



# Employee Handbook

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#### Revision History:

Date	Revision/Addition/Removal	Section	Topic
07/01/2020	Revision	5.9	Added EAP
8/1/2019	Revision	6.12	On-Call / After-Hours Sup
8/1/2019	Revision	5.2	Holidays
8/1/2019	Revision	3.1	The Company
8/1/2019	Revision	4.6	Flu Vaccinations
2/14/2019	Addition	5	Employee Massage
2/14/2019	Addition	5	Americans with Disability Act
2/14/2019	Revision	6	Attendance
12/26/2018	Revision	6	Travel Time and Mileage
01/01/2021	Revision	5.2	Updated Holiday Calendar



## 1.0 DISCLAIMER

### 1.1 EMPLOYMENT AT WILL

Your employment with VitalCare is at-will. Employment at-will means that VitalCare may alter the terms of your employment, and either you or VitalCare may terminate your employment at any time and for any reason or for no reason, with or without notice. No officer or other employee has authority to alter the employment-at-will relationship, orally or in writing. This guide does not create an employment contract, establish rights, privileges or benefits of employment or establish any job guarantee.

- All employees are hired on an at-will basis.
- Each person's employment is for no specific term.
- The employer reserves the right to terminate the relationship at any time.
- Nothing in the employee handbook should be construed as a contract or a guarantee of continued employment.



## 2.0 FEDERAL, STATE, AND LOCAL LAW COMPLIANCE

It is the policy of VitalCare to comply with all federal and state laws concerning the employment of persons with disabilities and act in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC). Furthermore, it is our company policy not to discriminate against qualified individuals with disabilities in regard to application procedures, hiring, advancement, discharge, compensation, training or other terms, conditions and privileges of employment.

VitalCare will reasonably accommodate qualified individuals with a disability so that they can perform the essential functions of a job unless doing so causes a direct threat to these individuals or others in the workplace and the threat cannot be eliminated by reasonable accommodation and/or if the accommodation creates an undue hardship to VitalCare. Contact the Administrator with any questions or requests for accommodation.



## 3.0 OUR COMPANY, MISSION AND COMMITMENT

### 3.1 THE COMPANY

VitalCare is a licensed non-medical home care agency serving clients all across the Front Range. We provide services to Adult and Pediatric clients in their homes and at our office in Westminster. We serve clients with a wide variety of needs including;

- Personal Care
- Counseling
- Music Therapy
- Massage Therapy
- Respite
- Housekeeping

We accept a variety of payment methods including Private Pay, Medicaid, Private Insurance, Colorado Respite Coalition Vouchers, and grant funding.

We are a Medicaid approved service provider for the following waivers and programs;

- EBD – Elderly, Blind and Disabled
- SLS – Supported Living Services
- IHSS – In Home Support Services
- CES – Children’s Extensive Support
- CLLI – Children with Life Limiting Illness
- PPCB – Pediatric Personal Care Benefit

### 3.2 THE MISSION

Trustworthy and compassionate care.

### 3.3 OUR COMMITMENT

VitalCare is committed to the development of our employees so they can deliver exceptional services to our consumers. These services are delivered, without exception, in strict compliance with our company mission.



## 4.0 POLICIES

### 4.1 PERSONNEL POLICY

- VitalCare strives to employ the best-qualified person to perform employment duties as specified by the company.
- VitalCare strives to respect the individual rights of each employee and to treat all employees with courtesy, dignity, and consideration.
- VitalCare strives to assure each employee has the right to discuss freely with an officer of the Company any matter concerning either his/her, a consumer, or the company's welfare.
- VitalCare strives to develop competent employees who are committed to the company and understand their specific job functions.
- Follow our "CARE" values. Utilize the reference below to thrive!

#### Communication

Over communicate with; VitalCare staff, consumers' and co-workers

Document, document, document; visits, notes, etc.

Keep the office staff informed, share your concerns and positive observations freely

#### Attitude

Be professional at all times!

Be flexible with your schedule, your consumers requests, and last-minute changes

Listen to your consumer, they are the experts in their care

#### Reliability

Arriving on time, for every visit.

Complete the assigned shift

Follow through on what you say you're going to do.

Attend training sessions

#### Effort

Be loyal

Be professional

Professionally handling employment duties

Be open to new challenges

*The above list is not meant to be completely inclusive; rather, it has been stated to illuminate some important objectives of employment with the company.*



## 4.2 HIRING PROCEDURES

### 4.2.1 EQUAL EMPLOYMENT OPPORTUNITY

It is VitalCare policy to provide equal employment opportunity without regard to race, color, religion, creed, national origin, ancestry, sex, pregnancy, age, sexual orientation (incl. transgender status), physical or mental disability, marriage to a co-worker and retaliation for engaging in protected activity (opposing a discriminatory practice or participating in an employment discrimination proceeding). It is VitalCare practice to further the principle of equal employment opportunity.

All recruiting, hiring, and employment decisions shall be made on the basis of individual merit and objective job qualifications. Job training determined by the management to be necessary shall be provided on a non-discriminatory basis.

