

# Vinfen

Transforming lives together

## Human Resources Policies and Procedures Manual

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### A MESSAGE FROM VINFEN'S CHIEF EXECUTIVE OFFICER

I am writing on behalf of the Executive Team. Vinfen's mission is to provide the best possible services to thousands of individuals, families and communities each year. The leadership team clearly understands that accomplishing our mission depends on our ability to recruit, train and support all of our employees. Vinfen values its employees and appreciates their individual and team efforts to make Vinfen the best human services provider in the region.

Vinfen believes in treating employees with respect and fairness at all times. We provide comprehensive medical, dental and vision plans, retirement plans, paid vacation, personal, sick and holiday time, life and accidental death and dismemberment insurance, short-term and long-term disability insurance, commuter benefits, healthcare and dependent care spending plans, and voluntary life, accident, and critical illness plans. We also offer student loan assistance, wellness programs, referral incentive programs, employee recognition programs, opportunities for training and career advancement, and training and educational reimbursement programs. Most of all, we offer our employees an opportunity to perform rewarding work that makes an enormous difference in people's lives.

The Vinfen Human Resources Policies and Procedures Manual has been prepared for your use as a tool for the use of all employees. This Manual is not a contract. It is designed as a communication tool offering a standardized approach for the administration of personnel policies. It is intended to minimize difficulties that might arise from unwritten policy, inconsistent policy, or lack of proper communication. The policies have been condensed, thus this Manual is not intended to state all of the conditions of employment and principles that will guide management and other employees in the performance of their duties. To assure that these policies are both fair and effective, they will be reviewed periodically by the Senior Vice President, Human Resources and changes approved by Vinfen's Corporate Officers. Final interpretation of policies in this Manual rests with the Chief Executive Officer, or by delegation, the Senior Vice President, Human Resources. Should you find yourself dealing with a situation not covered in this Manual, you should consult the Human Resources Department for assistance.

The Manual will:

1. Help management accomplish our primary goal of excellence in assisting the people we serve.
2. Aid communication and the consistent and proper application of policies.
3. Encourage efficiency in managerial decision-making.
4. Encourage greater assurance of equitable treatment for all employees.

These policies have my approval as President and Chief Executive Officer of Vinfen. Any exception to them is subject to my approval.



Jean Yang  
President and Chief Executive Officer

September, 2022

## OVERVIEW

This Manual applies to all Vinfen employees and has been prepared for use by all staff. The benefits, policies, and procedures contained herein are general guidelines. In order to assure that these policies are both fair and effective, they will be reviewed periodically by the Vice President, Human Resources and changes approved by Vinfen's President and Chief Executive Officer. **This document is not, nor is it intended in any way to be, a contract between Vinfen and any employee. Unless otherwise stated in a written individual employment contract, all employees of Vinfen are employees-at-will.** This means that either the employee or Vinfen may terminate the employment relationship at any time, with or without cause, and with or without notice or warning. No employee of Vinfen shall be regarded as having a contract of employment with the Company unless a written contract is entered into by an authorized officer of the company.

Manuals are issued by the Human Resources Department, which regularly reviews the policies and updates and issues changes as needed. Suggestions for changes, additions or deletions to this Manual may be made to the SVP, Human Resources by any manager after receiving the approval to make such a suggestion from his/her Director of Service or Department Head. Recommendations by the SVP, Human Resources to change any policies or procedures must be approved by the President and Chief Executive Officer. Exceptions to these policies are subject to the approval of the President and Chief Executive Officer.

Supervisors are encouraged to use the Manual in training and orientation of employees, and in answering any questions an employee may have about policies or procedures. Supervisors may find that they are unable to answer a question or resolve a situation merely by referring to this Manual. In such cases, the supervisor should contact Human Resources.

The Manual is the property of Vinfen, not the individual. All rights and privileges associated with this Manual belong exclusively to Vinfen. Vinfen reserves the right to amend this Manual at any time at Vinfen's sole discretion. As policies in this Manual are updated, Vinfen will periodically advise staff of changes by an email summarizing the change as well as by posting a summary of changes on the Vinfen intranet website. All policies are dated when revised. No term of this Manual may be changed except with authorization by the President and Chief Executive Officer. No representative of Vinfen other than an officer of the corporation has the right to make any agreement with an employee that is in conflict with or contrary to the policies expressed herein. This Manual supersedes all previously distributed or posted editions of The Vinfen Human Resources Policies and Procedures Manual. **For the latest version of this manual, including the most recent updates, go to Vinfen's intranet website (<https://myvinfen.org/>) and click on *Policies and Procedures*.**

**\*\*If you are looking for a particular topic, please use the Search option\*\***

**August, 2019**

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**Family Supports Agency with Choice program** employees may be family members of the person served. This is allowable due to the model type and funding source requirements. All policies that prohibit specific activity around family members do not apply to this employee type. Some Vinfen processes may differ for this employee. Those will be identified in the Agency with Choice Agreement that families and employees sign.

