

Multicultural Community Services



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Employee Handbook

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SECTION 1: WELCOME TO MULTICULTURAL COMMUNITY SERVICES

1.1 Welcome Message

Welcome!

On behalf of your colleagues, we welcome you to Multicultural Community Services of the Pioneer Valley, Inc. (MCS) and wish you every success. We believe that each employee contributes directly to MCS's growth and success and we hope you will take pride in being a member of our team. We are proud to be a leader in the fields of residential, individual, home health and family support services for individuals with developmental disabilities.

This handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible individuals. Employees need to familiarize themselves with the contents of this handbook as soon as possible, for it will answer many questions about your employment.

We hope that your experiences at MCS will be challenging, enjoyable, and rewarding.

Sincerely,

The Board of Directors

1.2 Who We Are

Multicultural Community Services of the Pioneer Valley, Inc. (MCS) is a nonprofit human services corporation devoted to providing a wide variety of support services as well as a continuum of residential services for individuals with developmental disabilities. MCS is funded in large part by the Department of Developmental Services (DDS), and has held contracts with the DDS since 1979. MCS was founded on the belief that all people should be given the opportunity to live a normal, independent life. Most persons tend to live up to what is expected of them. In planning and programming for the consumers we serve, it must be assured that the individual retains his/her rights and his/her capacity to direct their own life.

1.3 Mission Statement

Multicultural Community Services of the Pioneer Valley is committed to providing culturally and ethnically responsive supports that enhance the capacities of individuals with developmental disabilities, and their families. With the goal of achieving meaningful social outcomes, increasing learning, and enhancing the quality of life across the lifespan.

All decisions made within MCS are made with this mission statement in mind. None of these decisions could be successfully implemented without the hard work and dedication of our employees.

1.4 MCS Belief Statements

MCS is committed to:

- Excellence in the provision of individualized services by promoting individual control, choices, and independence in life skills.
- Promoting the human rights and dignity of all people to remain free of neglect and abuse.
- Enhancing communities by supporting inclusion of all of its members.
- Providing culturally sensitive and person-centered services.
- Being a responsive, accessible, and flexible resource for individuals and families.
- Maintaining an environment that values the contributions of staff and the importance of the individual.
- Managing resources in a prudent and accountable manner.
- Promoting community awareness of MCS and its commitment to individuals with developmental disabilities and their families.
- Providing an environment that encourages learning, teaching, and enhancing quality of life.

1.5 Employee Relations Philosophy

Multicultural Community Services consistently works to provide a safe work environment and one that treats individuals with respect and dignity. We foster open communication between employees and leadership team members. The value and contribution of each team member is recognized and appreciated. Our employees are intelligent and capable individuals, confident of their ability to identify, discuss and resolve matters of concern they may experience at work.

1.6 Employment At-Will

DISCLAIMER: IMPORTANT NOTICE REGARDING YOUR AT-WILL EMPLOYMENT STATUS

MCS's Employee Handbook does not create an employment contract between yourself and MCS, and your employment with MCS is entirely at-will. That means that this Handbook does not provide you with a specified term of employment with MCS, and either MCS or you may terminate your employment at any time, with or without cause or notice, for any reason or for no reason at all. No representative of MCS except the Executive Director and/or the Board of Directors has the authority to enter into any agreement contrary to the foregoing employment at-will relationship. Any agreement regarding any aspect of your employment can only be made by the Executive Director and/or the Board of Directors, and you as the employee.

This handbook describes MCS policies in existence and as they exist at the time of this Handbook's publication. Please note that MCS can unilaterally modify, eliminate, or add to the provisions in this Handbook at any time, for any reason. This Handbook supersedes and replaces any and all prior handbooks. Any such prior handbooks are expressly revoked.

1.7 Open Door Philosophy

It is our policy to treat all employees honestly, equitably, and objectively and to strive to provide engaging and challenging opportunities and to help each employee achieve his or her greatest potential. Indeed, we strive to foster an environment that encourages open and direct communication, feedback, and discussion about any matters that are important to our employees. To help accomplish this, supervisors' doors are always open to every employee, which means that employees can speak directly with supervisors at any time about any issue.

As a general matter, it may be most efficient and expeditious for employees who have an issue, problem, question, or complaint to first discuss it with their immediate supervisor. At this level, employees usually reach the simplest, quickest, and most satisfactory solution. If the employee, for whatever reason, does not feel comfortable going to his or her direct supervisor, or if the employee is not satisfied with his or her supervisor's response, employees are encouraged to go to any other supervisor or member of management, including the Program Director or Human Resources Director. If the employee is not satisfied by the response or lack thereof, a meeting can be requested with the Executive Director by submitting a summary of the situation in writing.

MCS understands and recognizes the need to create and maintain a positive work climate and believes the way to achieve this must include, as part of the open door policy, the following:

- Effective communication, including open discussion between supervisors and employees about matters of mutual interest, including work schedules, business expectations, and management plans and a climate where employees feel free in discussing their concerns with their supervisors;
- Supervision which treats each person with dignity and recognizes individuality;
- Fair, consistent treatment of employees;
- Total compensation comparable to types of positions, geographic region, and competing industry/business;
- Opportunity for promotion based upon individual performance and ability;
- Training programs and efforts by management to upgrade the skills and abilities of the existing workforce where appropriate;
- A clean, safe, well-equipped working environment; and
- A sense of recognition and participation on the part of all our employees.

If any area of your work is causing you concern, it is your responsibility to address the concern with a supervisor or member of management. Whether it is a problem, a complaint, a suggestion, or an observation, MCS supervisors and members of management want to hear from you. By listening to you, we are able to improve, to address complaints, and to foster employee understanding of the rationale for practices, processes, and decisions. Indeed, direct and open communication is fundamental to our operations and the continuing success of MCS and, to that end, we believe that it is in the best interest of both MCS and the employee to deal directly with one another.

1.8 Whistleblower Policy

MCS is committed to the highest possible standards of legal and business conduct. In line with this commitment and MCS's commitment to open communication, this policy aims to provide an avenue for employees to raise concerns and to have reassurance that they will be protected from reprisals or victimization for whistleblowing in good faith. A whistleblower, as defined by this policy, is an employee of MCS who reports an activity to Senior Management that she/he considers in good faith to be illegal or dishonest.

In compliance with the *Sarbanes-Oxley Act's* goals to improve corporate governance and responsibility through creating measures that deal with financial reporting, conflicts of interest, corporate ethics, and oversight of accounting firms that perform MCS audits, the whistleblowing policy is intended to cover good faith concerns that could have a large impact on MCS such as actions that:

- May lead to incorrect financial reporting;
- Are a violation of federal, state, or local laws; or
- Otherwise amount to questionable or improper conduct, including billing for services not performed or for goods not delivered.

Reporting and Investigatory Procedures

The whistleblowing procedure is intended to be used for good faith concerns and sensitive issues. Good faith concerns relating to financial reporting or unethical or illegal conduct should be reported to the Executive Director, Program Director, or Human Resources Director (in person or via telephone, e-mail, or written communication). The following information should be provided:

- Description of the nature of the improper activity;
- Name(s) of the employee(s) and department(s) engaging in the activity; and
- Approximate or actual date the activity took place.

All complaints will be fully investigated and overseen by the Executive Director or his/her designee. Upon completion of the investigation, appropriate disciplinary action will be taken, if necessary.

Whistleblower Protection from Retaliation

It is MCS's policy that an employee will not be retaliated against for good faith whistleblowing. This includes, but is not limited to, protection from retaliation in the form of an adverse employment action such as termination, compensation decrease, or poor work assignments. If the employee believes that they have been retaliated against, they should contact the Executive Director. The Executive Director and/or his/her designee will investigate the alleged retaliation. If the investigation confirms that the employee was retaliated against because of their whistleblowing, MCS will take appropriate corrective actions. Discipline imposed for allegations made in bad faith, with malice, or with the knowledge to be false is not retaliatory under this policy.

1.9 Grievance Guidelines

Policy - MCS seeks to maintain high level of satisfactory working conditions for all employees. No one is perfect. Misunderstandings and disagreements do arise. To promote the efficient and smooth operation of the Agency, as well as the harmonious work environment we are striving to maintain, it is of the utmost importance that grievances be promptly and fairly heard. Every effort should be made to resolve grievances at the earliest possible time and at the lowest possible steps in this grievance procedure.

Applicability- This policy is applicable to all MCS Employees. The Grievance Process is a method of handling complaints concerning the application of policy as it relates to individual employees. THE GRIEVANCE PROCESS MAY NOT BE USED TO REQUEST CHANGES IN POLICY, TO ADDRESS TERMINATIONS DUE TO A REDUCTION IN STAFF, OR TO ADDRESS FAILURES TO EXTEND EMPLOYMENT BEYOND A PREVIOUSLY ESTABLISHED TERM.

Definition- A grievance is a complaint by an employee who expresses dissatisfaction with the application of some practice of employment or policy to the individual employee. A grievance usually expresses dissatisfaction with some practice of employment which has not been resolved at the normal supervisory level and cannot be resolved through any other established MCS system of review.

Take these matters up with your immediate supervisor promptly, no more than three (3) days after the event. If you are not satisfied with the answer, write down the facts as you understand them and the policy not properly administered, in your opinion, together with a brief explanation of your reasons. Show this to your supervisor and he/she will initial it. Then present your statement to your Program Director within five (5) days. If you or the Program Director desire assistance from Human Resources, you may request it. Human Resources' job is to be objective and assist you and your manager to arrive at an understanding and an accommodation. Finally, if you want to appeal further, make arrangements to meet with either the Program Director or his or her designee. Your request is to be accompanied by your written presentation and any additional memos. No

memo will be accepted from you or the department manager that is not initialed by the other party, indicating that they have seen the document and have had an opportunity to read it. Your initials do not indicate your agreement with the facts as stated therein.

An interview will then be held. If additional investigation is required, the Executive Director or his or her designee will conduct same. A final answer, in writing, together with the reasons for the decision, will be given to you and made a part of your personnel file. This will be accomplished within ten (10) days of your appeal.

SECTION 2: CODE OF CONDUCT

MCS's Code of Conduct provides guidance for professional conduct, which all employees must adhere to. The success and reputation of MCS in fulfilling its mission depends on the honesty, integrity, and good judgment of all employees. It is the obligation of all MCS employees to uphold the highest ethical and moral standards and to comply fully with all relevant law and MCS policies. The Code of Conduct includes, but is not limited to, the following:

- Assure that all actions and behaviors promote the favorable image of MCS, its management, and Board members;
- Avoid potential conflict of interest and personal gain or any appearance of a conflict or impropriety; and
- Promote the integrity, reputation, administration, and operations of all the affairs of MCS and avoid any conduct, whether on or off duty, that could cause embarrassment or disrespect to MCS.

2.1 Statement of Confidentiality

Employees at MCS will, in the course of their employment, have access to information and/or view documents about clients and/or the business that is private, sensitive, and/or confidential in nature. Confidential information is defined as any information, whether verbal or written, which pertains to or references in any way MCS's clients, business and/or business strategies, including, but not limited to, records or documents containing the following: treatment information; medical information; financial information; criminal information; information about clients' families and backgrounds; information about clients' participation in MCS programs; and information concerning the business of MCS, such as financial information, contracts, or other procedures, techniques, or processes of MCS. The definition of confidential information does not include an employee's own wage information or information about other terms and conditions of his or her employment protected by the National Labor Relations Act.

