed toward a person because of gender
- A pattern of favoritism toward sexual partners

Examples of prohibited sexual harassment include, but are not limited to:

- Propositions or pressure to engage in sexual activity
- Sexual assault
- Repeated intentional bodily contact
- Repeated sexual jokes, innuendoes, or comments
- Constant or inappropriate staring or leering
- Inappropriate comments concerning appearance
- Display of magazines, books, or pictures with a sexual connotation

RETALIATION

Neither Consumer Direct nor any employee will retaliate against any applicant, employee, or past employee for opposing unlawful discriminatory practices, filing a discrimination complaint or participating in any other manner in a discrimination proceeding.

FIRST AID and CPR TRAINING

Current First Aid/CPR certification is required to work as a DCW with Consumer Direct. Consumer Direct pays for half of the cost of the training. If it lapses, Consumer Direct may consider you to have effectively suspended from your position.

PROBATIONARY PERIOD

For each new employee and each employee who is promoted and/or moved to a new position or rehired, the first one hundred eighty (180) days are a probationary period. This period is established as a time of adjustment for you to learn the job requirements and work rules. During this time you may be terminated with or without cause. Consumer Direct reserves the right to extend an employee's probationary period up to an additional ninety days (90), to give the employee an opportunity to achieve satisfactory performance. Any significant absence shall automatically extend a probationary period by the length of the absence.

EXEMPT / NON-EXEMPT STATUS

Each employee is designated as either non-exempt or exempt from federal and state wage and hour laws. Non-exempt employees are entitled to overtime pay under the specific provisions of federal and state laws. Exempt employees are specifically addressed in the provisions of federal and state wage and hour laws. An employee's exempt or non-exempt classification may be changed only upon written notification by Consumer Direct's management.

REGULAR FULL-TIME EMPLOYEE

A regular full-time employee is one who works an annual average of forty (40) hours per week. Additional hours may be required based on the needs of Consumer Direct.

REGULAR PART-TIME EMPLOYEE

A regular part-time employee is one who works a minimum of twenty (20) hours per week.

CASUAL EMPLOYEE

A casual employee is one who is employed, full-time or part-time, for a specific job assignment with limited duration, or during certain periods of time, depending upon the demand of work as determined by Consumer Direct.

WAGE AND SALARY

You will receive a rate of pay commensurate with your job position. You will be notified of a wage change thirty days in advance of the change in writing.

PAY PERIOD / PAY DAY

The pay period is biweekly, Sunday through Saturday. See Consumer Direct's Payroll Schedule for a listing of Pay Days. Payroll advances are not available.

HOURS OF WORK

The Consumer Direct office is open from 8am to 5pm, Monday through Friday. Consumer Direct's field services run 24 hours a day, seven days a week. Work periods may vary from assignment to assignment and hours are not guaranteed. Each non-exempt employee is required to know his/her work schedule and be in attendance, as assigned. Exempt employees are expected to meet the requirements of their jobs, which may necessitate varied hours of work.

24-HOUR LIVE-IN CARE / PER DIEM SHIFTS

The pay rate for a 24-hour live-in arrangement is stated in the member contract. The following protocols apply:

- DCW does not 'move in' to a member's home.
- DCW will have separate sleeping area.
- DCW is allowed 8 non-consecutive hours for personal time; sleeping, bathing, etc.
- DCW will prepare and eat meals with member. If DCW requires a specific diet the DCW will supply their own food.
- No personal/employee mail should be directed to member's home.

RESIGNATION

A resignation is the voluntary decision of a DCW to terminate employment with Consumer Direct. A written notice of resignation should be given to the employee's Support Coordinator two (2) weeks prior to the anticipated termination date.

LAYOFF / REDUCTION IN STAFF

If a reduction in staff becomes necessary, Consumer Direct will give full consideration to skills, aptitudes, and past work performance in determining work force adjustments. All rehired employees will be classified as new hires.

PAY DAYS AND FINAL PAY

The pay period is bi-weekly. When you voluntarily terminate (resign) your employment with Consumer Direct, your final pay will be issued on the next regularly scheduled payday. If you are terminated by Consumer Direct from your position, your final pay will be issued on the next scheduled payday or within seven (7) days from the date of the actual separation, whichever occurs first. Late or incorrect timesheets will delay your final pay check.