### 4.2.2 EMPLOYMENT COMPLIANCE POLICY

- a. Application for employment: prior to making an offer of employment, VitalCare requires all candidates to provide to the company the following current information (some of this information will be provided to VitalCare after a conditional offer of employment has been made):
  - Copy of resume;
  - Completed application for employment;
  - W-4 & I-9 forms;
  - TB Screening and Influenza Vaccination;
  - Copy of all state nursing licenses and/or certifications;
  - Completed Competency Assessment;
  - Completed reference requests;
  - Criminal background check;
  - Drug test
- b. Personal Interview: Every qualified applicant for employment will receive a personal interview by a member of the company's professional recruitment team.
- c. Qualifying Offer of Employment: At this point of the interview process, if the company's recruiter reasonably believes that the applicant for registered employment could be good, VitalCare a conditional offer of employment may be extended to the applicant.
- d. Review of Completion of Employment File: The Company checks





three (3) references and two (2) mandatory reporting sites; licensure verification(s) through Colorado Department of Regulator Agencies (DORA) and The Office of Inspector General (OIG) exclusion database.

- DORA: <https://apps.colorado.gov/dora/licensing/Lookup/LicenseLookup.aspx>
  - OIG: <https://exclusions.oig.hhs.gov/>
- e. Background Checks: Agency requires background screening to be completed on all final candidates for employment. Unwillingness to consent to the background study will result in withdrawal of the offer of employment. Results of the background studies are confidential and are retained in confidential employee files. Employees will not be able to start working with clients until the background check clearance has been received by the agency.
- f. Drug Testing: The Company will ask all candidates for employment to submit to a drug screening test after the offer of employment and prior to orientation. The employee will be provided a letter of explanation and an opportunity to divulge all prescription and over the counter medications the candidate is currently taking. The urine testing will either be completed at a testing center contracted by the Company or at the Companies office. Any positive results for federally illegal drugs will result in the candidate forfeiting his/her employment. Any other positive results will require the candidate to present the same day, at the testing center contracted with by the Company, for blood testing for qualitative drug screening and Medical review. The results of the blood testing will be provided to the Administrator who has the final decision in the continued employment of the candidate.
- g. Employee Information: After an applicant has been conditionally hired for employment, he/she must provide necessary information required for personnel and official uses. This information will be part of the employee's personnel file and will be regarded and kept confidential.
- h. Offer of Assignment(s): Once all hiring condition precedents have been met, the employee MAY BE offered assignments to serve VitalCare in consumer residences. The company retains complete discretion over all assignment decisions. If an assignment is accepted, the employee is obligated to arrive on time and fully complete their assigned shift. VitalCare expects all assignments to be professionally completed.



- i. Employment Records: VitalCare strives to meet and/or exceed the same compliance standards required by CDPHE and HCPF. Therefore, the company has incorporated quality assurance policies and procedures that conform with or exceed those standards. These policies require all employees to provide any and all information to VitalCare management that the company may deem necessary to enforce this policy.



### 4.3 ORIENTATION

Orientation: Every employee receives a full orientation to VitalCare. Orientation shall include a discussion of this orientation guide and any questions that the employee may desire to ask. VitalCare works with consumers to have its staff properly prepared to deliver services in accordance with its consumers' preferences and expectations. This may be accomplished in a number of ways:

- VitalCare maintains the agency's policies and procedures that are read by all employees prior to commencing an assignment;
- Any staff assigned to a consumer's home for the first time may be accompanied by the administrator or previous provider to be oriented to the consumer's needs and preferences;



#### 4.4 DRUG-FREE WORKPLACE POLICY

VitalCare intends to help provide a safe and drug-free work environment for our clients and our employees.

The Company explicitly prohibits:

- The use, possession, solicitation for, or sale of narcotics or other illegal drugs, alcohol, or prescription medication, without a prescription, on Company or client premises or while performing an assignment, including travel to or from any assigned work location. Possession or sale of legal or illegal drugs or alcohol is reason for discipline up to and including termination from employment.
- Being impaired or under the influence of legal or illegal drugs or alcohol on Company or client premises, including travel to or from any assigned work location, if such impairment or influence adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk the Company's reputation. Working impaired or under the influence of legal or illegal drugs or alcohol is reason for discipline up to and including termination from employment.
- Possession, use, solicitation for, or sale of legal or illegal drugs or alcohol away from Company or client premises, including travel to or from any assigned work location, if such activity or involvement adversely affects the employee's work performance, the safety of the employee or of others, or puts at risk the Company's reputation.
- The presence of any detectable amount of prohibited substances in the employee's system while at work, while on the premises of the Company or its customers, including travel to or from any assigned work location, or while on Company business. "Prohibited substances" include illegal drugs, alcohol, or prescription drugs not taken in accordance with a prescription given to the employee.

The Company will conduct drug testing during the pre-employment process. A negative drug screen is a requirement of employment:

- **PRE-EMPLOYMENT TESTING:** The Company will ask all candidates for employment to submit to a drug screening test after the offer of employment and prior to orientation. The employee will be provided a letter of explanation and an opportunity to divulge all prescription and over the counter medications the candidate is currently taking. The urine testing will either be completed at a testing center contracted by the Company or at the Company



office. Any positive results for federally illegal drugs will result in the candidate forfeiting his/her employment. Any other positive results will require the candidate to present the same day, at the testing center contracted with by the Company, for blood testing for qualitative drug screening and Medical review. The results of the blood testing will be provided to the Administrator who has the final decision in the continued employment of the candidate.