Employees must maintain the confidentiality of such information and documents in order to protect the privacy rights of clients and may not disclose or reveal such confidential information to anyone except as required in the course of their job and/or by applicable law. All client information must be kept strictly confidential. Each employee is

responsible for knowing and following the relevant confidentiality laws concerning their client population.

Confidentiality of such information extends indefinitely into the future, beyond the employment relationship. This means that you cannot, at any point in time, discuss clients and/or client matters with your family, your friends, or any other persons who have no reason to know such information.

Following their departure from MCS, employees are prohibited from using or retaining copies of any confidential information or any other documents or other proprietary information, whether in paper or electronic form.

Employees who violate MCS' confidentiality policy are subject to disciplinary action, up to and including termination.

2.2 Conflict of Interest

Every employee of MCS has a responsibility to promote MCS's best interests and observe the highest standards of honesty and integrity. No employee may engage in any conduct or activities that are inconsistent with MCS's best interests or that in any manner disrupt, undermine, or impair MCS's relationship with any clients or prospective clients or any outside organization, person, or entity with which MCS has or proposes to enter into an arrangement, agreement, or contractual relationship of any kind. Employees must base business decisions on the needs and interests of MCS rather than their own personal interests.

An actual, apparent, or potential conflict of interest occurs, for example, when an employee is in a position to influence a decision that may result in a personal gain for that employee or for someone in a personal relationship with the employee, as a result of MCS's business dealings. For the purpose of this policy, someone with whom an employee has a personal relationship is defined by the same parameters as the definition given under the policy entitled *Hiring of Relatives*. Personal gain may result where an employee or relative has a significant ownership in a firm with which MCS does business. Personal gain may also result when an employee or relative receives any consideration, financial, personal, or otherwise, as a result of any transactions or business dealings involving MCS.

Actual conflicts of interest must be avoided. Even the appearance of a conflict of interest could harm MCS and, therefore, must be avoided. MCS reserves the right to determine the relationships that present actual or potential conflicts of interest. If an employee has any influence on transactions involving purchases, contracts, or leases, it is imperative and mandated that he or she disclose to an officer of the organization as soon as possible the existence of any actual or potential conflict of interest so that safeguards can be established to protect all parties. Lack of such notice in itself will be grounds for immediate dismissal, should MCS deem the situation serious enough to warrant such action.

2.3 Ethics

Employees shall not discuss the people we serve, their families, or their individual circumstances or personal lives, except as necessary in the performance of their duties. All employee behavior should be consistent with existing ethical and legal codes.

2.4 Interaction with Clients

Interactions with clients must be handled with kindness and understanding within a structured program. MCS has zero tolerance for verbal abuse of clients or derogatory language about clients or their families. Clients may not be deprived of food or visits with family or other persons who have meaning to them as punishment. No physical restraint may be used with any client unless necessary to prevent serious bodily harm upon him/her or any other person. Any employee accused of improper interaction with a client will be relieved of their duties without pay pending an investigation and report of findings.

2.5 Reporting Suspected Client Neglect or Abuse

Client neglect or abuse are serious concerns for all of us who are involved in providing care and services to the developmentally disabled. As an MCS employee you are considered a Mandated Reporter. Mandated Reporters are persons who, as a result of their profession, are more likely to be aware of abuse or neglect of persons with disabilities. Mandated Reporters are required by law to report to the Disabled Persons Protection Commission (D.P.P.C.) when they have a reasonable suspicion to believe that a person with a disability is suffering from abuse or neglect

Phone numbers in case of suspected abuse or neglect are:

Under 18 years - Department of Children and Families	1-800-792-5200
18 to 59 years (and Disabled) – D.P.P.C	1-800-426-9009
60+ years – Executive Office of Elder Affairs	1-800-922-2275
Resident of Hospital/Nursing Home – D.P.H.	1-800-462-5540

2.6 Equal Employment Opportunity

MCS has zero tolerance for discrimination and does not discriminate in employment opportunities or practices on the basis of race, color, religion, sex, sexual orientation, gender identity, national origin, age, handicap or disability, ancestry, genetic information, military status, or any other characteristic protected by law.

Employees with questions or concerns about any type of discrimination in the workplace are encouraged to bring these issues to the attention of the Human Resource Director, 1000 Wilbraham Road, Springfield, MA 01109, (413) 782-2500 or the Executive Director. 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 discharge.

2.7 Sexual and Other Illegal Harassment

It is the goal of MCS to promote a workplace that is free of sexual and other illegal harassment. Sexual and other illegal harassment of employees occurring in the workplace or in other settings in which employees may find themselves in connection with their employment is unlawful and will not be tolerated by MCS.

MCS believes that all employees should be able to enjoy a work environment free of unlawful discrimination and harassment. MCS will not tolerate any harassment that is considered illegal under applicable law, including harassment based on the following: race, color, religion, sex, sexual orientation, gender identity, national origin, age, handicap or disability, ancestry, genetic information, military status, and such other protected categories as may be adopted by state or federal law.

All types of illegal harassment should be reported and will be handled in the same manner as sexual harassment claims as outlined below.

In Massachusetts, "sexual harassment" means sexual advances, requests for sexual favors, and verbal or physical conduct of a sexual nature when:

- (a) submission to or rejection of such advances, requests, or conduct is made either explicitly or implicitly a term or condition of employment or as a basis for employment decisions; or
- (b) such advances, requests, or conduct have the purpose or effect of unreasonably interfering with an individual's work performance by creating an intimidating, hostile, humiliating, or sexually offensive work environment.

Direct or implied requests by a supervisor for sexual favors in exchange for actual or promised job benefits such as favorable reviews, salary increases, promotions, increased benefits, or continued employment constitutes sexual harassment.

The legal definition of sexual harassment is broad and in addition to the above, other sexually oriented conduct, whether it is intended or not, that is unwelcome and has the effect of creating a workplace environment that is hostile, offensive, intimidating, or humiliating to male or female workers may also constitute sexual harassment.

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

- Unwelcome sexual advances – whether they involve physical touching or not;

- Sexual epithets, jokes, written or oral references to sexual conduct, gossip regarding one's sex life;
- Comment on an individual's body, comment about an individual's sexual activity, deficiencies, or prowess;
- Displaying sexually suggestive objects, pictures, or cartoons;
- Unwelcome leering, whistling, brushing against the body, sexual gestures, suggestive or insulting comments;
- Inquiries into one's sexual experiences; and
- Discussion of one's sexual activities.

Harassment will not be tolerated even if it takes place using electronic and/or social media, such as through the use of e-mail, voice mail, instant messaging, blog posts, text messages, and other forms of electronic communications and/or use of social media.

Complaints of Sexual or Other Illegal Harassment

To achieve our goal of providing a workplace free from sexual and other illegal harassment, MCS has provided a procedure by which sexual or other illegal harassment will be dealt with, if encountered by employees. Because MCS has zero tolerance for illegal harassment and takes all allegations of illegal harassment seriously, we will respond promptly to all complaints of harassment. Where it is determined that such inappropriate conduct has occurred, we will act promptly to eliminate the conduct and impose such corrective action as is necessary, up to and including termination.

If any employee believes that he or she has been subjected to harassment by another employee, supervisor or manager, clients, visitor, business partner, vendor, or supplier, the employee has an obligation to file a complaint with MCS. This may be done in writing or orally.

If you would like to file a complaint, you may do so by contacting the Human Resource Director, 1000 Wilbraham Road, Springfield, MA 01109, (413) 782-2500; or the Executive Director or his designee. These individuals are also available to discuss any concerns you may have and to provide information to you about our policy against harassment and our complaint process.

Harassment Investigation

When we receive a complaint we will promptly investigate the allegation in a fair and expeditious manner. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. Our investigation will include a private interview with the person filing the complaint and with witnesses. We will also interview the person alleged to have committed the harassment. When we have completed our investigation, we will, to the extent appropriate, inform the person filing the complaint and the person alleged to have committed the conduct of the results of that investigation.

If it is determined that inappropriate conduct has occurred, we will act promptly to eliminate the offending conduct, and where it is appropriate we will also impose disciplinary action.

Disciplinary Action

If it is determined that inappropriate conduct has occurred, we will take such action as is appropriate under the circumstances. Such action may range from counseling to termination and may include such other forms of disciplinary action as we deem appropriate under the circumstances.

Please note that while this policy sets forth our goals of promoting a workplace that is free of harassment, our policy is not designed or intended to limit our authority to discipline or take remedial action for workplace conduct which we deem unacceptable, regardless of whether that conduct satisfies the definitions of harassment above.

Retaliation

All employees should take special note that retaliation against an individual who has complained about harassment, and retaliation against individuals for cooperating with an investigation of a harassment complaint is unlawful and will not be tolerated by MCS.

State and Federal Remedies

In addition to the above, if you believe you have been subjected to illegal harassment, you may file a formal complaint with either or both of the government agencies set forth below. Using our complaint process does not prohibit you from filing a complaint with these agencies. Each of the agencies has a short time period for filing a claim (EEOC - 300 days; MCAD - 300 days).

1. The United States Equal Employment Opportunity Commission ("EEOC"),
John F. Kennedy Federal Building, 475 Government Center, Boston, MA
02203, (800) 669-4000.
2. The Massachusetts Commission Against Discrimination ("MCAD")
Springfield Office: 436 Dwight Street, Rm. 220, Springfield, MA 01103, (413)
739-2145.
Boston Office: One Ashburton Place, Rm. 601, Boston, MA 02108,
(617) 994-6000.

2.8 Pregnant Workers Fairness Act

The Pregnant Workers Fairness Act requires to employers to reasonably accommodate employees due to pregnancy and/or pregnancy related conditions, including but not limited to, lactation or the need to express breast milk for a nursing child. It is the policy

of MCS to comply with all federal and state laws concerning the employment of pregnant person and persons with conditions related to pregnancy.

It is MCS policy not to discriminate against pregnant employees or those persons with conditions related to pregnancies as defined under state and federal law with regard to application procedures, hiring, advancement, discharge, compensation, training, or other terms, conditions, and privileges of employment.

MCS will accommodate pregnant individuals and those with pregnancy-related conditions as defined under state and or federal law if the accommodation is reasonable and does not impose an undue hardship and if the individual can, either with or without the accommodation, perform the essential functions of a job. If you believe that you are pregnant or have a pregnancy-related condition and that you need an accommodation to perform the essential functions of your job, it is your responsibility to communicate with Human Resources.

Any pregnant applicant or applicant with pregnancy-related condition who can perform the essential functions of a job with or without reasonable accommodation, without undue hardship, will be given the same consideration for that position as any other applicant. Under certain circumstances, MCS may seek medical documentation supporting the employee's need for an accommodation.

The Human Resources Dept. is responsible for implementing this policy, including resolution of reasonable accommodation, safety, and undue hardship issues.