NOTE: All Consumer Direct property must be returned at the time of separation.

PAYROLL REPORT REQUESTS

Employees are responsible for keeping all paystubs provided to them by Consumer Direct. If payroll information is needed and the stub cannot be found, the employee must make a written request to:

Consumer Direct
50 N. Alvernon Way
Tucson, AZ 85711
ATTN: Program Manager

Emails and/or phone calls are not acceptable.

Processing payroll requests through the Payroll Department may take up to 30 days. Results of the request will be sent to the appropriate 'branch' office. Only the employee making the request will be allowed to pick up the request response at the branch office, and will be required to sign that they received the requested information. The Consumer Direct corporate office will monitor all payroll requests and employees who continually make such requests will be counseled by their Support Coordinator, which could result in disciplinary action.

TIME OFF REQUESTS

Requests for time off (vacation, etc) must be made two weeks in advance and need Support Coordinator approval. This allows for sufficient time to find another DCW to work the members shift.

MEAL PERIODS

There is no federal or state law requiring employers to furnish employees with breaks. An unpaid meal period may be provided for employees who work eight (8) hour periods and will be at or near the middle of the work period. Meal periods, which require any attention to work assignments, will be counted as working time.

TARDINESS

Reporting to work on time is required. “On-time” is defined as being properly dressed and prepared to begin work at the start of the scheduled work period. There will be no compensation for tardiness for non-exempt employees. Excessive tardiness is cause for disciplinary action. Excessive tardiness is defined as two (2) times in a calendar month or six (6) times in any part of a twelve (12) month period.

ATTENDANCE / ABSENTEEISM

Regular attendance is required. When it is necessary to be absent, you must notify your Support Coordinator as far in advance as possible, or at least 2 hours prior to a scheduled work period. Irregular attendance, unexcused or unreported absences cause disruption to Consumer Direct and are unacceptable. An unexcused absence is one in which an employee requests, but is not granted, time away from their assigned work schedule or fails to report to work. All nurses and caregivers are required to notify Consumer Direct in the event they will be absent. One (1) unexcused absence or an unreported absence for a period of 2 consecutive hours may be considered a voluntary resignation.

If a caregiver is off work due to serious illness or non-work related injury, they will need a full release from their doctor before they can return to work. In some cases, a PT screening will also be required.

INFORMATIONAL MEETINGS

On certain occasions you may be required to attend meetings to receive information regarding workplace policies, safety procedures, product and business information, or other pertinent information.

PERSONNEL INFORMATION

For accurate administration of your wages and benefits, and for compliance with federal and state regulations, it is necessary that current and accurate personnel records be maintained. This information is also imperative in the event you must be reached for an emergency or available work. If there are changes, or if you observe or are aware of any errors in your personnel records, please notify your Support Coordinator immediately. Falsification of any personnel information is cause for termination.

TIME REPORTING

All DCWs are required to complete weekly time cards or enter work time on az.mydirectcare.com. The member must sign the time card or approve time worked in the portal. Time cards must be filled out accurately and completely, signed, and turned in to the Consumer Direct office for approval. It is your responsibility to turn in your time cards to your Consumer Direct office. Time cards are due in the office by midnight on the Monday following a work week (Sunday – Saturday).

Remember:

- You will not be paid for working more hours than approved on the Approved Tasks and Hours Form
- You are only paid for performing approved tasks

- You cannot work hours and will not be paid for work hours when the member is in the hospital or at any location other than the member's residence.
- Falsification of time worked is considered Medicaid Fraud and may result in termination and/or prosecution.

OVERTIME

DCWs will be paid overtime per state law. The Program Manager or Program Lead must approve all overtime in advance. Excessive logging of overtime, particularly unapproved overtime, will be cause for disciplinary action, up to and including termination.

DEDUCTIONS

Each paycheck will have certain deductions from the gross pay:

1. Those required by law. All required deductions are made on gross pay.
 - a. State and Federal Withholding Taxes
 - b. Social Security Contributions (FICA)
 - c. Court-Mandated Withholdings
2. Optional: Those authorized by the employee and approved by management.

EDUCATION

Each employee is responsible for continuing education. DCWs are responsible for completing 6 continuing education credits a year. You can contact your Support Coordinator about continuing education opportunities.