The Company may conduct drug and/or alcohol testing under any of the following circumstances:

- **FOR-CAUSE TESTING:** The Company may ask an employee to submit to a drug and/or alcohol test at any time it feels that the employee may be under the influence of drugs or alcohol, including, but not limited to, the following circumstances: evidence of drugs or alcohol on or about the employee's person or in the employee's vicinity, unusual conduct on the employee's part that suggests impairment or influence of drugs or alcohol, negative performance patterns, or excessive and unexplained absenteeism or tardiness.
- **POST-ACCIDENT TESTING:** Any employee involved in an on-the-job accident or injury under circumstances that suggest possible use or influence of drugs or alcohol in the accident or injury event may be asked to submit to a drug and/or alcohol test. "Involved in an on-the-job accident or injury" means not only the one who was or could have been injured, but also any employee who potentially contributed to the accident or injury event in any way.

If an employee is tested for drugs or alcohol outside of the employment context and the results indicate a violation of this policy, or if an employee refuses a request to submit to testing under this policy, the employee may be subject to appropriate disciplinary action, up to and possibly including discharge from employment. In such a case, the employee will be given an opportunity to provide proof of physician orders for any substance found during testing prior to any final employment action becoming effective.

Employees must notify the Company immediately, and in no event more than five days, after their conviction or plea of guilty or no contest on a charge under any criminal statute involving the manufacture, distribution, dispensation, use, or possession of any controlled substance.



## 4.5 CODE OF CONDUCT

- *4.5.1 GENERAL POLICY*

VitalCare is committed to achieving high standards of business and personnel ethics for the company, employees and consumers. Through performance in accordance with these standards, the company and all its employees will merit and enjoy the respect of its consumers, the public, the business community, and regulatory authorities.

It is the personal responsibility of all employees to acquaint themselves with the legal and policy standards and restrictions applicable to their assigned duties and responsibilities, and to conduct themselves accordingly. Over and above the strictly legal aspects involved, all personnel are expected to observe high standards of business and personal ethics in the discharge of their assigned responsibilities. All home care professionals working for VitalCare are expected to adhere to the Code of Conduct.

- *4.5.2 EMPLOYEE AND STAFF CONDUCT*

Each employee and staff member must avoid any action, relationship or situation, which could jeopardize or impair the confidence or respect in which VitalCare is held by its consumers and the public.

Employees shall comply fully with all applicable statutes and regulations. Willful and knowing disregard of the law may result in severe penalties. In its many business activities, VitalCare engages in vigorous, fair and ethical competition. Discussions and agreements with competitors concerning pricing or other competitive policies and practices are strictly prohibited.

- *4.5.3 CONFLICT OF INTEREST*

In order to perform their duties with honesty and fairness and in the best interest of the agency, employees must avoid conflicts of interest in their employment. Conflicts of interest may arise from having a position or interest in or furnishing managerial or consultative services to any concern or business from which the agency obtains goods or services or with which it competes or does business, from soliciting or accepting gifts, excessive entertainment or gratuities from any person or entity that does or is seeking to do business with the agency and from using agency property for personal or private purposes. Conflicts also may arise in other ways. If an employee has any doubt or any question about any of his or her proposed activities, complete the Conflict of Interest Statement below.

- *4.5.4 CONFIDENTIAL INFORMATION*

Employees frequently have access to confidential information concerning VitalCare and other employees and consumers. Safeguarding confidential



information is essential to the conduct of our business. Caution and discretion must be exercised in the use of such information, which should be shared only with those who have a clear and legitimate need and right to know.

No employee shall disclose confidential information of any type to anyone except persons who need to know in the performance of their job as is required by a government agency or third party. Information regarding a member of VitalCare staff may not be released to third parties, government, or other organizations, without the consent of the person involved.

- *4.5.5 SERVICE AND PATIENT CONCERNS*

The mission of VitalCare is to provide high quality services to all our existing and prospective consumers. We strive to change the culture of home care through intentional relationships with staff and consumers. Equally important, we seek to continuously improve policies, procedures, services and products that contribute to consumer satisfaction.

VitalCare is committed to promoting consideration of all values and preferences and protecting the rights of all.

- *4.5.6 INTEGRITY OF RECORDS AND COMPLIANCE WITH ACCOUNTING PROCEDURES*

Accuracy and reliability in the preparation of all records is mandated by law. It is of critical importance to the corporate decision-making process and to the proper discharge of VitalCare's financial, legal and reporting obligations. All bills rendered must accurately reflect the services provided, and shall properly and accurately record those services. All business records, expense accounts, vouchers, payroll and service records and other reports are to be prepared with care and honesty. False or misleading entries are not permitted. All corporate funds or assets are to be recorded in accordance with applicable corporate procedures. Compliance with accounting procedures and internal control procedures is required at all times. It is the responsibility of all employees to ensure that both the letter and spirit of corporate accounting and internal control procedures are strictly adhered to at all times.

- *4.5.7 ADMINISTRATION OF THE CODE OF CONDUCT*

The statements set forth in this Code of Conduct are intended as guidelines for the employees. Employees are encouraged to seek guidance regarding the application or interpretation of this Code of Conduct and are expected to cooperate fully in any investigation of a potential violation. Routine questions of interpretation regarding the Code shall be directed to the Administrator. If any employee believes the Code, or particularly the Compliance Plan may have been violated, the employee promptly shall report the potential violation to the Administrator. Violation of the Code of Conduct and the Compliance Plan may be disciplined by VitalCare up to and including dismissal. However, the Code of Conduct and the Compliance Plan do not set forth all the reasons or situations in which employees may be



disciplined.