2.9 Workplace Violence

The safety and security of our employees, clients, guests, vendors, and suppliers is important to MCS. MCS has zero tolerance for threats of violence, threatening or intimidating behavior, and acts of violence against employees, clients, guests, vendors, and suppliers.

Examples of violations of this policy include, but are not limited to:

- Participation in, provoking, or otherwise contributing to any threat or violent act at the workplace;
- Abuse, assault, battery, oral or written threats, intimidation, or harassment; or
- Possession of a firearm or any other type of weapon on MCS property.

Any employee who becomes aware of acts or threats of violence or intimidating behavior must immediately report it to his or her supervisor or Human Resources. Reports of acts or threats of violence will be handled with the greatest degree of confidentiality possible and should be made without fear of reprisal. MCS will thoroughly investigate all reports of acts or threats of violence and take appropriate action.

2.10 Drug and Alcohol Free Workplace

MCS is committed to providing a safe and productive workplace, free from the effects of alcohol, illegal drugs, and controlled substances.

Accordingly, no employee may be under the influence of alcohol and/or illegal drugs while working or while on MCS property, including while operating a vehicle or equipment owned or leased by a project of MCS. No employee may be under the influence of prescription drugs or over-the-counter drugs that adversely affect the employee's ability to safely and effectively perform his or her job duties. Employees are also prohibited from misusing legally prescribed and/or over-the-counter drugs, which includes taking medication not prescribed to you or not in accordance with your prescription.

Furthermore, the unlawful manufacture, distribution, transfer, purchase, sale, possession, or use of alcohol, illegal drugs, controlled substances, and/or drug paraphernalia during working hours, while on MCS property, while conducting MCS business off MCS property, or while operating a vehicle or equipment owned or leased by MCS is prohibited.

Any employee who is convicted of a criminal drug violation in the workplace must notify his or her supervisor in writing within five (5) calendar days of the conviction. MCS will take appropriate action within thirty (30) days of notification. Federal contracting agencies will be notified when appropriate.

Employees in a safety-sensitive position may be asked to submit to a drug and/or alcohol test randomly or if reasonable suspicion exists to indicate that the employee may be under the influence of an intoxicating substance.

Violations of this policy will result in disciplinary action, up to and including termination.

2.11 Social Media Policy

In the rapidly expanding world of electronic communication, social media can mean many things. Social media includes all means of communicating or posting information or content of any sort on the internet, including to your own or someone else's web log or blog, journal or diary, personal website, social networking or affinity website, web bulletin board or chat room, whether or not associated or affiliated with MCS, as well as any other form of electronic communication including but not limited to Facebook, Instagram, Myspace, Twitter, LinkedIn, Google+, Google Wave, Foursquare, YouTube, Myspace TV, and Google Video.

The same principles and guidelines found in MCS's policies contained in this Handbook apply to your activities online. Ultimately, you are solely responsible for what you post online. Before creating online content, consider some of the risks and rewards that are involved. Keep in mind that any of your conduct that adversely affects your job

performance, the performance of co-workers, or otherwise adversely affects clients, suppliers, people who work on behalf of MCS or MCS's legitimate business interests may result in disciplinary action up to and including termination.

Know and follow the rules

Carefully read these guidelines, MCS's Code of Conduct, and the policies contained in this Handbook, and ensure your postings are consistent with these policies. Inappropriate postings that may include discriminatory remarks, harassment, threats of violence, or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.

Be respectful

Always be fair and courteous. Also, keep in mind that you are more likely to resolve work related complaints by speaking directly with your co-workers than by posting complaints to a social media outlet. Nevertheless, if you decide to post complaints or criticism, avoid using statements, photographs, video, or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, or that might constitute harassment or bullying. Examples of such conduct might include offensive posts meant to upset, or intentionally harm someone, or reasonably cause emotional distress, or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion, or any other status protected by law.

Be honest and accurate

Be honest and accurate when posting information or news, and if you make a mistake, correct it quickly. Be open about any previous posts you have altered. Remember that the internet archives almost everything; therefore, even deleted postings can be searched. Never post any information or rumors that you know to be false about MCS, supervisors, co-workers, clients, suppliers, or people working on behalf of MCS.

Post only appropriate and respectful content

Maintain the confidentiality of MCS's proprietary or confidential information. Proprietary information includes information regarding the development of systems, processes, products, trade secrets, and technology. Do not post internal reports, policies, procedures or other internal business-related confidential communications. Do not create a link from your blog, website, or other social networking site to an MCS website without identifying yourself as an MCS employee. Express only your personal opinions. Never represent yourself as a spokesperson for MCS. If MCS is a subject of the content you are creating, be clear and open about the fact that you are an employee and make it clear that your views do not represent those of MCS, or its managers, co-workers, clients, suppliers, or people working on behalf of MCS. If you do publish a blog or post online related to the work you do or subjects associated with MCS, make it clear that you are not speaking on behalf of MCS. It is best to include a disclaimer such

as “The postings on this site are my own and do not necessarily reflect the views of MCS.”

Using social media at work

Refrain from using social media while on work time or on equipment we provide, unless it is work-related as authorized by your supervisor. Do not use MCS e-mail addresses to register on social networks, blogs, or other online tools utilized for personal use.

Retaliation is prohibited

MCS prohibits taking negative action against any employee for reporting a possible deviation from this policy or for cooperating in an investigation. Any employee who retaliates against another employee for reporting a possible deviation from this policy or for cooperating in an investigation will be subject to disciplinary action, up to and including termination.

If you have questions or need further guidance, please contact your supervisor or Human Resources.

2.12 Legal Compliance

MCS is committed to full compliance with all state and federal laws and shall cooperate with reasonable demands made in any government investigation. If possible, MCS seeks to address any problems before the need for government investigation or other legal action arises, and to protect the legal rights of MCS and its employees.

Any MCS employee who receives a subpoena, search warrant, or inquiry in regards to MCS’s business or other legal documentation shall immediately notify his/her supervisor or any other MCS supervisor, who will contact the MCS Executive Director. Legal advice, if merited will be sought to determine a course of action.

SECTION 3: EMPLOYMENT GUIDELINES AND PRACTICES

3.1 Recruitment, Selection and Hiring

MCS’s goal in recruitment and selection is to hire and retain, in its best judgment, the most qualified individuals. Managers are encouraged to first consider applicants from within their department or others from within the agency who express interest in the position. **All open positions must be posted internally for a minimum of 1 week before a hiring decision can be finalized.** The appropriate authorization is required to initiate any action for an open position, including any recruitment efforts, advertising,

interviewing and offers of employment, and is required to extend any offers of employment to any candidate. **No one under age 18 may be employed for any job and a valid driver's license is required for employment.**

If the position remains unfilled after internal recruitment, Human Resources will assist departments by coordinating all aspects of the employment process to present the hiring departments with qualified applicants from a variety of sources external to the agency. The recruitment process, application review, reference and background checking, fingerprinting, and the selection and hiring processes for all Staff positions are subject to pertinent Federal and State laws and regulations. Recruitment efforts are coordinated by Human Resources to ensure compliance with these laws and regulations.

Employment decisions are based on qualifications and are made without regard to race, color, national or ethnic origin, sex, disability, veteran status, or age except where a specific characteristic is considered a "bona fide occupational qualification" for a specific position.

3.2 Interview Process

The HR department and the hiring manager will screen applications and resumes prior to scheduling interviews.

Supervisors must use the **Application Flow Sheet** form and notify the HR department of all interviews conducted. All applications and resumes of applicants not selected must be forwarded to the HR department for retention.

The HR department will notify applicants who are not selected for positions.

3.3 Contingent Offer of Employment

After a decision has been made to hire a particular candidate, an offer of employment will be made to that individual contingent on satisfactory completion of reference checks, criminal background checks, DPPC Abuser Registry checks, and DDS/EEC fingerprinting (if required).

3.4 Background Check Reviews

New applicants and former employees eligible for rehire (who have been inactive for more than 3 months) will be subject to all applicable background check procedures to be hired. Current employees and former employees will be subject to all re-employment background checks and drug testing procedures when there is a break in service of 3

months or more. This policy includes those volunteers or other employees employed in positions covered under the Protection of Minors Act.

MCS conducts various background checks on applicants for employment to ensure that individuals who join the agency workforce are qualified, have potential to be productive and successful, and have honestly presented their qualifications on the Employment Application. Because of the legal implications of these processes, the Human Resources Department coordinates the collection of all such information. All offers of employment are made contingent upon the successful completion of all applicable background checks and the selected individual may not begin employment until background checks are completed. This process may also apply to any current employee who is promoted or has a change of hours. MCS will keep all information attained as part of the employment process strictly confidential.

3.5 Criminal Records Verification

Human Resources will verify the criminal record information provided on the online MA CORI system for individuals to whom offers of employment are made. A basic verification includes a check of felony and misdemeanor conviction records in the applicant's county or counties of residence. A more extensive background/records check may be conducted based on the requirements of a specific position and/or requirements of a funding source (DDS, EEC).

3.6 Pre-Employment Drug Testing & Physical Examinations

MCS does not generally require pre-Employment Drug Testing or pre-employment physical examinations as a condition of employment. However, the agency reserves the right to require post-offer, pre-Employment Drug Testing or pre-employment physical exams in circumstances where the nature of the work renders it appropriate or where Federal law or regulation requires.

3.7 Pre-Employment Reference Checks

MCS will conduct a reference review prior to extending an offer of employment. This process will apply to all final candidates regardless of the position. This review is used to validate information on a candidate's resume and will add clarity to the interview process. The reference check will be conducted by the hiring manager or Human Resources in compliance with federal and state statutes, such as the Fair Credit Reporting Act. Information gathered will include that pertaining to the quality and quantity of work performed, attendance, education and other work-related information. Prospective employees will be asked to supply at least two professional references. In

addition, internal candidates will have their performance management records reviewed and internal references will be sought.

3.8 DPPC Abuser Registry Checks

Human Resources will verify the information provided on the online DPPC Abuser Registry before an offer of employment is made. The DPPC Abuser Registry is intended to protect individuals with intellectual or developmental disabilities (“I/DD”) by barring care providers who have a substantiated finding of registrable abuse from working with other persons with intellectual or developmental disabilities. Employers must screen everyone seeking to be hired as a care provider (a care provider is someone who is or will be working for you and may provide services or treatment to people with I/DD)., or anyone who may be called on to function in a care provider role.

MCS is prohibited from hiring someone whose name is listed on the DPPC Abuser Registry to work as a care provider. There are NO exceptions.

3.9 Job Offers

If the HR department receives satisfactory results from the reference checks, criminal background check, fingerprinting, and pre-Employment Drug Testing or pre-employment physical examination, then the hiring supervisor will be able to notify the candidate to confirm the job offer and initiate the hiring orientation. It is an explicit violation of this policy to offer employment without the offer being contingent on the successful completion of all pre-employment procedures applicable to the position, and extending an offer that does not comply with employment or compensation policies of MCS.

3.10 Initial Start Date and Orientation

On an employee's start date, the employee will complete required paperwork at an orientation with the HR department. The new employee's manager or supervisor is responsible for providing a departmental orientation for the new employee and review departmental policies and procedures.