**May, 2017**

## **A. CODE OF EMPLOYER-EMPLOYEE RELATIONS**

Vinfen recruits, manages and retains personnel who support and promote its mission and who reflect the community and populations served. Vinfen employment efforts are designed to retain staff and fill vacancies as governed by contracted staffing ratios.

### **Employment At-Will:**

All employees are hired as at-will employees, so that either the employer or employee may terminate the relationship at any time, with or without cause, and with or without notice. None of Vinfen's policies contained in this Manual or otherwise change the at-will nature of employment at Vinfen. This document is not, nor is it intended in any way to be, a contract between Vinfen and any employee. Unless otherwise stated in a written individual employment contract, all employees of Vinfen are employees-at-will. No employee of Vinfen shall be regarded as having a contract of employment with the Company unless the written contract is entered into by an authorized officer of the company. The hiring of an employee is not considered a contractual relationship.

### **Vinfen Goals**

### **Vinfen's Managers**

Vinfen strives to communicate to all employees the fundamental principles and mutual rights and obligations that make up the relationship between the Company and its employees including a commitment to zero tolerance of violence in the workplace. In its continuing effort to implement fair and effective personnel policies and practices, Vinfen strives to and expects its management staff to:

- Employ people on the basis of their qualifications without regard to age; religion; marital status; physical or mental disability; race; color; national origin; ancestry; gender; lawful source of income; sexual orientation; gender identity; national origin; military or veteran status; or genetic information, or any other basis covered by federal, state or local law.
- Provide an environment which is free of any threats or acts of violence which includes but is not limited to physical assault or battery, or both; property damage; and intimidation or threats communicated by any means including but not limited to letter, note, telephone, texting, fax or voicemail or any other disruptive or aggressive behavior that causes a reasonable person to be in fear of his/her own safety or that of a co-worker.
- Provide an environment free from sexual harassment and other forms of unlawful discrimination and harassment.
- Establish reasonable hours of work and maintain safe and quality working conditions.
- Treat all employees with courtesy and consideration.
- Provide appropriate training and supervision for all employees.
- Promote and fill vacancies from within the organization when appropriate.
- Encourage and welcome constructive suggestions from employees to improve policies and procedures.
- Alert HR or senior management if any employee complains about working terms or conditions.
- Permit employees as much discretion and responsibility as is consistent with their position and commensurate with a well-coordinated and effective organization.
- Support Vinfen's goals and policies, including its goal of remaining a union-free workplace.

- Comply with all policies and procedures.

**Vinfen's Employees:**

Vinfen expects the following commitments from each employee. An employee's failure to meet these commitments may result in corrective action and/or termination.

- Work effectively and efficiently.
- Follow all safety procedures.
- Arrive and begin work on time.
- Avoid unscheduled absences whenever possible.
- Give advance notice when unable to report to work on time.
- Be flexible and amenable to working where needed in order to meet program or corporate needs.
- Demonstrate a considerate and respectful attitude toward people we serve and their families, co-workers, business associates and guests as well as other employees
- Work cooperatively with others and maintain a good team attitude.
- Comply with all policies and procedures.

**Effective Date: January, 2000**

**Revision Date: August, 2019**

**Reviewed Date: June, 2022**

## **B. UNION FREE PHILOSOPHY**

Vinfen began providing human services to children, youth and adults with psychiatric, developmental and behavioral disabilities in 1977, and has been helping to transform lives ever since. In the 40+ years since Vinfen's founding, its employees have not wanted to be represented by a union and we believe that, because of our employee relations philosophy of treating employees with respect and fairness at all times, employees will continue to feel that they have no reason to organize.

Vinfen values its employees and appreciates their individual and team efforts to make Vinfen the best human services provider in the region. Beyond just saying how much we appreciate our employees, we also provide competitive wages, quality benefits, including comprehensive medical, dental and vision plans, paid vacation, sick and holiday time, life and accidental death and dismemberment insurance, long-term disability insurance, commuter benefits, healthcare and dependent care spending plans, referral incentive program, employee recognition programs, opportunities for training and career advancement and training and educational reimbursement programs. Most of all, we offer our employees an opportunity to perform rewarding work that makes an enormous difference in people's lives.