- *4.5.8 REPORTING MECHANISMS*

One of the key ingredients of an effective compliance program is the development of a system, which employees can use to report questionable behavior without fear of retaliation. Some examples of behavior that should be reported include the following:

- A serious breach of employee confidentiality by a co-worker. Accepting bribes or kickback from another agency.
- Unethical or illegal activities by any co-worker.

Employees are expected to bring these types of issues or concerns to their immediate Supervisor. If an employee feels that their concerns are not properly resolved or if the problem involves their supervisor, employees must contact the Administrator immediately. VitalCare's Administrator is Matthew Dolph, and he can be reach at [matt@VitalCare.us](mailto:matt@VitalCare.us) or 720-273-7331.





## 4.6 FLU VACCINATION

To help protect VitalCare's employees, clients, and visitors from acquiring seasonal influenza disease and to help prevent the unnecessary spread of the influenza virus. Vaccine programs are an essential part of infection prevention and control for slowing or stopping the transmission of seasonal influenza viruses from adversely affecting those individuals who are most susceptible. This is accomplished through the requirement that all healthcare workers receive annual influenza vaccination, unless the individual has a valid exemption. (Note: Refer to Colorado Department of Public Health and Environment regulations (6 C.C.R. 1011-1, Ch.02, Part 10 (the "Rules"))).

- All employees must receive the season influenza vaccine or submit proof of an approved exemption by December 31 of each year.
- VITALCARE will reimburse the cost of the vaccination up to \$50 per year. Submit an expense report for reimbursement.
- All employees must submit written proof of vaccination including the name of the person receiving the vaccine, the date it was received, and the name of the provider where the vaccine was administered. All proof should be submitted to VitalCare's administrator.
- Employees whose date of hire is during influenza season will be required to present proof of immunization if hire date is between October 1 (or earlier if influenza season begins earlier as determined by CDPHE) and March 31.
- By December 31 of each year, for any healthcare worker who has not received the influenza vaccine and does not have an approved exemption, one of the following will occur, as appropriate.
  - The healthcare worker who is an employee of the Company will be subject to disciplinary action, up to and including termination.
  - The employee will be suspended without pay, until they have meet the requirement.

### 4.6.1 MEDICAL EXEMPTION

A medical exemption from influenza vaccination is allowed if the influenza vaccination is medically contraindicated for the healthcare worker.

The healthcare worker must complete a medical exemption form. The medical exemption must be signed by a physician, physician assistant, advanced practice nurse, or nurse midwife and must certify that the influenza vaccination for the healthcare worker is medically contraindicated as described in the product labeling approved by the United States Food and Drug Administration.

(Note: A list of current contraindications to the different types of vaccines can be found at this site: <http://www.cdc.gov/flu/professionals/acip/2013-summaryrecommendations.htm>.)



If the medical exemption is approved by the Agency, the healthcare worker will be required to wear gloves and a mask at all times, when working with a client. Failure to wear gloves and a mask at all times when working with clients will result in disciplinary action up to and including termination.

#### *4.6.2 RELIGIOUS EXEMPTION*

VitalCare no longer allows religious exemptions to Influenza vaccinations.



## 5.0 BENEFITS

### 5.1 WORKERS COMPENSATION & PROFESSIONAL LIABILITY INSURANCE

Each and every VitalCare employee is automatically and immediately covered by the agency's corporate insurance policies.

### 5.2 HOLIDAYS

VitalCare observes the following holidays: New Year's Day, MLK JR, Presidents Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, the after Thanksgiving, Christmas eve and Christmas Day. Employees who work on holidays will be compensated at time and half.

<b>Holiday</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>
New Year's Day	1/1/2021	Observed 12/31/2021	1/2/2023
Martin Luther King JR	1/18/2021	1/17/2022	01/20/2023
Presidents Day	2/15/2021	2/21/2022	2/20/2023
Memorial Day	5/31/2021	5/30/2022	5/29/2023
Independence Day	7/5/2021	7/4/2022	7/4/2023
Labor Day	9/06/2021	9/5/2022	9/4/2023
Thanksgiving	11/25/2021 & 11/26/2021	11/24/2022 & 11/25/2022	11/23/2023 & 11/24/2023
Christmas	12/24 & 12/25/2021	12/25 & 12/26/2022	12/24 & 12/25/2023

### 5.3 VACATION

VitalCare Corporation provides paid vacation leave for full-time employees at the rate of 10 days per year. Vacation time must be requested and approved in advance by your supervisor. In the case of a conflict of vacation time; seniority will prevail. Vacation time cannot be rolled over to the next year. Unused vacation will be forfeited upon termination and may not be used as part of the resignation notice period.



## 5.4 SICK LEAVE

VitalCare Corporation provides paid sick leave for full-time employees at the rate of 5 days per year. Sick leave time will not be paid during the probationary period of 90 days from employment.

Sick leave cannot be rolled over from year to year. Unused sick leave will be forfeited upon termination and may not be used as part of the resignation notice period. If employee does not have accrued sick time, sick days will not be paid unless vacation time is used.

## 5.5 EMPLOYEE INFECTIONS

If an employee contracts an infectious disease considered to be serious in nature and/or is transmittable to others, they will be re-assigned from direct customer contact and staff contact for as long as they remain infectious or instructed to stay to home.