3.11 Immigration and Employment Issues

MCS is committed to employing only U.S. citizens and non-citizens authorized to work in the United States in compliance with the Immigration Reform and Control Act of 1986. Federal law requires employers to verify the identity and employment authorization of all newly hired (or rehired) employees by ensuring each employee's completion of Form I-9, Employment Eligibility Verification, within three business days of the start date of.

To verify Section Two of Form I-9, the newly hired (or rehired) employee must present original, unexpired documentation to verify identity and employment authorization to Human Resources. This step must be completed within three business days of the start date of employment. If a receipt for replacement documents is presented, actual documents must be provided within 90 days of an employee's start date of employment.

3.12 New Employee Training Period

All employees will be subject to a new employee training period during the first 90 days of their employment, including employees rehired after a separation. The purpose of this period is to assess the employee's performance, progress, attendance, behavior, and general attitude. During this period, employees must orient themselves with procedures, MCS policies, and the requirements of their position. The 90-day training period likewise applies to employees who are transferred, promoted, or who otherwise assume a new position or job classification within MCS. This period may be extended under certain circumstances. Employees must complete all trainings required for their position within this period.

Employees are expected to successfully pass through the training period to become a regular employee. There may be occasions during the training period, or after, when despite training efforts, the new employee is not able to grasp the essential requirements of the job. Additionally, the employee may not demonstrate the commitment and responsibility required to become a regular employee. Should such a point be reached, the new employee's employment with MCS may be terminated.

At all times during and after the training period, employees are at-will and, as noted above, may quit or be terminated with or without cause or notice, for any reason or for no reason at all. Any benefits offered to employees, if and to the extent they are applicable, do not commence until 30 days as of the date you become eligible for benefits unless otherwise provided by law.

3.13 Employee Classifications

1. Regular full-time: Employees who are normally scheduled to work at least 40 hours per week. Regular full-time employees are eligible for the complete benefit package outlined in this Handbook, subject to the terms, conditions, and limitations of each benefit program.
2. Regular part-time: Employees who are normally scheduled to work at least 20, but less than 40, hours per week. Regular part-time employees are eligible for some, but not all, employee benefits outlined in this Handbook, subject to the terms, conditions, and limitations of each benefit program.
3. Relief: Employees who work less than 20 hours per week. A relief employee is not eligible for most employee benefits outlined in this Handbook.

4. Temporary: Employees engaged for a specific maximum period of time, usually less than six months. Temporary employment is on an at-will basis during this temporary duration and may be either full- or part-time. A temporary employee is not eligible for most employee benefits outlined in this Handbook.
5. Intern/Volunteer: Interns and volunteers are not eligible for most benefits outlined in this Handbook.

Exempt/Non-Exempt

Each employee is designated as either NON-EXEMPT or EXEMPT in accordance with federal and state wage and hour laws. NON-EXEMPT employees are entitled to overtime pay under specific provisions of federal and state law; however, unauthorized overtime work is a violation of policy and may result in disciplinary action. All overtime must be approved in advance by a supervisor, with the exception of an emergency situation. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws and, therefore, are generally not entitled to overtime pay.

Please remember that all employment, regardless of classification, is employment at-will, which means that either you or MCS can end the employment relationship at any time, with or without notice and with or without reason.

3.14 Dates of Employment and Anniversary Date

Your date of employment is the date on which you were actually hired and became an MCS employee. It will always remain constant. Your anniversary date is initially your date of employment, but will change as a result of promotions, transfers to new positions, leaves of absence, and other such actions.

3.15 Attendance

Regular and punctual attendance is an essential requirement of each employee's job. Absenteeism and tardiness place an undue burden on other employees and impair our ability to do our jobs and operate the business properly. For these reasons, tardiness to work and unexcused absences from work will not be tolerated. If you cannot report to work as scheduled, you must notify your supervisor as soon as possible, but no later than three (3) hours before the start of your shift. It is not sufficient to call in and leave a message with a co-worker or someone else who is not in a supervisory position. Failure to provide proper notice, tardiness, and unexcused absences may result in disciplinary action, up to and possibly including discharge. Unexcused absences occur when an employee has not received approval for his or her absence from his or her supervisor.

Inclement weather: During inclement weather, employees should plan accordingly to insure prompt arrival at work. Where hazardous conditions may cause closures, employees should call their supervisor in advance to find out whether to report to work.

Job abandonment: Not reporting to work and not calling to report the absence is a no call/no show and is a serious matter and may result in termination of employment. A no call/no show lasting three consecutive work days may be considered job abandonment and may result in immediate termination of employment. It is the responsibility of the employee to contact his/her supervisor and follow the MCS Attendance policy above.

Tardiness: An employee is considered late if he or she reports to work more than five minutes after the scheduled starting time or after the expiration of a break or meal period; an early departure is one in which the employee leaves before the scheduled end of his or her shift.

3.16 Hours of Work

For MCS to operate efficiently, hourly employees must adhere to their scheduled hours of work. Specifically, hourly employees must be ready to start work at the scheduled start time and continue working until the scheduled hours are completed or if assigned to a job on which the employee is to be replaced by another employee, until replaced and relieved from duty. Should the expected replacement employee not arrive by the end of an employee's regularly scheduled hours, the employee must immediately contact the Program Coordinator or Site Manager. **Hourly employees are not permitted to work outside of their regularly scheduled hours and are not authorized to work overtime without the express permission of the Executive Director, Program Director, and/or Program Coordinator.**

3.17 Overtime

Overtime compensation is paid to hourly (non-exempt) employees for all hours *actually* worked in excess of forty (40) hours in a given work week. Overtime compensation is paid at a rate of one and one-half times the employee's regular rate of pay. Vacation time, sick time, personal time, holidays, or any leave of absence will not be considered hours worked when calculating overtime.

All overtime must be approved by the Executive Director, Program Director, and/or Program Coordinator prior to working overtime hours.

3.18 Dress Code and Appearance Standards

MCS employee acknowledges that his/her primary responsibility, above all is to the individuals served by this agency whose lives are so immediately affected by his/her professional conduct, appearance, dress and activity.

The employee recognizes their obligation to dress in appropriate clothing befitting their position. Direct Care employees and other employees who work in the programs, care for individual(s) and who take individual(s) out into the community are role models for the individual(s) and are representatives of this agency. Clothing must be weather appropriate: no flip-flops, bathing suits (unless at the beach or a pool), no loose revealing clothing or clothing that is too tight and revealing. Direct Care employees working in the site should wear comfortable pants (i.e. jeans), comfortable foot wears (i.e. Sneakers, appropriate flats, no heels higher than 1 ½ inches) and comfortable shirt wear (no t-shirts with inappropriate language or pictures on the shirt).

Jewelry should be kept at a minimum with no jewelry that may get caught or pulled out (large dangling earrings, or other facial jewelry that may be at risk of being pulled by an individual). Natural or artificial nails longer than ¼ inch will not be allowed. This is the recommendation by the CDC for Health Care settings where employees are assisting in meal prep, hygiene (bathing, showering, brushing teeth, etc.), medical or wound care including disinfecting medical equipment, household cleaning, and restraints or physical holds/escorts

The employee pledges to dedicate him or herself fully to providing the individual with an environment conducive to personal growth, learning and a heightened sense of self-esteem.

In relation to the community, the MCS employee shall:

- Act at all times as a professional representative of the agency, maintaining a concern for the image and reputation of Multicultural Community Services, Inc.
- Dress in a professional manner to command respect from the public, various specialists and the professionals within the community, but most of all out of the respect for the individual(s).
- **Adherence to the MCS Employee Dress Code & Appearance shall be a condition of employment.**

If you have any questions about proper attire, please speak to your supervisor.

3.19 Personal Cell Phone Use

Employees are paid to work, not to make or receive personal phone calls or send text messages. Any such personal phone use must be kept to a minimum.

- While in the presence of a client, cell phones should be placed on vibrate mode and kept in a discreet location, out of the view of clients.
- During work hours, cell phone use must be limited to essential/emergency phone calls only.
- Staff is expected to turn off cell phones or put cell phones on vibration mode during meetings and trainings.

Staff members working in the community are permitted to carry their personal cell phones in the event of an emergency. Discretion should be used when using a cell phone in the community because, as an MCS employee caring for a client, you are representing the agency. Employees are expected to attend to the individuals they are providing care for, not to their personal electronic devices.

Personal calls during the work day, regardless of the telephone used, interfere with employee productivity, are distracting to others, and must be limited to emergency situations.

3.20 Safe Use of Cell Phones in Vehicles

MCS believes that the safe use of cell phones is the utmost importance. Employees are required to comply with all local, state and federal laws regarding the use of wireless phones or other electronic devices while driving. All employees must use a hands free device while driving. Whenever possible, employees should not make or receive telephone calls while driving. Employees should let incoming calls go to their voicemail and then find a safe place to pull over and park before initiating a call. Under no circumstances should employees use wireless phones and other electronic devices while driving during inclement weather or difficult traffic conditions. Employees should refrain from or terminate cellular calls involving emotional or stressful conversations. Employees must not use cell phones while they are driving on MCS business or transporting MCS clients.

3.21 Video or Audio Recording Devices

The use of camera phones, PDA's, or other audio or video-recording capable devices within MCS or any of its properties where clients may be present may constitute unlawful wiretapping, invasion of privacy, and/or breach of confidentiality. Therefore, the use of cameras or other audio- or video-recording devices within the agency is prohibited without the express prior permission of MCS's Executive Director and the express consent of the person(s) present at the time. This prohibition is specifically applicable to all agency sites and outreach settings.

Any violations of this policy will result in disciplinary action, up to and including termination of employment.

MCS will not be liable for the loss of personal cellular phones, PDA's, or any electronic device brought into the workplace.

3.22 Computer, Internet, and Electronic Communications

Employees at MCS will have the opportunity to utilize its computers, e-mail, internet, telephone, voice mail and fax systems (collectively "electronic resources") for work

purposes while on duty. Employees are provided with access to these electronic resources to assist them in the performance of their jobs. Such electronic resources are the sole property of MCS and may only be used for legitimate business purposes. All employees have a responsibility to use MCS's electronic resources in a professional, lawful, and ethical manner and any abuse of electronic resources may result in disciplinary action, up to and including termination.

No Expectation of Privacy

As employees are given access to electronic resources to assist them in the performance of their jobs, employees should have no expectation of privacy when using electronic resources, including anything they create, store, send, or receive using MCS's electronic resources. Employees expressly waive any right of privacy when using MCS electronic resources and/or in anything they create, store, send, or receive using MCS's computer equipment or internet access. Employees understand that MCS may review, access or monitor its electronic resources, including all materials created, stored, sent, or received by employees through any MCS network or internet connection and consent to this.

Prohibited Uses

MCS's electronic resources are to be used for work purposes. Thus, MCS's electronic resources may not be used to send, view, or store commercial or personal advertisements, solicitations, promotions, destructive codes (e.g., viruses, self-replicating programs, etc.), political material, pornographic text or images, or any other unauthorized materials. Employees may not use MCS's internet connection to download music, games or other entertainment software (including screen savers), or to play music or games over the internet. Additionally, employees may not use MCS's electronic resources in any fraudulent, harassing, profane, obscene, intimidating, defamatory, or otherwise inappropriate or unlawful manner. Furthermore, anyone receiving such materials should notify their supervisor immediately.