DISCIPLINE / TERMINATION

The initial step in any Consumer Direct disciplinary action is counseling with the employee. The counseling will be handled by your Support Coordinator, depending on the seriousness of the circumstances. Employees will be given an opportunity to improve their behavior or performance. If the unacceptable behavior or poor job performance continues, the Program Manager and/or the Human Resources Department will become involved. More serious action may be taken, up to and including termination. Consumer Direct has an Internal Grievance process for employees who disagree with any disciplinary action taken against them.

INTERNAL GRIEVANCE PROCEDURE

If an employee has a problem or complaint that cannot be resolved with their immediate Support Coordinator, the employee may present a written statement of their complaint, problem, suggestion, or grievance to a Program Manager. The Program Manager will consider the written statement and take such action as deemed appropriate.

If an employee wishes to appeal discharge, layoff, or a change in working conditions, they must present a written statement to the Program Manager within ten (10) days after the employee is informed of the discharge or change in the working condition. The written statement should contain the facts the employee believes should be considered and shall state the resolution the employee believes is appropriate. The Program Manager will involve the Human Resources Manager if necessary, and shall consider and advise the employee or former employee of the final decision regarding the employee's complaint or grievance within ninety (90) days of the employee initiating the process.

DRESS CODE - DCWs

It is the policy of Consumer Direct to set guidelines for appropriate attire for all DCWs in order to present a professional image to members, families, and other professionals. While the DCW may be a family member of the member, the DCW is an employee of Consumer Direct and must adhere to the following guidelines:

- DCWs shall wear clothing that allows them to perform required work tasks.
- DCW's shall not wear clothing that is revealing or offensive. This includes low rise pants, mini-skirts, tank tops, T-shirts with profane slogans or logos, etc.
- If the member is not comfortable with the DCW's presentation, he or she can ask the DCW to change presentation. For example, if the member is uncomfortable with a tattoo on the DCW's arm, the member can ask the caregiver to wear a t-shirt to cover it.
- Caregivers should avoid wearing long necklaces or dangling earrings or bracelets (safety issue for staff as well as members, and is especially important when dealing with anyone who could become immediately combative, such as dementia member).
- Fingernails should be kept at appropriate length in order to avoid potential injury to members during personal care, transfers, etc. (nails are too long if they appear over the tips of fingers when looking at the palm of the hand). Hair should be neatly combed and clean--if working with a combative member or one who has the potential to become so, hair should be worn "up" so it's out of harm's way.
- Footwear must be clean and professional. No sandals, flip-flops, or any beach type footwear. Athletic shoes may only be worn if they remain **clean** and in good repair.

Any employee, if circumstances warrant, may be sent home (without pay) to correct unacceptable appearance.

EMPLOYEE BENEFITS

Various employee benefits may be available to you, including vacation, holidays, and optional insurance programs. Eligibility is dependent upon job classification and plan requirements.

FAMILY AND MEDICAL LEAVE ACT OF 1993

The Family and Medical Leave Act (“FMLA”) became effective August 5, 1993. It applies to employers with 50 or more employees within a 75-mile radius. The policy of Consumer Direct is to balance the demands of the workplace with the needs of families of employees by allowing an eligible employee to take reasonable leave for legitimate medical reasons, as stated in the FMLA regulations.

Eligibility Requirements:

- The employee must have been employed by Consumer Direct for at least twelve (12) months.
- The employee must have worked at least 1250 hours with Consumer Direct during the previous 12-month period.

Leave Requirements: FMLA provides that an eligible employee (see above) shall be entitled to a total of twelve (12) weeks of leave during any 12-month period for any of the following reasons:

- To care for the employee’s child after birth, or placement for adoption or foster care;
- To care for the employee’s spouse, son or daughter, or parent, who has a serious health condition; OR
- For a serious health condition that makes the employee unable to perform their job. A medical release from the employee’s physician is required to return to work.

The law provides for a 30-day advance notice from the employee (when possible) to the employer when applying for FMLA leave. The law also requires specific forms be completed by both the employee and the employer. A poster explaining your rights under this law is posted on the employee bulletin board in each Consumer Direct office. Please contact your Support Coordinator for specific details regarding eligibility, and/or to get a copy of the form.

MILITARY LEAVE

Military leave shall be governed by Federal law.

MATERNITY LEAVE

Maternity leave shall be governed by State law.