## 5.6 BEREAVEMENT PAY

Full-time employees will be paid for a maximum of 5 days of time off in the event of the death of an immediate family member. Immediate family members are defined as: Spouse, Child/Step Child, Brother or Sister, Parent or Parent-in-law, Grandparent, Grandchild, Niece or Nephew.

## 5.7 DISABILITY AND FAMILY LEAVE POLICY

If an employee experiences a non-work-related injury, illness or other health condition, the company is committed to working with the employee to provide reasonable leave to allow the employee to address his/her health needs with the goal of returning to work.

### 5.7.1 FAMILY MEDICAL LEAVE ACT (FMLA)

The Family and Medical Leave Act entitles eligible employees who work for covered employers to take unpaid, job-protected leave in a defined 12-month period for specified family and medical reasons. The State of Colorado's policy on FMLA leave grants employees 13 weeks (520 hours) of leave.

Family/Medical Leave (FML) is unpaid leave used to provide a guaranteed amount of time, job protection, and continued benefits to eligible employees for reasons defined by the FMLA , and include:

- Addition of a child, including placement of a foster child and placement for



- adoption.
- Serious health condition of a parent, child, spouse, or self. Child for health-related FMLA is defined the same as under sick leave (under 18 or over 18 if incapable of self care due to a physical or mental disability at the time leave is to commence).
  - Active duty (military) family leave for a member of the Armed Forces (including the National Guard or Reserves) deployed to a foreign country.
  - Military caregiver leave for a member of the Armed Forces (including the National Guard or Reserves). In this case, next of kin is also eligible. Next of kin means nearest blood relative other than the covered service member's spouse, parent, or child in the following priority order: relatives granted legal ward or custody through court order, siblings, grandparents, aunts and uncles, and first cousins. If the service member has declared a next of kin, only that individual is considered next of kin. If the service member has not declared a next of kin, all those in a category mentioned above are considered next of kin and eligible for the leave, e.g., all siblings, all grandparents if no siblings, and so on. Departments may ask for supporting documentation of the relationship (e.g., the declaration of next of kin).
  - Military caregiver leave also covers employees whose parent, child, spouse, or next of kin is a veteran undergoing medical treatment, recuperation, or therapy, for a serious injury or illness and who was a member of the Armed Forces (including the National Guard or Reserves) at any time during the 5-year period preceding the date on which the veteran underwent service-related medical treatment, recuperation, or therapy.
  - FCA entitles the employee to leave to care for the serious health condition, as defined by the FMLA, of their partner in a civil union or registered domestic partnership.

### *5.7.2 PAY WHILE ON DISABILITY AND FAMILY LEAVE*

**Eligibility:** You are eligible for this benefit after completing one calendar year of service with VitalCare.

The company offers 2 weeks of paid leave to eligible full-time employees for Disability and Family Leave, paid at the employee's regular pay rate, after which the employee will be required to exhaust all unused Vacation and Sick Leave to compensate the remainder of his or her leave.

Under circumstances when an employee exhausts Vacation and Sick Leave or is not eligible for Vacation and Sick Leave, he or she may be granted unpaid leave at the discretion of the Company.

Leave for an ill or injured family member (as outlined above) cannot exceed 8 weeks



total, inclusive of the 2 weeks of company-paid leave.

### *5.7.3 AMERICANS WITH DISABILITIES ACT*

Title I of the Americans with Disabilities Act of 1990 prohibits private employers, state and local governments, employment agencies and labor unions from discriminating against qualified individuals with disabilities in job application procedures, hiring, firing, advancement, compensation, job training, and other terms, conditions, and privileges of employment. The ADA covers employers with 15 or more employees, including state and local governments. It also applies to employment agencies and to labor organizations. The ADA's nondiscrimination standards also apply to federal sector employees under section 501 of the Rehabilitation Act, as amended, and its implementing rules.

An individual with a disability is a person who:

- Has a physical or mental impairment that substantially limits one or more major life activities;
- Has a record of such an impairment; or
- Is regarded as having such an impairment.

A qualified employee or applicant with a disability is an individual who, with or without reasonable accommodation, can perform the essential functions of the job in question. Reasonable accommodation may include, but is not limited to:

- Making existing facilities used by employees readily accessible to and usable by persons with disabilities.
- Job restructuring, modifying work schedules, reassignment to a vacant position;
- Acquiring or modifying equipment or devices, adjusting or modifying examinations, training materials, or policies, and providing qualified readers or interpreters.

An employer is required to make a reasonable accommodation to the known disability of a qualified applicant or employee if it would not impose an "undue hardship" on the operation of the employer's business. Undue hardship is defined as an action requiring significant difficulty or expense when considered in light of factors such as an employer's size, financial resources, and the nature and structure of its operation.

An employer is not required to lower quality or production standards to make an accommodation; nor is an employer obligated to provide personal use items such as glasses or hearing aids.

### **Medical Examinations and Inquiries**

Employers may not ask job applicants about the existence, nature, or severity of a disability. Applicants may be asked about their ability to perform specific job functions. A job offer may be conditioned on the results of a medical examination, but only if the



examination is required for all entering employees in similar jobs. Medical examinations of employees must be job related and consistent with the employer's business needs.

### **Drug and Alcohol Abuse**

Employees and applicants currently engaging in the illegal use of drugs are not covered by the ADA when an employer acts on the basis of such use. Tests for illegal drugs are not subject to the ADA's restrictions on medical examinations. Employers may hold illegal drug users and alcoholics to the same performance standards as other employees.