Download and Copying Requirements

No files may be downloaded for personal use. Employees may not copy material protected under copyright law or make that material available to others for copying. Employees are responsible for complying with copyright law and applicable licenses that may apply to software, files, graphics, documents, messages, and other material they wish to download or copy. Employees may not agree to a license or download any material for which a registration fee is charged without first obtaining the express written permission of their supervisor.

Professional Conduct

All e-mails and correspondence must be composed to meet high professional and ethical standards. E-mails are official, permanent MCS documents and must represent the considered opinion of MCS. In particular, angry, abusive, or flip language is not acceptable. Employees are prohibited from defaming any employee and from making offensive or harassing statements using electronic resources. Sending, receiving, or soliciting sexually oriented messages or images is also prohibited. E-mails can be forwarded in unexpected ways and recipients can be unknown. Be sure that your e-mail content is always appropriate.

Remote Access

This includes connecting to MCS's network (or any network managed by MCS) from an outside entity. These requirements are designed to minimize the potential exposure to MCS from damages which may result from unauthorized use of MCA resources. These damages include the loss of sensitive or confidential information, damage to public image and damage to critical MCS internal systems. All remote access users are expected comply with MCS policies, may not perform illegal activities, and may not use the access for outside business interests

Storage of confidential information on any non-MCS owned device is prohibited. Authorized users must protect their login credentials and must not share them with anyone for any reason. Remote users must be required to authenticate before being granted access to company information and your credentials must not be saved in the device you are connecting.

Company Assigned Equipment

This includes, but is not limited to the following: laptops, cell phones and other equipment. MCS does not tolerate inappropriate use of any company property. Your company equipment is supplied with software. These are the only applications licensed for use. Do not install additional software without the permission of the IT department. Don't leave company equipment or property unattended, don't allow anyone else to use company equipment or property it is company equipment and provides access to our networks. MCS equipment must not be altered or changed, including but not limited to software and hardware changes, without authorization from the IT Department.

The employee must report damaged, lost or stolen equipment to the IT Department immediately, via phone, text or email no later than the next business day. If company equipment or property is apparently negligently handled and damaged, or is lost, the department may determine that the employee is responsible for paying the comparable equipment replacement cost.. At termination of employment, company equipment must be returned to MCS in good working order or else be considered lost or damaged, wherein the employee may be held responsible for paying the comparable equipment replacement cost.

3.23 No Smoking

MCS recognizes that using tobacco products is harmful to the health of tobacco users and that exposure to secondhand smoke poses a health risk to non-smokers. This policy has been enacted to address these health concerns and to provide a smoke-free workplace for employees. Smoking is prohibited in the interior of all MCS buildings and properties, including offices, client homes, and agency vehicles.

It is the responsibility of every employee to observe the agency's policy and rules regarding smoking. Each of us is also responsible for seeing that our guests or any visitors comply with the rules. Please be respectful to your co-workers and help establish a healthier environment by not smoking.

3.24 Use of Personal Vehicle

An employee may be required to use their personal vehicle to provide client transportation. The agency provides for reimbursement on a per mile basis. Forms are submitted by the employee and are payable monthly through payroll checks. Employees must provide proof of a valid driver's license and automobile insurability before they can transport a consumer. Employee vehicles must have passed a valid Massachusetts inspection. Safety belts must be used by all passengers. Employees must follow all traffic laws and regulations. Employees must not use cell phones while they are driving on MCS business or transporting MCS clients.

3.25 Use of Equipment and Vehicles

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using agency property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards and guidelines. Any employee who uses a vehicle for agency business will be required to show proof of a valid driver's license and automobile insurability prior to use of such vehicle.

Employees must notify their supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repairs. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job. The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as well as excessive or avoidable traffic and parking violations, may result in disciplinary action, up to and including termination.

3.26 Discipline for Unacceptable Behavior, Performance, or Conduct

Any behavior contrary to the best interests of MCS or its employees, clients, guests, or any other person MCS does business with can lead to the imposition of discipline up to and including termination. Discipline is not necessarily progressive in nature.

Employees demonstrating unacceptable behavior, performance, or conduct can expect their supervisor to discipline them by using one of the following disciplinary measures:

- Verbal Warning
- Written Warning
- Suspension
- Termination

The nature and seriousness of the offense, the employee's past record, information from employees and any witnesses, total impact on MCS, and other relevant factors determine the appropriate level of discipline to be imposed.

The following serves as a list of examples of instances where disciplinary action is warranted; this list is for illustrative purposes only and is not intended to be all inclusive:

- Failure to comply with licensing or other regulatory agency standards;
- Failure to comply with client ISPs, doctor's orders and other issues related to client safety and care;
- Client abuse, mistreatment, and/or neglect;
- Violation of safety or health policies;
- Misuse of agency and/or client funds, fraudulent or negligent use of, reporting of, or record keeping of any such funds;
- Unauthorized or inappropriate use of telephones, mail system, or equipment;
- Any employee behavior that would cause clients or others to feel threatened;
- Any behavior or action which threatens the harmonious work environment the agency is striving to maintain;
- Failure to follow a supervisor's instructions;
- Unacceptable attendance;
- Unexcused absenteeism;
- Tardiness;
- Failure to call in or report for work;
- Failure to adhere to work schedule;
- Taking breaks in excess of authorized time;
- Abuse of rest periods, including failing to return to work immediately following the end of a rest period;
- Abuse of meal periods, including failing to return to work immediately following the end of a meal period;
- Absence during work hours without permission;
- Leaving the premises or work area during working hours without prior approval of your supervisor;

- Failure to accurately record time worked;
- Falsifying time or having someone else alter time;
- Falsifying records;
- Misrepresentation of any fact on your employment application;
- Dishonesty;
- Theft, aiding in theft, or unauthorized removal of MCS property or the property of co-workers, clients, visitors, or any other person MCS does business with;
- Damage or destruction of MCS property or property housing clients;
- Unauthorized, improper or unpermitted use of MCS property or property housing clients;
- Allowing unauthorized persons to enter, use, or ride in or on MCS vehicles or equipment or property housing clients;
- Causing waste or concealing any substandard work;
- Discourtesy and/or the use of unprofessional, disrespectful language and/or the use of vulgar, profane, offensive, or obscene language when speaking to or about a supervisor, co-worker, a client, or any other person MCS does business with;
- Any harassment or abuse of an employee, client, or visitor;
- Fighting, threats, intimidation, or workplace violence;
- Possession of a firearm, other weapons, or other dangerous or unauthorized materials, such as explosives, on MCS property;
- Any act that endangers the lives or safety of others;
- Jeopardizing the safety, health, or well-being of a client;
- Failure to observe all safety rules and practices;
- Violation of safety rules, policies, or practices;
- Failure to report an injury or accident;
- Breach of confidentiality;
- Failing to maintain appropriate boundaries with clients;
- Drinking/ingesting or being under the influence of alcohol or illegal drugs while working;
- Possession, sale, distribution, or use of alcohol, illegal drugs, or controlled substances on MCS property;
- Gambling on MCS premises;
- Engaging in unlawful conduct;
- Negligence or carelessness;
- Horseplay;
- Interference with or interruption of a co-worker's performance of his or her job;
- Sleeping during scheduled work hours;
- Poor attitude;
- Refusal to accept a job assignment;
- Poor work performance;
- Incompetence;
- Insubordination; and

- Violations of any policy, procedure, or practice of MCS.

3.27 Health/Disability Benefits

The Agency currently provides a medical plan and will pay a percentage of individual/family coverage for regular, full-time employees. Employees are eligible after 30 days of employment following the successful completion of the initial training period. Employee contribution amounts may change with issuing insurance agency rates. Application for insurance coverage must be made at the office within 30 days of your date of hire.

If an employee does not want coverage, the office must be furnished with a statement declining coverage.

The Agency also maintains membership in a dental insurance and group short-term disability insurance program. All regular, full-time employees are eligible for coverage. This coverage is part of the health benefits package.

3.28 Light Duty

In accordance with the long standing practice of providing light duty for employees out of work due to injury/illness, MCS will administer the following policy of light duty.

When advised by the agency's occupational physician, Workers' Compensation independent medical examiner, or the employee's physician that the employee is well enough to return to work under a light duty restriction, the employee will be offered light duty employment, if available, within the confines of their restrictions.

The employee will be paid in accordance with MCS policies for the actual hours worked. Workers' Compensation or Short Term Disability may pay the injured employee for any difference in the average weekly rate.

In the event that there is not sufficient work in the light duty position, the employee will be asked to leave for the day and report to work when instructed to do so.

MCS will continue to monitor the situation and timeframe for which these accommodations are necessary. The goal of light duty work is to return the employee to his/her full position and responsibilities within a reasonable time frame. Light duty is not a regular position and therefore the ability to offer it is restricted by MCS' business needs and the timeframe required. MCS will evaluate each situation individually.

SECTION 4: TIME AWAY FROM WORK

4.1 Vacation

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. All regular full-time and part-time employees are eligible to earn and use vacation time as described in this policy. The vacation accrual schedules below show the accrual hours per pay period, the maximum possible accrual hours, and the maximum carry over hours.

Regular Full-Time Employees

Regular full-time employees will earn vacation time based on the following schedule:

Full Time Length of Service	Hours Per Pay Period	Hours Per Calendar Year	Maximum Carry Over Hours
1-36 months (1-3 yrs)	4.0 hrs	104 hrs	80 hrs
37-120 months (4-9 yrs)	5.85 hrs	152 hrs	80 hrs
121-240 months (10-19 yrs)	6.8 hrs	176 hrs	80 hrs
Over 241 months (20 yrs +)	7.7 hrs	200 hrs	80 hrs

Regular Part-Time Employees

Regular part-time employees will earn vacation based on the following schedule:

Part-Time Length of Service	Hours Per Pay Period	Hours Per Calendar Year	Maximum Carry Over Hours
1-36 months (1-3 yrs)	2.0 hrs	52 hrs	40 hrs
37-120 months (4-9 yrs)	2.93 hrs	76 hrs	40 hrs
121-240 months (10-19 yrs)	3.4 hrs	88 hrs	40 hrs
Over 241 months (20 yrs +)	3.85 hrs	100 hrs	40 hrs

All regular employees

Vacation time is accrued per pay period based on 26 pay periods per year and may not exceed the maximum hours per calendar year set in each respective schedule.

Paid vacation time can be used in minimum increments of one hour. Vacations should be scheduled as far in advance as possible. Requests will be reviewed based on a number of factors, including business needs and staffing requirements.

Vacation time is paid at the employee's base pay rate at the time of vacation. It does not include overtime or any special forms of compensation such as incentives, commissions, premium rates, or bonuses.

Regular employees may carry over a maximum of 80 hours, if full-time, or 40 hours, if part-time, of unused vacation time from one calendar year to the next, unless a request is made in writing to the Program Director. Hourly employees (non-exempt) with any unused vacation time over and above the carryover maximum can request to cash out some vacation time, in lieu of taking time off. Salaried employees (exempt) can't cash out vacation time and are encouraged to take time off.