LEAVES OF ABSENCE

After completion of one year of employment, unpaid leaves of absence, not to exceed ten (10) working days, may be granted for bona fide reasons, or for other reasons mutually agreed upon with Consumer Direct. All leave is to be requested in writing to Consumer Direct, stating the start and end dates of the leave of absence.

Upon expiration of the leave, or upon notification by the employee to Consumer Direct of intent to return, the employee will be returned to the next available job opening in their classification.

If an employee on leave does not report upon the expiration of the leave, or any extension authorized by Consumer Direct, the employee shall be considered as having voluntarily resigned.

FUNERAL LEAVE / EMERGENCY LEAVE

This is decided on a case-by-case basis. Please submit your request to your immediate Support Coordinator. Every attempt will be made to accommodate employees following the death of an immediate family member.

JURY DUTY / WITNESS

Consumer Direct will follow all local, state, and federal laws to allow employees to serve on juries. If you are excused from duty early, or are not required to be present in court, you are expected to return to work. You shall notify your Support Coordinator as soon as possible after you receive notice of jury duty. If your absence would result in a hardship on Consumer Direct, we may petition the court to excuse you from jury duty.

ILLNESS / DISEASE

There will be no adverse employment action against an employee based solely on their medical condition. Employees with infectious diseases may be reassigned if the safety of co-workers or members is in question. Any employee's refusal to work with an afflicted co-worker may be cause for disciplinary action. A violation of any member or employee confidential health files/medical conditions will be cause for disciplinary action.

PAID SICK LEAVE

Effective July 1, 2017 all employees are entitled to earned paid sick time in Arizona. Under the law, DCWs are entitled to accrue one hour of paid sick time for every 30 hours worked and may accrue or use up to 40 hours of earned paid sick time per year. Paid sick time may be used for the employee themselves or to care for a family member, and may be used for the following purposes:

- Medical care or mental or physical illness, injury, or health condition;
- A public health emergency; and
- Absence due to domestic violence, sexual violence, abuse, or stalking.

Employees will be provided year-to-date balances of sick time on their pay stubs, including the amount available to use, the amount taken, and the amount of pay received from sick time used.

Consumer Direct Sick Time Policy/Procedures for use:

- The yearly maximum accrual and use of up to 40 hours of paid sick leave will be tracked from July 1 to June 30.
- DCWs are eligible to use accrued paid sick time 90 calendar days after their initial hire date.
- Paid sick time can only be claimed for a regularly scheduled shift.
- Paid sick time will be paid at the same hourly rate of pay as the regularly scheduled shift.
- Requests to use earned sick time should be made to the employees immediate supervisor or scheduler. Requests may be made orally, in writing or by electronic means.

- For a **“foreseeable” situation**, such as a doctor’s appointment, **Consumer Direct requires that the employee notify their supervisor two weeks in advance** of the shift for which the employee is requesting Paid Sick Time.
- For an **“unforeseeable” situation**, such as a sudden illness, **Consumer Direct requires the request for Paid Sick Time be made at least two (2) hours prior to the scheduled shift**. When possible, the employee’s request shall include the expected duration of the absence. Failure to provide at least two hours-notice may result in the denial of earned paid sick time and may result in corrective action.
- Employees shall use their regular timesheet to claim available sick time hours by entering the appropriate sick time service code and the hours corresponding with the scheduled shift. Codes are provided on the back of the timesheet.
- Employees are not required to find a replacement worker for their time off during the sick time leave.

SAFETY & INJURY REPORTING

Consumer Direct is committed to safety in all areas of the Company and its goal is to comply with the Occupational Safety & Health Act of 1970. This Act requires that employers provide a safe and healthful working environment and that employees comply with occupational safety and health standards and all rules, regulations and orders contained within the Act which are applicable to their own actions and conduct.

We believe that safety must function as an integral part of, and in no manner separated from, the operation of the Company. In recognition of this and in the interest of prudent management practices, Consumer Direct's goal is to:

- Maintain a safe and healthful working environment.
- Consistently adhere to proper operating practices and procedures which are designed to prevent injury, illness and loss of assets.
- Comply with the requirements of federal, state, and local safety and health codes to ensure the well-being and safety of all employees.

In order to achieve these goals, DCWs shall receive training on the use of equipment, proper and safe operating procedures, and site/task-specific job functions. Periodic safety training sessions will be conducted, as needed, to maintain employee awareness.