It is also unlawful to retaliate against an individual for opposing employment practices that discriminate based on disability or for filing a discrimination charge, testifying, or participating in any way in an investigation, proceeding, or litigation under the ADA.

### **The ADA Amendments Act (ADAAA) of 2008**

The following information is from the US Access Board web site: Amendments to the Americans with Disabilities Act (ADA) signed into law on September 25, 2008, clarify and reiterate who is covered by the law's civil rights protections. The "ADA Amendments Act of 2008" revises the definition of "disability" to more broadly encompass impairments that substantially limit a major life activity. The amended language also states that mitigating measures, including assistive devices, auxiliary aids, accommodations, medical therapies and supplies (other than eyeglasses and contact lenses) have no bearing in determining whether a disability qualifies under the law. Changes also clarify coverage of impairments that are episodic or in remission that substantially limit a major life activity when active, such as epilepsy or post-traumatic stress disorder. The amendments took effect January 1, 2009.

For more information, please visit: <http://www.access-board.gov/about/laws/ada-amendments.htm>

For additional information, please contact your local Division of Vocational Rehabilitation office.

## **5.8 EMPLOYEE MASSAGE**

VitalCare recognizes the benefit of massage, and desires to make this therapy available to employees at no cost. Employees can schedule a one-hour massage monthly by contacting their assigned office coordinator. Employees must schedule this therapy during their personal time and will not be allowed to be "on the clock" for this service. A fixed number of massage hours are available monthly, so please schedule in advance.

VitalCare is committed to providing a work place free of discrimination and harassment. Please see VitalCare's Grievance Procedure in section 6.12 for more information on reporting concerns.



## 5.9 EMPLOYEE ASSISTANCE PROGRAM

An Employee Assistance Program (EAP) is a voluntary, work-based program that offers free and confidential assessments, short-term counseling, referrals, and follow-up services to employees who have personal and/or work-related problems.

VitalCare's EAP is provided at no cost to the employee. Up to three sessions are offered through VitalCare's Counseling Department. Therapy may be delivered in person, by phone, or virtually through a secure Teletherapy platform.

Employees may request a referral to VitalCare's EAP program from their supervisor. In some cases, a supervisor may approach an employee to suggest consideration for an EAP referral. Please note that while therapy sessions are confidential, VitalCare administration and supervisors will know that an employee is accessing/has accessed EAP.

Once VitalCare Counseling receives an EAP referral, they will contact the employee via email or phone within 3 business days to schedule the initial session.





## 6.0 EMPLOYEE INFORMATION

### 6.1 DEFINITION OF EMPLOYMENT STATUS:

**Nature of Employment:** All employment with VitalCare is at will. Employment with VitalCare is voluntary entered into, and the employee is free to terminate the employment relationship (resign) at will at any time, with or without cause. Similarly, VitalCare is free to terminate the employment relationship at will at any time, with or without cause.

### 6.2 HOURS OF WORK

**Work Week:** All employees are paid every other Friday. Hourly employees pay periods are one week in the rear. All paychecks are Direct deposited to employee's bank accounts. If an employee requires a physical Check, an exception can be made but physical checks on a regular basis are not supported. The workweek begins on Sunday and ends on Saturday. Some consumers may operate under a different workweek schedule. Your supervisor will advise you when such an exception exists.

**Work Day:** Hours are determined by the consumer to whom the employee is assigned in consideration with the preferences of VitalCare employees. Each employee is paid only for the hours that the employee works.

Some consumers may also have additional scheduling variations. These variations are often requested for specialty areas of care.

**Note:** VitalCare gives a 10-minute paid break for every consecutive 4-hour shift. If a 5-hour consecutive shift is worked then the employee is permitted a 30-minute unpaid break. Please do keep VitalCare apprised of any scheduling requests by the consumer.

**Overtime:** Employees who work over forty (40) hours per week, or twelve (12) hours in a day will be paid at time and a half their normal rate.

**Timesheets and How to Get Paid:** VitalCare utilizes the employee timesheets within AxisCare. AxisCare is the mechanism used by the Company to determine the pay that an employee will receive. Employees are scheduled to be paid bi-weekly, one week in the rear. Employees will complete their timesheet within TSheets daily.



## 6.3 ATTENDANCE

Punctual and regular attendance is an essential responsibility of each employee at VitalCare. Employees are expected to report to work as scheduled, on time and prepared to start working. Employees also are expected to remain at work for their entire work schedule. Late arrival, early departure or other absences from scheduled hours are disruptive and must be avoided.

This policy does not apply to absences covered by the Family and Medical Leave Act (FMLA) or leave provided as a reasonable accommodation under the Americans with Disabilities Act (ADA). These exceptions are described in separate policies.

### Absence

"Absence" is defined as the failure of an employee to report for work when he or she is scheduled to work. The two types of absences are defined below:

- Excused absence occurs when all the following conditions are met:
  - The employee provides to his or her supervisor sufficient notice at least 48 hours in advance of the absence.
  - The absence request is approved in advance by the employee's supervisor.
  - The employee has sufficient accrued paid vacation time to cover the absence. (For full-time employees who accrue paid vacation time)
- Unexcused absence occurs when any of the above conditions are not met. If it is necessary for an employee to be absent or late for work because of an illness or an emergency, the employee must notify his or her supervisor no later than the employee's scheduled starting time on that same day. If the employee is unable to call, he or she must have someone make the call.