It is not permissible for an employee to work during their scheduled vacation hours and also collect their vacation pay.

Upon termination of employment, employees will be paid for unused vacation time that has been earned through the last day of work.

4.2 Sick Leave

Sick Leave Accrual for Regular Full-Time Employees

Regular full-time employees will earn one 8 hour sick day at the end of each full calendar month worked, for up to sixty days of accumulated sick leave (480 hours).

Status	Hours Per Pay Period	Hours Per Calendar Year	Maximum Unused Hours
Full-Time	3.693 hrs	96 hrs	480 hrs (60 days)

Sick Leave Accrual for all Other Employees

All other employees may accrue and use up to forty (40) hours of paid sick leave per calendar year. For purposes of this policy, "calendar year" is defined as a year that runs from January 1 to December 31.

Starting on the later of July 1, 2015 or each employee's date of hire, such employees will accrue paid sick leave at the rate of one (1) hour of paid sick leave per thirty (30) hours worked. A maximum of forty (40) hours of paid sick leave may be accrued and/or

used per calendar year. A maximum of forty (40) hours of accrued but unused paid sick leave may be rolled over to future calendar years.

Permissible Uses of Paid Sick Leave

Employees may begin using paid sick leave when they have been employed for at least ninety (90) days.

The smallest amount of sick time an employee can use is one (1) hour.

Sick leave may be used for scheduled hours only.

Employees may use paid sick leave for the following reasons:

- To care for the employee's own physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care;
- To care for the employee's child, spouse, parent, or parent of a spouse, who is suffering from a physical or mental illness, injury, or medical condition that requires home care, professional medical diagnosis or care, or preventative medical care;
- To attend the employee's routine medical appointment or a routine medical appointment for the employee's child, spouse, parent, or parent of spouse; or
- To address the psychological, physical or legal effects of domestic violence as defined under applicable law.

Employee Responsibilities

Employees must notify their supervisor before they use sick leave, except in an emergency. When use of paid sick leave is foreseeable, employees must provide advance written notice of the planned leave at least seven (7) days prior to taking paid sick leave to their supervisor. When the need for sick leave is not foreseeable, employees must notify their supervisor as soon as possible, but not later than three (3) hours before the start of their shift. Employees must speak to their supervisor each day they are out sick. If an employee is not capable of contacting his or her supervisor, someone else may contact the employee's supervisor on the employee's behalf.

If paid sick leave is taken for more than twenty-four (24) consecutive scheduled work hours, for more than three (3) consecutive work days, within two (2) weeks of an employee's last day of work, or in excess of four (4) unforeseen and undocumented sick leave absences within a three-month period, employees must provide documentation deemed acceptable under applicable law certifying that the use of paid sick leave is for a permissible purpose, such as documentation from a medical provider. This documentation must be submitted within seven days after taking sick leave.

Sick leave may not be used as an excuse to be late for work without an authorized purpose under applicable law. An employee may not accept shift assignments with the

intention of calling out sick for all or part of that shift. An employee may be disciplined for misuse of sick leave.

Separation from Employment

Employees are not eligible to be paid out for accrued but unused sick leave upon any separation of employment or at any other time.

4.3 Holidays

Regular full-time and regular part-time employees are generally provided nine (9) paid holidays per year:

New Year's Day	Memorial Day	Veteran's Day
Martin Luther King Day	Independence Day	Thanksgiving Day
President's Day	Labor Day	Christmas Day

All regular full-time and part-time employees become eligible for paid holiday compensation after employment of thirty (30) days past the expiration of their training period. A holiday that falls on a Saturday or Sunday will be observed on the following Monday.

Regular full-time hourly employees are assumed to work eight (8) hours per day for purposes of holiday pay. Regular part-time employees are assumed to work four (4) hours per day for purposes of holiday pay. In addition, an hourly employee who works New Year's Day, Thanksgiving Day, or Christmas Day will be paid a premium rate of 2.25 times their rate of pay (BCF nursing staff are not included). However, any hourly employee who works one of those premium holidays will not be eligible to get a day off. All transactions must be completed within 30 days of the holiday.

If the holiday falls during the period in which an employee is on a PAID sick leave, the day off will be charged as a holiday instead of sick leave.

4.4 Parental Leave

Full-time employees who have completed the new employee training period are eligible to take up to eight (8) weeks of parental leave for the purpose of:

- giving birth;
- adopting a child under the age of 18 or a child under the age of 23, if the child is mentally or physically disabled; or
- court-ordered placement of a child under the age of 18 or a child under the age of 23, if the child is mentally or physically disabled.

Parental leave is unpaid; however, employees are permitted to substitute accrued vacation and paid sick time. Employees must provide at least two weeks' notice of their

anticipated date of departure and return to work date in order to take parental leave. If two weeks' notice cannot be given for reasons out of an employee's control, the employee must give notice as soon as possible.

4.5 Family and Medical Leave Act Policy

The Family and Medical Leave Act ("FMLA") provides eligible employees with up to twelve (12) weeks and, under certain circumstances, up to twenty-six (26 weeks for military caregiver leave), of unpaid, job-protected leave during each twelve (12) month-period.

Basic Leave Entitlement

The FMLA provides up to twelve (12) weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care, or child birth;
- To care for the employee's child after birth, or for 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 his or her job.

Military Family Leave Entitlements

1. Family Leave for a Qualifying Exigency

Eligible employees with a spouse, son, daughter, or parent on covered active duty status in the Regular Armed Forces, in addition to the National Guard or Reserves, deployed to a foreign country may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies are by their nature considered emergency-type reasons for leave and, as such, may include:

- Short-notice deployment;
- Military events and related activities;
- Urgent child care and school activities;
- Financial and legal arrangements;
- Counseling;
- Rest and recuperation;
- Post-deployment activities; and
- Parental care.

2. Family Leave to Care for Injured Servicemember

The FMLA also includes a special leave entitlement that permits eligible employees to take up to twenty-six (26) weeks of leave to care for a covered servicemember during any single 12-month period. Employees who are the spouse, son, daughter, parent, or next of kin of a covered servicemember can take this leave if otherwise eligible. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty or a pre-existing illness or injury that was aggravated in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status, or is on the temporary disability retired list. A covered service member also includes a veteran of the Armed Forces, including the National Guard or Reserves, who is undergoing medical treatment or therapy for or recuperating from a serious injury or illness at any time during the five (5) year period preceding the date of treatment, therapy or recuperation.

Eligibility Requirements

Employees are eligible for FMLA if they have worked for MCS for at least one (1) year and have worked at least 1,250 hours over the previous twelve (12) months.

Calculating the Leave Year

For leave to care for a covered servicemember, the leave year is calculated as the single 12-month period that begins on the first day of the employee's leave.

For all other FMLA leave, the leave year is calculated as the 12-month period, January to December.

Benefits and Protections

During FMLA leave, MCS will maintain your health coverage under any "group health plan" on the same terms as if you continued to work if you have indicated your intent to return to work at the end of your FMLA leave. Employees must pay their contribution toward health insurance coverage during FMLA leave. If, after your FMLA leave expires, you do not return to work, MCS is entitled to recover the cost of any payments made to your health insurance coverage unless your failure to return to work was for reasons beyond your control. Use of FMLA leave will not result in the loss of any employment benefits that accrued prior to the start of your FMLA leave.

Employees who return to work on or before the expiration of their FMLA leave will be restored to their original position or to an equivalent position with equivalent pay,

benefits and other employment terms. Employees who are on FMLA leave are not entitled to any greater rights than they would otherwise have been entitled had they continued as an active employee at MCS.

Failure to return to work on the expiration of FMLA leave may be considered a voluntary resignation.

If you will not be able to return before the expiration of the FMLA leave and have discussed it with Human Resources and the Program Director, MCS will attempt to restore you to your original position or offer you a position with similar hours and pay, depending on what's available.

Definition of "Serious Health Condition"

A "serious health condition" is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three (3) consecutive calendar days combined with at least two (2) visits to a health care provider or one (1) visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt MCS's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees on FMLA leave are required to use any accrued paid leave while taking FMLA leave and must comply with MCS's paid leave policies.

Employee Responsibilities

Employees must provide thirty (30) days advance notice of the need to take FMLA leave when the need is foreseeable. When thirty days (30) notice is not possible, the employee must provide notice as soon as practicable.

Employees must provide sufficient information for MCS to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform MCS if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave. Employees may be required to provide a fitness-for-duty statement before they return after an FMLA leave for their own serious health condition. If you are required to provide a fitness-for-duty statement, you will be notified at the time your leave is approved.

Additionally, employees are not permitted to work for any other employer while on FMLA leave for their own or a covered family member's serious health condition or to care for a child after birth, adoption or foster care placement. If an employee accepts employment with another employer while on FMLA leave, the employee will be considered to have voluntarily resigned from MCS and will not be eligible for reinstatement at the end of the leave.

MCS's Responsibilities

MCS will inform employees requesting leave whether they are eligible under the FMLA. If they are, the notice will specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, MCS will provide a reason for the ineligibility.

MCS will inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If MCS determines that the leave is not FMLA-protected, it will notify the employee.

MCS will not interfere with, restrain, or deny the existence of any right provided under the FMLA. MCS also will not discharge or discriminate against any person for opposing any practice made unlawful by the FMLA or for involvement in any proceeding under or relating to the FMLA.

Enforcement

An employee may file a complaint with the United States Department of Labor or may bring a private lawsuit against an employer.

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement which provides greater family and/or medical leave rights.

Key Employees

Certain key employees may not be eligible to return to the same or a similar position after taking FMLA leave, if such denial is necessary to prevent substantial and grievous economic injury to MCS. A key employee is a salaried employee who is among the highest paid ten percent (10%) of MCS employees employed within seventy-five (75) miles of the facility at which the employee works. Employees will be notified in writing if they qualify as key employees and if reinstatement may be denied at the time leave is requested or at the time leave commences, whichever is earlier.

4.6 Massachusetts Paid Family Medical Leave Act

Beginning on January 1, 2021, employees may be entitled to:

- up to 12 weeks of paid family leave in a benefit year for the birth, adoption, or foster care placement of a child, or because of a qualifying exigency arising out of the fact that a family member is on active duty or has been notified of an impending call to active duty in the Armed Forces;
- up to 20 weeks of paid medical leave in a benefit year if they have a serious health condition that incapacitates them from work
- up to 26 weeks of paid family leave in a benefit year to care for a family member who is a covered service member undergoing medical treatment or otherwise addressing consequences of a serious health condition relating to the family member's military service.

Beginning July 1, 2021, employees may be entitled to up to:

- up to 12 weeks of paid family leave in a benefit year to care for a family member with a serious health condition.
- Up to 26 total weeks, in the aggregate, of paid family and medical leave in a single benefit year.
- an employee's weekly benefit amount will be based on the employee's earnings, with a maximum benefit of \$850 per week.

Job Protection: Generally, if you take family or medical leave under the law you must be restored to your previous position or to an equivalent position, with the same status, pay, employment benefits, length-of-service credit and seniority as of the date of leave.