All employees are responsible for exercising maximum care, good judgment, and shall comply with established safety and accident prevention procedures. Unsafe conditions, equipment or practices must be reported to the Support Coordinator immediately. Each employee is expected to abide by all safety rules and procedures and shall wear any and all personal protective equipment required and provided by the employer, when appropriate.

Our safety rules have been written with you in mind. Please follow the rules and help Consumer Direct ensure a safe working environment.

HAZARDOUS MATERIALS

The hazards of all chemical materials present in the workplace shall be communicated to all potentially exposed DCWs.

THREATS AND VIOLENCE IN THE WORK ENVIRONMENT

Threats, threatening behavior, intimidation, and acts of violence are prohibited. Such behavior directed toward members, DCWs, vendors, visitors, guests, or other individuals will not be tolerated. Such actions may result in disciplinary action, up to and including termination.

WEAPONS

Possession of firearms, handguns or any potentially dangerous items or materials while performing job duties or while on Consumer Direct premises, is prohibited. Violation of this policy may lead to disciplinary action up to and including termination.

EMERGENCY PROCEDURES

Employees should always familiarize themselves with the emergency exit/evacuation plans and procedures for the local Consumer Direct office and for each member's residence in which they work.

MEMBER ACCIDENT OR INJURY – INCIDENT REPORTING

If the Member is injured or suffers an accident while the DCW is present, the DCW **SHALL REPORT THE ACCIDENT BY CONTACTING CONSUMER DIRECT IMMEDIATELY, and then complete an Incident Report.** If warranted, the DCW should request emergency services, i.e. an ambulance. **Consumer Direct employees should not use their vehicles to transport members needing emergency services.**

DCW INJURY REPORTING

DCWs injured on the job **MUST** report their injuries immediately. Consumer Direct is very concerned about any workplace injury that may occur, and has an active Early Return to Work program for injured workers. If an employee is injured at work or develops a workplace related illness, they should follow these steps:

1. If needed, get medical help.

- If the injury is serious and life-threatening: Someone should call 911 or take the injured worker to the nearest emergency room.
- If the injury is not life-threatening but requires medical treatment the injured worker should go to an urgent care clinic or doctor's office; if neither is available, utilize the emergency room.

2. Call the Injury Hotline to report the injury/illness immediately upon occurrence, whether or not the injury seems serious at the time.

- Consumer Direct has set up a toll free phone line to receive all injury reports.
- Consumer Direct's Injury Hotline phone number is: **1-888-541-1701**, and is available 24 hours a day, 7 days a week to report an injury.

ALL injuries, whether work-related or not, MUST be reported to the Risk Management Department by calling the Injury Hotline.

NON-WORK-RELATED INJURIES

All employee injuries or serious illnesses must be reported to Risk Management, whether job-related or not. This policy ensures that injured or ill employees will not be expected to resume regular duties unless and until their doctor releases them to regular duty.

EARLY RETURN TO WORK PROGRAM

Because it is important for an injured employee to stay active while recovering from their injury, Consumer Direct has established an Early Return To Work program. When an injured employee's doctor releases the employee to work, but only under certain conditions/restrictions, the Risk Manager will contact the employee's Support Coordinator to determine what "light/modified" work is available. The injured employee is offered a light duty/modified duty position where they can work until released to full duty by their doctor. These light duty positions are only temporary and can be discontinued if the injured worker is not improving.

WORKERS' COMPENSATION

All Consumer Direct employees are covered by workers' compensation insurance. This means that if an employee sustains a work-related injury or illness, Consumer Direct's workers' compensation insurance carrier will provide oversight and appropriate compensation. Compensation can be in the form of paid medical expenses and/or compensation for work missed due to the work-related injury or illness.

- The injured employee must report the injury or illness immediately to the Risk Manager to ensure coverage under State law.
- The Risk Manager will complete a Montana First Report of Injury or Illness form and send it to the work comp insurance carrier. This initiates the work comp "claim" process.
- Work comp claims are then assigned to work comp adjusters who monitor the claims, provide on-going information to the injured employee and work closely with the medical providers to ensure the injured employee is receiving appropriate treatment.