An unexcused absence counts as one occurrence for the purposes of discipline under this policy.

Employees with three or more consecutive days of excused absences because of illness or injury must give VitalCare proof of physician's care and a fitness for duty release prior to returning to work.

Employees must take earned PTO for every absence unless otherwise allowed by company policy (e.g., leave of absence, bereavement, jury duty).

### **Tardiness and Early Departures**

Employees are expected to report to work and return from scheduled breaks on time. If employees cannot report to work as scheduled, they must notify their supervisor no later than three hours prior to their regular starting time. This notification does not excuse the tardiness but simply notifies the supervisor that a schedule change may be necessary.



Employees who must leave work before the end of their scheduled shift must notify a supervisor immediately.

Tardiness and early departures are each one-half an occurrence for the purpose of discipline under this policy.

### **Disciplinary Action**

Excessive absenteeism is defined as two or more occurrences of unexcused absence in a 30-day period and will result in disciplinary action. Eight occurrences of unexcused absence in a rolling 12-month period are considered grounds for termination.

### **Job Abandonment**

Any employee who fails to report to work for a scheduled visit without notifying his or her supervisor, aka “No Call No Show” will be considered to have abandoned the job and voluntarily terminated the employment relationship. If appropriate, VitalCare will contact necessary state authorities to report the neglect.

## **6.4 DRESS CODE**

All employees are expected to present themselves as home care professionals. Employees will maintain standards of personal appearance that presents a professional appearance to our visitors, co-workers and others who may enter the agency.

- All field staff will wear appropriate street clothing and/or scrubs, with functional, closed toe shoes. Clothing will be clean and neat.
- Fingernails will be clean and kept short. Artificial nails are not to be worn and nail polish must not be chipped or cracked.
- Hair will be neatly trimmed or styled so as not to interfere with job performance or safety.
- All field staff will wear an identification badge that is clearly visible. The agency will provide a name tag for each staff member upon employment. When received, the name tag is considered a part of the uniform and is to be worn at all times by the staff member when on duty. The name tag is to be worn on the outside of the clothing and in plain and obvious view.
- Office staff/other personnel will wear clothing appropriate to a business setting. Employees are expected to maintain a clean and neat appearance with regard to clothing, shoes, hair and nails.
- Due to the agency's contact with consumers and the public, it is imperative that the work attire of all staff be appropriate and identify them as agency staff. Staff may be sent home by their supervisor for reporting to duty in a substandard uniform, or otherwise subject to disciplinary action.



## 6.6 PROFESSIONAL BEHAVIOR

In addition to the Statutory Rules and Regulations, Practices Acts and various Best Practices for those in-home care, there are defined standards of Profession, which must be followed as a VitalCare employee:

- VitalCare employees must treat people with compassion and kindness.
- VitalCare employees must treat people courteously and respectfully.
- VitalCare must never use foul language, raise their voices in anger or exhibit aggressive behavior toward others.
- VitalCare employees must respect the beliefs and opinions of others.
- VitalCare employees must keep appropriate boundaries with consumers.
- VitalCare employees must report all concerns to the supervisor or administrator.
- VitalCare employees must strive to be non-judgmental of others.

## 6.7 WORKERS' COMPENSATION

The procedure of a work-related injury is as follows:

- The employee shall seek immediate medical attention;
- The employee shall report the incident to VitalCare administrator within 24 hours of seeking medical attention;
- The employee shall be required to complete an incident report;
- All bills for medical care must be sent to VitalCare when received by the employee;
- The employee should not pay the physician directly.

## 6.8 WAGES AND SALARY

It is the company's policy to pay the wages that are highly competitive. VitalCare and the employee will keep all salary and performance evaluation information strictly confidential.

## 6.9 TRAVEL TIME AND MILEAGE

### 6.9.1 TRAVEL TO AND FROM HOME

As a general rule, commuting from home to your place of work (first visit) and commuting home after work (last visit) is not considered for reimbursement or deduction by the IRS, and not eligible for mileage or time by VitalCare. There are, however, exceptions please speak with your supervisor or Administrator for approval on client by client basis due to excessive travel.



### 6.9.2 TRAVEL WITHIN YOUR WORKDAY

Travel within your workday is part of your day's work and you will be paid your normal hourly rate plus mileage reimbursement. If the gap between visits is greater than two hours, you will not be paid your normal hourly rate, but you will be eligible for mileage. VitalCare views a gap greater than two hours to be personal time for the employee.

#### EXAMPLES

Employee: John			Employee: Jane		
Visit A	8:00AM	Noon	Visit C	10:00AM	Noon
Visit B	3:00PM	5:00PM	Visit D	2:00PM	5:00PM
Mileage	12 Miles between A & B		Mileage	10 Miles between A & B	

Employee John would not be eligible for his time between visits because the gap between the visits is greater than 2 hours. John would be eligible for reimbursement for 12 miles, and the actual hours worked of 6.

Employee Jane would be eligible for time between the visits because the gap is two hours or less. Jane would also be eligible for reimbursement of 10 miles. Ashley total hours for the day would be 7 hours.

If you are driving as part of your clients care plan you will be eligible for mileage reimbursement as well as your normal hourly rate.

For example, if you drive your client to a doctor's appointment during your work hours, this is considered part of your duties and you will be paid for your time in the car plus mileage reimbursement.