Continuation of Health Insurance: Your employer must continue to provide for and contribute to your employment-related health insurance benefits, if any, at the level and under the conditions coverage would have been provided if you had continued working continuously for the duration of such leave. Employee will still be responsible for their portion of benefit deductions and arrangements can be made with payroll for payments.

No Retaliation: It is unlawful for any employer to discriminate or retaliate against you for exercising any right to which you're entitled under the paid family and medical leave

law. An employee or former employee who is discriminated or retaliated against for exercising rights under the law may, not more than three years after the violation occurs, institute a civil action in the superior court.

How to File a Claim:

Employees must file claims for paid family and medical leave benefits with the Human Resources Dept. using ARCH's insurance forms. Forms and claim instructions will also be available on the MCS website and/or at www.archinsurance.com/disability .

Employees are required to provide at least 30 days' notice to their employer of the anticipated starting date of any leave, the anticipated length of the leave and the expected date of return. An employee who is unable to provide 30 days' notice due to circumstances beyond his or her control is required to provide notice as soon as practicable.

Payment for Concurrent Leave:

Any paid leave provided under a collective bargaining agreement or employer policy and paid at the same or higher rate than paid leave available under this law shall count against the allotment of leave benefits available under this law.

Massachusetts Department of Family and Medical Leave (DFML) contact information:

Charles F. Hurley Building
19 Staniford Street, 1st Floor
Boston, MA 02114
(617) 626-6565
www.mass.gov/DFML

More Information is Available

For more detailed information, please consult the Department's website:
www.mass.gov/DFML.

4.7 Massachusetts Small Necessities Leave Act

An employee who is eligible to receive FMLA leave under MCS's FMLA policy is also eligible for a total of twenty-four (24) hours in a 12-month period, in addition to FMLA leave, for one of the following reasons: (1) to participate in school activities directly related to the educational advancement of the employee's son or daughter, such as parent-teacher conferences or interviewing for a new school; (2) to accompany the employee's son or daughter to routine medical or dental appointments, such as visits for

check-ups, vaccinations, etc.; or (3) to accompany an elderly relative of the employee to routine medical or dental appointments or appointments for other professional services related to the elder's care, such as interviewing at a nursing or group home. Employees are required to provide seven (7) days' advance notice, in writing, of their need for this leave or, if advance notice is not possible, as soon as practicable.

4.8 Domestic Violence and Abusive Behavior Leave

MCS is committed to the health and safety of its employees and their family members. If an employee or an employee's family member is a victim of domestic violence or abusive behavior, the employee may be eligible for time off from work if it is needed and as outlined in this policy.

Qualifying Reason for Leave

MCS provides up to fifteen (15) days of leave in a twelve (12) month period to an employee if either the employee or the employee's family member (as defined below) is a victim of abusive behavior (as defined below) and the employee is using the leave from work for one or more of the following reasons:

- to seek or obtain medical attention, counseling, victim services, or legal assistance;
- to secure housing;
- to obtain a protective order from a court;
- to appear in court or before a grand jury;
- to meet with a district attorney or other law enforcement official;
- to attend child custody proceedings; or
- to address other issues directly related to the abusive behavior against the employee or the employee's family member.

Definitions

A "family member" is defined as:

- spouses;
- persons in a substantive dating or engagement relationship and who reside together;
- persons having a child in common regardless of whether they have ever married or resided together;
- a parent, step-parent, child, step-child, sibling, grandparent, or grandchild; or
- persons in a guardianship relationship.

"Abusive behavior" is defined as:

- domestic violence (as defined below);
- stalking in violation of Massachusetts General Laws Chapter 265, § 43;

- sexual assault in violation of Massachusetts General Laws Chapter 265, §§ 13B, 13B½, 13B¾, 13F, 13H, 22, 22A, 22B, 22C, 23, 23A, 23B, 24, 24B, 26D, 50, or 51 or Chapter 272, §§ 3 or 35A; or
- kidnapping in violation of Massachusetts General Laws Chapter 265, § 26.

“Domestic violence” is defined as abuse against an employee or an employee’s family member by:

- a current or former spouse of the employee or the employee's family member;
- a person with whom the employee or the employee's family member shares a child in common;
- a person who is cohabitating with or has cohabitated with the employee or the employee's family member;
- a person who is related by blood or marriage to the employee; or
- a person with whom the employee or employee's family member has or had a dating or engagement relationship.

Utilization of Paid Time Off

Employees must first exhaust all paid time off, such as vacation, personal, and sick time. Once paid time off is exhausted, or if no paid time is available to the employee, domestic violence and abusive behavior leave will be unpaid.

Notice

When there is no threat of imminent danger to the health or safety of the employee or the employee’s family member, the employee must provide 30 days advance notice of the need for this leave.

If there is a threat of imminent danger to the health or safety of the employee or the employee’s family member, the employee must notify his or her supervisor within three (3) workdays that the leave is being taken or was taken for a qualifying reason. Such notification may be communicated by the employee; a family member of the employee; or the employee’s counselor, social worker, health care worker, clergy member, shelter worker, legal advocate, or other professional who has assisted the employee in addressing the effects of the abusive behavior on the employee or the employee’s family member.

Documentation of Qualifying Reason

Documentation evidencing that the employee or the employee’s family member has been a victim of abusive behavior and that the employee has taken leave for a qualifying reason may be required. Such forms of documentation may include the following:

- A protective order, an order of equitable relief, or other documentation issued by the court as a result of abusive behavior against the employee or employee's family member;
- A document under the letterhead of the court, provider, or public agency which the employee attended for the purposes of acquiring assistance as it relates to the abusive behavior against the employee or the employee's family member;
- A police report or statement of a victim or witness provided to police, including a police incident report, documenting the abusive behavior complained of by the employee or the employee's family member;
- Legal documentation attesting to the perpetrator's guilt;
- Medical documentation of treatment for the abusive behavior;
- A sworn statement, signed under the penalties of perjury, provided by a counselor, social worker, health care worker, member of the clergy, shelter worker, legal advocate or other professional who has assisted the employee or the employee's family member in addressing the effects of the abusive behavior; or
- A sworn statement, signed under the penalties of perjury, from the employee attesting that the employee has been the victim of abusive behavior or is the family member of a victim of abusive behavior.

Confidentiality

MCS will take steps to maintain the confidentiality of an employee's use of this type of leave and will keep confidential all information related to such leave. MCS is permitted to make the following disclosures of an employee's use of this leave: per the employee's written request or consent; as ordered by the court; as required in the course of a law enforcement investigation; as necessary to protect the safety of the employee or others employed at the workplace; or as otherwise required by applicable law.

No Discrimination and No Retaliation

Employees should take special note that discrimination and/or retaliation against individuals for taking leave in accordance with this policy is unlawful and will not be tolerated. If an employee believes that he or she has been the victim of discrimination or retaliation, it is his or her obligation to report it to one of the individuals listed in MCS's *Sexual and Other Illegal Harassment* policy. Employees can raise concerns and make reports without fear of reprisal.

Job Restoration

Employees who return to work on or before the expiration of their leave (and who have otherwise adhered to the notice and documentation requirements for such leave) will be

returned to their original position or an equivalent position, with no loss in any employment benefits that accrued prior to the date the leave commenced.

Perpetrators of abusive behavior are not entitled to leave under this policy.

4.9 Bereavement Leave

Regular full-time employees (forty (40) hours per week) who have completed the new employee training period may take up to three (3) paid days off for a death in the employee's immediate family. For purposes of this policy, "immediate family" is defined as a spouse, children, parents, spouse's parents, grandparents, siblings, spouse's siblings). Such requests must be made to the Program Director. Bereavement days do not accumulate from year to year and have no cash value upon termination. Supporting documentation must be provided to the payroll office.

4.10 Jury Duty

All employees will receive regular pay for the first three (3) days of jury duty. In the event of an early dismissal from jury duty, the employee is expected to report to work if it is possible to work at least four (4) of his or her scheduled hours. Employees are expected to notify their supervisor immediately upon receipt of notice to serve on a jury. Copies of documentation received from the court regarding jury duty must be provided to your supervisor.

4.11 Military Leave

Employees who perform service in the uniformed services (as defined by the Uniformed Services Employment and Reemployment Rights Act (USERRA)) are entitled to a military leave of absence from their job, subject to the limitations and restrictions set forth in federal and state laws, when called to duty. MCS is committed to protecting the job rights of employees absent on leave in the uniformed services. In accordance with federal and state law, it is MCS's policy that no employee or prospective employee will be subjected to any form of discrimination on the basis of that person's membership in or obligation to perform service for any of the uniformed services of the United States. Specifically, no person will be denied employment, reemployment, promotion, or other benefit of employment on the basis of such membership. Further, no person will be subjected to retaliation or adverse employment action because such person has exercised his or her rights under this policy. If any employee believes that he or she has been subjected to discrimination in violation of this policy or if the employee has any questions about this policy, the employee should immediately contact his or her supervisor.

Employee Procedures

- The employee must provide his or her supervisor with notice (either verbal or written), that the employee will be engaging in military service. Employees are requested to provide such notice as soon as they have knowledge of upcoming military service.
- Employees on military leave may, *at their option*, use any or all accrued paid vacation time during their absence.
- When the employee intends to return to work, he or she must make notification of reinstatement to his or her supervisor within the application period set forth below.

Benefits

If an employee is absent from work due to military service, benefits will continue as follows:

- Employees can elect to continue their existing health plan for themselves and for their dependents for up to 24 months while in the military.
- Employees do not accrue paid time off (vacation, personal leave, or sick leave) to the extent MCS offers such benefits while on military leave of absence status.

Reinstatement Procedures

Upon an employee's prompt application for reinstatement (as defined below), an employee will be reinstated to employment; however, USERRA entitles members in the uniformed services a total of five years of cumulative service without forfeiting their right to reinstatement with full seniority and benefits.

An employee who has engaged in military service must, in order to be entitled to the reinstatement rights set forth above, submit an application for reinstatement according to the following schedule:

- *If service is less than 31 days* – the employee must report for reinstatement at the beginning of the first full regularly scheduled working period on the first calendar day following completion of service.
- *If service is for 31 days or more but less than 180 days* – the employee must submit an application for reinstatement no later than 14 days following the completion of service.

- *If service is 181 days or over* – the employee must submit an application for reinstatement no later than 90 days following the completion of service.

Employees reinstated following military leave will receive seniority and other benefits determined by seniority that the employee had at the beginning of the military leave, plus any additional seniority and benefits the employee would have attained, with reasonable certainty, had the individual remained continuously employed.

Upon the employee's reinstatement, the employee must provide his or her supervisor with military discharge documentation that establishes the length and character of the employee's military service.

EXCEPTIONS TO REEMPLOYMENT

In addition to the employee's failure to apply for reemployment in a timely manner, an employee is not entitled to reinstatement as described above if any of the following conditions exist:

- MCS's circumstances have changed so as to make reemployment impossible or unreasonable;
- The employee's employment prior to the military service was for a non-recurrent period and there was no reasonable expectation that the employment would have continued indefinitely or for a significant period; or
- The employee did not receive an honorable discharge from military service.