GENERAL POLICIES AND PROCEDURES

NON-SOLICITATION

All Consumer Direct members must sign a contract in order to receive services through Consumer Direct. The contract provides that during the term of service with Consumer Direct, and for a period of 6 months following termination of services, the member cannot hire or otherwise utilize services of any person previously provided by Consumer Direct, except through a contract with Consumer Direct. If the member violates these provisions, they will be subject to financial penalties.

PRIVATE PAY POSITIONS

It is the policy of Consumer Direct that an employee cannot care for a Consumer Direct member, while caring for the same member under a separate Private Pay employment situation.

FINANCIAL RESPONSIBILITY

You may be held financially responsible for any breakage, loss, or damage you may cause to Consumer Direct's or member's property or equipment if the same shall have been caused willfully through negligence or disregard for the property of Consumer Direct or member.

EQUIPMENT FAILURE / DAMAGE

Damage or needed repair to Consumer Direct or member equipment must be reported immediately to your Support Coordinator. Violation of this requirement is cause for disciplinary action up to and including termination.

USE OF MEMBER'S HOUSEHOLD ITEMS

The member is involved in orienting the DCW to his or her home. The member, with the assistance of the Support Coordinator, gives the DCW a tour of their home, identify house rules, and what property the DCW can use. For example, if the member is okay with the DCW using the microwave to warm lunch.

VEHICLE USE

An employee who operates a motor vehicle while on Consumer Direct business, must comply with Consumer Direct's Safe Driving Policy. If a personal vehicle is used for company business, proof of insurance with appropriate statutory limits shall be required.

Failure to maintain an unrestricted, appropriate driver's license or vehicle insurability, if driving a private vehicle, may be cause for disciplinary action, up to and including termination. Driving-related services do not include member transport. The DCW cannot transport the member in any vehicle.

Accidents and/or traffic violations while on Consumer Direct business must be reported immediately to Consumer Direct's Risk Manager. Failure to report accidents and/or traffic violations is cause for disciplinary action, up to and including termination. Fines and/or penalties resulting from accidents or traffic violations due to the employee's negligence are solely the employee's responsibility and will not be paid by Consumer Direct.

MEMBER CONFIDENTIALITY

You are not to discuss or otherwise divulge any information concerning the business affairs of any member or Consumer Direct. Any action or expression by an employee considered objectionable by members, prospective members or your Support Coordinator may be cause for disciplinary action up to and including termination.

MEMBER RELATIONS

To preserve and foster the public's trust and confidence in Consumer Direct, it is imperative that all employees act with complete honesty and fairness. You are expected to be knowledgeable about your job and applicable laws and regulations pertaining to your job. Whenever you have a question relating to applicable laws or regulations, you should seek out appropriate advice before acting. In dealing with the public, you are expected to exercise good judgment and common sense. Commitments to others should be made only if such commitments realistically can be met. In this regard, the products and services of Consumer Direct should be presented accurately and fairly.

If you should become aware of actual or potential problems in any area of the business of Consumer Direct, you are expected to inform your Support Coordinator immediately. If you are aware of improvements to policies, procedures, products and/or possible business opportunities that will contribute to customer satisfaction and enhance Consumer Direct, you are urged to bring those improvements to the attention of your Support Coordinator.

COMPANY CONFIDENTIALITY

You may have access to records and/or other information about Consumer Direct and/or other workers. This includes proprietary information, operational procedures, trade secrets and intellectual property. You are not to discuss this information with anyone else without proper authority.

Anything Consumer Direct does to design, produce or market their products is treated as proprietary information, sometimes called trade secrets. Any information that would damage the business of Consumer Direct if it became public knowledge or was disclosed to a competitor is considered a trade secret. This includes, but is not limited to, information relating to operations, service, sales, financial matters, members or employees.

You are not to discuss member or company information with any person from outside Consumer Direct or with other employees in any public place where it is possible to be overheard. Should you leave Consumer Direct for any reason, the obligation not to disclose confidential information continues indefinitely.

THEFT OF DRUGS OR MEMBER PROPERTY

A Police Report is filed whenever medications or personal property are reported missing from a member's residence. If a Consumer Direct employee is formally charged or implicated in any theft of member or Consumer Direct property, they will be subject to disciplinary action, up to and including termination.

ALCOHOL / DRUGS

Personal use, sale, purchase, transfer, or possession of alcohol or any illegal drug, or the presence of such, in any detectable amount, while performing job duties is strictly prohibited. Violation of this policy is cause for disciplinary action, up to and including termination. Consumer Direct requires that each employee be fit for duty as described in each job description.