### 6.9.3 MILEAGE

Complete tracking of mileage in TSheets. Mileage reimbursement will be paid through the normal payroll cycle. VitalCare follows the IRS mileage reimbursement rate. The current rate information may be viewed at the IRS site;

<https://www.irs.gov/tax-professionals/standard-mileage-rates>

Please note, this feature is not currently available in the TSheets app and requires users access the TSheets website to add mileage.

Falsifying the mileage will be considered "Theft or Dishonesty" and is may result in termination of employment at the sole discretion of VitalCare.



## 6.10 NON-DISCLOSURE OF INFORMATION

The protection of confidential business information, trade secrets and patient information is vital to the interests and success of VitalCare such confidential information includes but is not limited to the following examples.

- Compensation/ salary information
- Consumer lists
- Performance appraisal information:
- Consumer Information
- Forms
- Policies and procedures

## 6.11 DISCIPLINE, COMPANY RULES AND TERMINATION

Consistent with the Standards of Conduct that each employee agrees, in writing to observe. Below is a list of rules that should help to guide your conduct. Violation of the following rules may result in termination of employment at the sole discretion of VitalCare.

- Unacceptable job performance, which may be identified through Q&A reporting.
- Insubordination; or immoral conduct of any kind.
- Theft or dishonesty.
- Bringing your child(ren) to a consumers' residence;
- Asking consumers for money or items;
- Completing anything that is considered skilled care;
- Falsifying application for employment; or falsifying time records.
- Behavior inconsistent with company policy;
- Intimidation or coercion of the other employees.
- Revealing or discussing confidential information with non-employees.
- Revealing or discussing confidential consumer information of any kind unless required by law.
- Illegal possession of controlled substances.
- Using company time for personal use.

Reminder: VitalCare has the right to discipline or terminate an employee at-will, with or without cause. This list is not all encompassing, not all inclusive and other behaviors or actions may result in company action.



## 6.12 GENERAL INFORMATION

- **Office Hours:** VitalCare offices are open Monday through Friday from 9:00am to 5:00pm.
- **On-Call Service:** VitalCare has a phone-service available to receive calls twenty-four (24) hours per day. After regular business hours, you can leave a message for the on-call supervisor by calling the office number and following the telephone prompts. 720-458-0642.
- **Telephone Usage:** Consumers telephone lines are not for personal except for urgent and important reasons. Your family and friends can call VitalCare at any time, and VitalCare will get a message to you.
- **Solicitation:** There will be no solicitation of consumers tolerated.
- **Grievance Procedure:** Any employee who feels that he/she has been the victim of discrimination because of race, color, religion, national origin, sex, age, handicap, or a victim of sexual harassment by office staff or in the consumers' home should contact one of VitalCare's Counselors or Matthew Dolph, Administrator @ 720-273-7331.
- **Revisions:** This Employee Orientation Guide may be revised from time to time as VitalCare deems necessary and appropriate. Any revised editions of this Orientation Guide will be delivered to all employees.
- **Termination:** If you as an employee wishes to terminate your employment with VitalCare then please submit it in writing. It is preferred that a 2-week notice is given. VitalCare cannot issue a final pay check if timesheets are not turned in, completed or signed by the consumer or employee.



## 7.0 CONFLICT OF INTEREST STATEMENT

Employee  
Name \_\_\_\_\_ Date \_\_\_\_\_

Check reason that applies: ☐ Initial COI Statement ☐ Change of COI Statement

Complete the following:

A) Other employment:

Company 1: \_\_\_\_\_ effective date \_\_\_\_\_

Position \_\_\_\_\_ Hours worked \_\_\_\_\_ per \_\_\_\_\_

If yes,  
explain: \_\_\_\_\_

Company 2: \_\_\_\_\_ effective date \_\_\_\_\_

Position \_\_\_\_\_ Hours worked \_\_\_\_\_ per \_\_\_\_\_

If yes,  
explain: \_\_\_\_\_

B) Other:

Explain: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Statements represent a full disclosure of my employment/professional activities

Employee or Board Member Signature \_\_\_\_\_ Date \_\_\_\_\_

For Office Use

Determination of any potential or real conflict: Yes NO

If yes, explain: \_\_\_\_\_

Recommendation of any further  
action: \_\_\_\_\_

Signature of President/CEO \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_





## 8.0 ACKNOWLEDGE OF RECEIPT AND REVIEW OF EMPLOYEE MANUAL

I acknowledge that I have read and received a copy of the Employee Manual. I understand that this manual provides an overview of VitalCare human resources and policies and does not necessarily include all procedures and policies in force. I agree to abide by the Employee Manual, and I understand that employment at VitalCare is at-will and that VitalCare can terminate my employment at any time, for any or no reason, with or without notice. I also understand that as an at-will employee, I have the same right to end my employment at any time, for any or no reason, with or without notice (2-week notice is preferred). I understand that this manual is an informational guide and not an employment contract. I acknowledge that no one at VitalCare has made any promises to me concerning my employment and that I have not relied on any oral or written statements by anyone at the company when I accepted employment with VitalCare.

Print name: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



## 9.0 ACKNOWLEDGE REVIEW OF POLICIES AND PROCEDURES (LICENSURE & HCBS)

I acknowledge that I have read, understand and have access too at all times copies of the Policies and Procedures (Licensure & HCBS). I understand that these policies provide an overview of VitalCare practices and does not necessarily include all procedures and policies in force. I agree to abide by the Agency Policies and Procedures of VitalCare.

Print name: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