4.12 Personal Leave of Absence

Personal leave time may be provided to accommodate you when you encounter unusual or unavoidable circumstances that necessitate an extended period of time away from your job. A personal leave of absence is an absence WITHOUT pay in which an employee is granted written permission to remain away from work for not more than eight weeks for a purpose other than military absence, parental leave, sick leave, leave under the Family and Medical Leave Act, or any other leave provided by law.

Requests for personal leave of absence must be submitted in writing to the Program Director. The agency will handle each request on an individual basis, but is not obligated to grant a leave of absence. The merits of each request for personal leave or personal days are weighed considering the needs of MCS, individual reasons for the request, the availability of earned vacation time, and performance-related factors. Unless the leave is deemed unforeseeable by the agency, employees must give at least two (2) weeks notice of their need for such a leave to be considered. It must be approved in advance by your immediate supervisor and Human Resources. Only legitimate need for time off will be considered, and an employee on leave may not take assignments or pursue or accept employment elsewhere. Personal leave is not normally granted in the

first year of service, although personal days with or without pay may be granted at the discretion of a manager or supervisor after 90 days on the job.

All earned vacation time may be paid in full on the final check when leave of absence starts at the discretion of management. Sick leave will not be paid, but will remain intact during the absence. The nature of the agency's services requires that most jobs be filled at all times if personnel are available. Therefore, **no position will be held open** until the employee returns from personal leave. The employee's present position may not be available when they return to work, but he/she will be given every consideration to be placed in a comparable position with comparable pay.

Length of service will remain intact, but will not accumulate. An employee's anniversary date will move up according to the amount of time out on personal leave.

All employees on personal leave of absence must pay 100% of their health/disability insurance premiums in order to remain covered under those plans. Arrangements for payment must be made with the administration office. The Agency does not pay any portion of the premium during such leave. The employee must pay the full premium amount at the time of leave based on the amount of the issuing insurance agency's current rates.

Employees must periodically report to the agency to discuss their status and their date of return. If an employee fails to report to work on their date of return without an approved extension of the leave or without adhering to the agency's attendance policy, then the employee will be deemed to have voluntarily resigned their position with the agency.

SECTION 5: SAFETY AND HEALTH

5.1 Workplace Safety and Health

MCS is committed to complying with government rules and regulations that protect the environment and promote a healthy and safe workplace. To achieve this, employees must work in a safe manner and adhere to all safety rules and procedures. Any job-related accident, injury, or illness or hazardous conditions must be immediately reported to your supervisor.

5.2 Workplace Injuries

It is the obligation of every employee to report immediately any workplace and/or work-related injury to his or her supervisor. Employees must report such injuries no matter how minor or trivial they may seem.

We ask your cooperation in filling out the necessary medical forms and accident reports. Complete and timely documentation is necessary to expedite claim processing and to enable us to help assure a safe workplace.

5.3 Visitors

All visitors are required to enter the main office through the main lobby. All visitors are required to follow all sign-in and security regulations established by the site.

Certain facilities and programs operated by MCS are strictly secure based on the client population served and thus visitors are strictly prohibited except as provided by the program guidelines. These guidelines are expected to be strictly adhered to under all circumstances in order to protect the safety and security of the individuals served.

5.4 Emergency Closing

If MCS is forced to close or discontinue operations for weather-related or other emergency reasons, all employees shall receive full pay for up to three (3) consecutive work days of a closing. Part-time employees shall be paid for the number of hours they were scheduled to work for up to three (3) days of a closing. If the agency must close for longer than three (3) days, full-time and part-time staff who cannot be assigned to another work location may apply accrued vacation, floating holiday and/or sick leave to the closure period.

If an emergency closing affects one location only, MCS reserves the right to assign staff of the closed location to another location for the period of the closure. Employees should report to work unless they are notified by their supervisor of any changes. All essential staff working in our Residential 24 hour homes will be required to stay at the site until they have been relieved by another staff member or supervisor.

If an office is open but the employee determines that they cannot safely commute to work, the employee must take vacation pay or make up the time by working other hours as appropriate.

SECTION 6: OTHER POLICIES AFFECTING YOUR EMPLOYMENT

6.1 Personal Data

It is your obligation to promptly notify MCS of any change in your personal status, such as your name, home address, telephone number, or any other information pertinent to your employment.

6.2 Personal Property

The agency assumes no responsibility for personal property or effects or for damages or losses to personal property. Please secure all items of value in the office or leave them at home.

6.3 Bulletin Boards

MCS has a bulletin board on which notices pertaining to MCS policies, schedules, and items of interest to employees are posted by MCS. Employees are encouraged to visit the bulletin board periodically to keep up-to-date on changes in MCS programs and other agency matters.

No employee may post any notice, poster, sign, or object on MCS' bulletin boards. No employee may deface or write or post any pictures, symbols, or graffiti on the walls or on any part of the premises.

6.4 Solicitation and Distribution

To minimize the disruption of business activities, to minimize interruption of employee work, and to preserve MCS security, solicitation and/or distribution of literature, materials, goods, contest promotions, requests for donations, or any other solicitation and/or distribution is prohibited in all work areas during working time. Working time is when the employee being solicited or the employee doing the soliciting or the distributing is on duty with work tasks to perform. Distribution of literature of any kind is further prohibited in all work areas at all times unless specifically authorized by the Executive Director or his designee.

6.5 Public Relations

The Board of Directors, the Executive Director, or their designee are the only people who may provide information concerning the agency or its clients to the press, radio, television, or anyone who is not a member of the agency. This information is strictly confidential and employees must comply with MCS' confidentiality policy and applicable privacy laws.

6.6 Hiring of Relatives

It is MCS's policy that relatives of persons currently employed by the organization may be hired only if they will not be hired by and/or working directly for or supervising a relative.

If related individuals are already employed, transfers of such employees are prohibited if the transfer would create such a reporting relationship. If the relative relationship is established after employment, MCS, in consultation with the individuals concerned, will

decide who is to be transferred. This decision will be made in light of what is most beneficial to the agency, with consideration for equity to all parties.

In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be separated by reassignment and/or terminated from employment at MCS' discretion.

For the purposes of this policy, a relative is defined to include spouses, parents, children, brothers, sisters, cousins, aunts, uncles, brothers- and sisters-in-law, fathers- and mothers-in law, step-parents, step-siblings, and step-children. This policy also applies to individuals who are not legally related but who reside with one another.

6.7 Housekeeping

Housekeeping is each employee's responsibility. It must be shared by everyone. It must be a team effort both at the office and in the homes of our consumers. All therapeutic environments must conform with health, safety and licensing requirements. These environments are to project the priority we place on the physical residences for our clients.

6.8 Incidents and Unusual Occurrences

Each employee is required to report to his/her supervisor and/or the Human Rights Officer immediately after an incident or unusual occurrence he/she may have witnessed involving clients, visitors, or other employees. Some examples of this are any verbal or physical abuse toward a client such as yelling, threatening, use of foul language, pushing, shoving, tripping, hitting, or stealing. The supervisor will prepare the required Incident Report or Human Rights forms to ensure that proper action is taken. Please also refer to MCS' *Reporting Suspected Client Abuse or Neglect* policy.

6.9 Staff Development (In-Service Training)

At the beginning of employment and regularly thereafter, training sessions, both formal and informal, and seminars, will be presented. Full-time employees, as part of their employment responsibilities, will be required to attend in-service trainings on occasion. Hourly (non-exempt) employees will be compensated at their normal rate of pay for any required trainings they attend (time-and-one-half for any hours over 40 hours worked). Additionally, the organization may make available, on an individual basis, tuition and/or reimbursement for other relevant professional development training.

6.10 Pay Day

Employees will be paid by check on every other Friday. Should a pay day fall on a holiday, employees will be paid the day preceding the holiday. Salary advances shall not be made under any circumstances. The agency will not loan money to an employee under any circumstances. An employee who wishes to be paid by direct deposit may do so by submitting the appropriate form filled out in its entirety.

6.11 Paycheck Errors

If any employee has any questions concerning his/her paycheck he/she should discuss the same with his/her Program Director who will in turn consult with the payroll office for clarification. Errors on payroll checks will be corrected as time permits but never later than the next regularly scheduled pay day.

6.12 Deductions from Pay

Non-exempt Employees

Non-exempt employees will be paid only for actual hours worked unless they receive benefits under MCS's paid time off policy or other leave policies.

Exempt Employees

Exempt employees are paid on a salary basis and, in general, must be paid their full salary for any week in which they perform work. Their pay may be reduced only in the following circumstances:

- Employees who are absent for at least a full day because of sickness or disability will not be paid for that day unless they have accrued benefits under MCS paid time off policy. Their pay will not be reduced if they are absent for less than a full day because of sickness or disability.
- Employees who are absent from work for at least a full day for personal reasons other than sickness or disability will not be paid for that day. If an employee is absent for less than a full day for personal reasons, his or her pay will not be reduced.
- Employees who are absent from work for attendance as a witness at a trial, or temporary military leave will have their pay reduced by the amount of payment they receive in the form of witness fees or military pay. Their pay will not be reduced by the number of hours or days they are absent from work unless they perform no work in a given week.
- Employees who are absent from work for jury duty for more than three days will have their pay reduced by the amount of payment they receive in the form of jury fees for jury duty after their initial three days of jury duty. Their pay will not be reduced by the number of hours or days they are absent from work unless they perform no work in a given week.
- If an employee violates a safety rule of major significance, his or her pay may be reduced in an amount to be determined by the MCS as a penalty for that violation.

- Employees may be suspended without pay for other types of workplace misconduct, but only in full-day increments. Their pay will be reduced in an amount that is proportionate to the number of days suspended.
- Employees who work less than 40 hours during their first or last week of employment will be paid a proportionate part of their full salary for the time actually worked.

Improper Deductions from Pay

MCS will reimburse any exempt employee whose pay is reduced in violation of this policy. If you feel your pay has been improperly reduced, please notify the Human Resource Director. All reports of improper deductions will be promptly investigated. The employee making the report will be advised of the findings. Employees will not be subject to retaliation for bringing reports forward.

6.13 Resignation

If it is necessary for an employee to resign, we ask that you give your supervisor two weeks' written notice (ten (10) working days) indicating the reasons for resignation. All salaried personnel are asked to give one month's written notice (20 working days). Requests for sick leave to be taken within two (2) weeks prior to an employee's last day of work must be supported with appropriate documentation.

The employee is responsible for canceling all voluntary deductions with the companies involved. MCS is not responsible for contacting companies to terminate an employee's voluntary deduction (s).

6.14 Exit Interview

Your feedback is important to us. The Program Director, his/her designee, or the employee themselves can request to conduct an exit interview in person or an interview form by mail, and either request a letter of resignation or present a termination letter.

6.15 Return of Property

At the separation of employment, all employees must immediately return MCS property to their supervisor. MCS property is defined to include, but is not limited to, the following: all documents pertaining to any MCS clients, former clients or prospective clients; all documents referring to or containing marketing and/or business strategies; office keys; passwords; office supplies; MCS credit cards; and any computer equipment, including flash drives. Documents include paper or electronically stored documents. Employees are not permitted to retain and/or use any passwords. Any electronically stored information of MCS on a personal computer must be deleted and destroyed.