A copy of Consumer Direct's Fitness for Duty, Drug Free Workplace Policy is in the Appendix of this handbook.

STANDARDS OF CONDUCT

POLICY

Employees must follow standards of conduct. Violations of these common sense rules of conduct will subject the offender to appropriate corrective action. When misconduct occurs, managers will take such corrective action as deemed appropriate for the committed offense.

PROTOCOLS

1. Employees will arrive on time.
2. Employees will not use their personal cell phones during member visits except in emergency situations.
3. Employees will not give out their personal phone numbers to members.
4. Employees will not use the member's phone at any time, except for emergency and member-related needs.
5. Employees will not arrive at the member's home with other people or pets.
6. Employees will not borrow any member belongings or money.
7. Employees will not leave a member's home before the scheduled time without being authorized by the Support Coordinator.
8. Employees will report any concerns or problems regarding the delivery of services or tasks to the Support Coordinator, as soon as possible.
9. Employees will not change their scheduled hours of service without notifying the Support Coordinator.
10. Employees will provide the member with a receipt and the appropriate change when asked to shop without the member being present.
11. Employees will not provide unauthorized services or time.
12. Employees will have the member or representative sign and date the timesheet on or after the last day of service for the week.
13. Employees will turn in their timesheets on time as required by Consumer Direct policy.
14. The following acts are specifically prohibited:
 - Working for or with a member who has terminated services with Consumer Direct within six months of leaving the Company. If this happens, the employee will lose their position with Consumer Direct permanently.
 - Neglect of duty, loitering or leaving place of work during working hours without proper authorization.
 - Smoking or use of smokeless tobacco on Consumer Direct's premises, in the member's home, or while on company business.
 - Selling to or soliciting by employees any goods or services, subscriptions, memberships or the like, enlisting participation in special activities, or collecting contributions during working time, unless permitted by Consumer Direct Management.
 - Removing Consumer Direct property, or any property other than one's own, from the premises without proper authorization.
 - Sleeping on the job during working hours.

- Reporting for work or being on the premises during scheduled working hours unfit for duty due to the influence of alcoholic beverages or illegal drugs, or possessing or promoting the use of alcoholic beverages or illegal drugs.
- Violating safety rules or safety practices or causing injury to another employee by violating a safety rule.
- Abusive, immoral, or obscene language or indecent conduct toward any employee or Support Coordinator at any time.
- Any unauthorized disclosure of confidential information in violation of HIPAA standard, or divulging confidential information regarding a fellow employee or member to other Consumer Direct members, employees, friends or family.
- Spreading false or malicious rumors concerning Consumer Direct products or employees.
- Deliberately curtailing or hampering operations by willfully or negligently misusing, or destroying or damaging any Consumer Direct property.
- Possession of firearms, explosives or other deadly weapons on Consumer Direct premises.

Violations of the above-listed standards will result in immediate disciplinary action, up to and including termination.

CONFLICTS OF INTEREST

Relationships with Suppliers, Customers and Competitors

If you hold any position of employment, or own or acquire, directly or indirectly, a beneficial interest in any concern you have reason to believe may supply goods or services to, or purchases from, or competes with Consumer Direct, you are required to disclose the full details concerning such interest or relationship. In such circumstances, a conflict may arise if you are in a position to influence decisions with respect to any of Consumer Direct's transactions and if your interest or relationship is such that it might bring into question your continued ability to make independent and impartial judgments that are in the best interests of Consumer Direct.

Gifts or Favors

Acceptance of money, gifts, or favors from any individual or concern which you have reason to believe may transact business, or may seek to transact business, with Consumer Direct will constitute a violation of this policy, unless such gift or favor involves no more than an ordinary social amenity. All offers of gifts or favors of more than nominal value should be immediately reported to your Support Coordinator.

Proprietary and Other Confidential Information

Unless duly authorized, you may not provide information to any outside organization or individual about bids, specifications, financial data or transactions, product features, process details or other matters (including computer-generated information of any nature), where such disclosure involves confidential or proprietary information or might otherwise be contrary to the best interests of Consumer Direct.

Use of Company Assets and Resources

You may not engage in activities during work time, use, or cause to be used, without prior written approval from Management, any of Consumer Direct's facilities, equipment, (including any computer resources), materials or supplies for your personal convenience or profit; nor may you take advantage in this manner of outside individuals or organizations doing business, or seeking business, with Consumer Direct. Consumer Direct resources also may not be utilized for non-profit organizations such as trade or professional associations without appropriate Management approval.

PUBLIC CONDUCT

Employees should always be mindful of the position of Consumer Direct in the community. Good reputation and success require continuing adherence to high standards.

Language

All employees are required to refrain from using slang, profanity, and/or offensive remarks including but not limited to age, sex, race, religion, marital status, disability and national origin.

Attire

Each employee reflects the image of Consumer Direct and is required to comply with Consumer Direct's dress code. Disciplinary action, up to and including termination may result if employees refuse to follow this requirement.

Hygiene

All employees must maintain personal grooming habits that reflect a presentable image for Consumer Direct.

Criminal/Civil/Professional Investigation

Due to the nature of Consumer Direct's business, any employee who is subject to any investigation of a civil, criminal, or professional nature, including a DUI, may be reassigned. Other options may be utilized to ensure the safety of members and the employee, and to protect the interests of Consumer Direct during the investigation period. Depending on the nature of a conviction, termination may result.

Cultural Awareness

Consumer Direct employees are expected to always show respect for other cultural and ethnic groups and to provide quality care and services to everyone, equally, without regard to cultural or ethnic differences.

FRAUD

Fraud is intentional deception or misrepresentation that could result in any unauthorized benefit. Fraud is illegal and carries heavy penalties including misdemeanor or felony convictions, large fines, jail sentences and loss of employment. Federal and State governmental agencies are responsible for identifying, investigating, and referring cases of suspected fraud to law enforcement officials. Because Medicare and Medicaid reimburse Consumer Direct for services we provide to many of our members, we are a mandatory reporter of any suspected Medicare or Medicaid fraud. Therefore, any employee, member, guardian, or legal representative who participates in any of the following activities will be reported to the appropriate government authority and subject to possible termination or discharge from Consumer Direct.

Fraudulent Activity includes, but is not limited to:

- Reporting more time than actually worked; Padding time sheets – showing up late or leaving early and not reporting the actual time worked – or taking a break and not reporting the break as unpaid time by signing out and back in again.
- Reporting completion of tasks and procedures not performed.
- Accepting pay for time not worked.
- Altering other people’s time sheets or paperwork.
- Forging other employee or member signatures.
- Knowingly billing false time or tasks.
- Failure to meet federal or state licensure or certification requirements.
- Presenting, or causing to be presented for payment, any false or fraudulent claim for services or supplies.
- Submitting, or causing to be submitted, false information for the purpose of obtaining greater compensation than that to which the person is legally entitled.
- Failing to provide and maintain quality services to Medicare or Medicaid members within accepted medical community standards.
- Engaging in a course of conduct or performing an act considered improper or abusive of the Medicare or Medicaid programs, or continuing that conduct following notification that it should cease.
 - Over-using the Medicare or Medicaid program by inducing or otherwise causing a member to receive services or supplies not required or requested by the member.
 - Rebating or accepting a fee or portion of a fee or charge for a Medicare or Medicaid member referral.
 - Violating any laws, regulation or code of ethics governing the conduct of occupations, professions or regulated industries.

All suspected fraudulent activity should be reported to a member of Senior Management, the Operations Manager or the Human Resources Department immediately.

Summaries of the **Federal False Claims Act** and applicable Arizona statutes are included in the Appendix of this Handbook. Comprehensive training, using “An Overview of the False Claims Act and Federal Health Care Programs” training material, is conducted with all managers and staff.

CORPORATE COMPLIANCE

It is policy to obey federal, state, and local laws pertaining to the services provided to our members. All field and office employees, department managers, and their designees are directly responsible for ensuring that the provision of services and routine operations are compliant with all applicable laws. If you suspect fraudulent or illegal activity is occurring either in an isolated incident or on an on-going basis, you have a duty and responsibility to report the suspect activity to the Corporate Compliance Officer, who is Mickey Ogg. In the Corporate Compliance Officer's absence, the Risk Manager is an alternate contact. Examples of non-compliance activities include, but are not limited to, the areas of fraud listed above.

A copy of the Corporate Compliance Policy is in the Appendix.