From time to time, there may be talk of unionizing (also called organizing). However, we strongly believe that a union can offer nothing more for our employees than what Vinfen already provides without a union representing the employees. We do not believe that employees should be forced to pay union initiation fees, dues and assessments to pursue wages, benefits and opportunities they already enjoy here. We also do not believe that our employees should have to give a union their hard-earned wages to fund the union's selected political and social agendas and activities that our employees may not necessarily support and may even disagree with. Nor does Vinfen believe that our employees should be forced to become members of a union as a requirement for continuing their employment here. In fact, with a union, employees may receive less than what Vinfen already offers, given the natural give-and-take of collective bargaining and a union's prioritizing terms and conditions of employment that benefit its own interests above the interests of our employees.

Vinfen endeavors to treat our employees fairly and encourages them to raise their concerns so management can address them. Vinfen also encourages employees to suggest ways to improve policies and processes so we can better work together and serve our customers. Vinfen takes pride in having fostered an environment where employees can comfortably voice their concerns and suggestions with management and have each addressed. Vinfen believes that these communication processes have been successful because there has been no interference from third parties or unions who do not know or understand our business or philosophies, and who often have their own, rather than our employees', best interests in mind. Vinfen also believes that a union could compromise our ability to deliver quality services to our customers.

Although Vinfen acknowledges that its non-supervisory employees have the right under the National Labor Relations Act to form or join unions if they wish, Vinfen believes it is equally important that our employees understand they have the right to continue working without union representation and may refuse invitations to join a union or to sign union authorization cards. Vinfen does not believe that it is in our employees' interest to form or join a union, particularly considering the labor disputes that often result from unionization and collective bargaining and because a union cannot do anything to help Vinfen maintain its leading position in the human services marketplace.

Vinfen has a dynamic past and exciting future. Working together, we can ensure a successful future for Vinfen and our employees. We are thrilled that you are working at Vinfen and that you've committed yourself to help transform lives.

We encourage you to bring any problems that you may have on the job to your supervisor or manager, and for you to encourage the employees you supervise to bring any problems they may have to you or to Human Resources. We have a team of committed professionals who are here to help you, and if you believe that your concerns require more attention than your supervisor or manager can provide, please do not hesitate to contact the SVP of Human Resources.

**Effective Date: February, 2013      Revision Date: November, 2018**  
**Reviewed Date: June, 2022**



## C. EQUAL EMPLOYMENT OPPORTUNITY

Vinfen is committed to equal employment opportunities without regard to:

- race
- color
- national origin or ancestry
- ethnicity
- sex or gender
- age
- physical, intellectual, learning, or mental disability
- religious creed
- sexual orientation
- lawful source of income
- genetic information
- gender identity or gender expression
- marital status
- veteran status
- military status
- political belief
- pregnancy
- criminal record *\*funder may have specific approval requirements for certain criminal records*

and any other basis protected by law.

This policy applies to all areas of employment, including recruitment, hiring, training, promotion, transfer, termination, layoff, compensation, benefits, and all other conditions and privileges of employment in accordance with applicable federal, state, and local laws. Violation of the letter or spirit of this policy by an employee of Vinfen will not be tolerated and will result in disciplinary action, including, where appropriate, termination.

Any employee who believes he/she has been the victim of prohibited harassment or discrimination should promptly notify any supervisor or Human Resources.

When necessary, Vinfen will reasonably accommodate employees and applicants with disabilities if the person is otherwise qualified to safely perform all of the essential functions of the position. Any employee who wishes to request a reasonable accommodation on account of disability should promptly notify his/her supervisor or Human Resources of a need for a reasonable accommodation and what accommodation is being requested.

**Effective Date: February, 2013**  
**Reviewed Date: June, 2022**

**Revision Date: October, 2018**

## **D. NON-DISCRIMINATION AND NON-HARASSMENT**

It is the policy of Vinfen to maintain a work environment free from discrimination based on:

- age;
- religion;
- marital status;
- physical or mental disability;
- race;
- color;
- national origin;
- ancestry;
- gender;
- lawful source of income;
- sexual orientation;
- gender identity;
- military or veteran status; or
- genetic information

or any other basis covered by federal, state, or local law with regard to any term or condition of employment. More specifically, it is the policy of Vinfen to make all employment decisions solely on the basis of an individual's merit, qualifications and abilities, and without regard to an individual's personal traits.

This policy applies to all aspects of employment, including hiring, training, compensation, performance reviews, assignment of work, promotions, discipline and termination. This policy also applies to all work-related settings and activities, whether inside or outside the workplace and includes customer sites, business trips and business-related social events. Vinfen's property (telephones, copy machines, facsimile machines, computers and computer applications such as e-mail and Internet access) may not be used to engage in conduct that violates this policy. Vinfen's policy covers employees and other individuals who have a relationship with the company (including outside contractors, vendors, etc.).

Because Vinfen takes allegations of discrimination, harassment and violence seriously, it will respond promptly to complaints of discrimination, harassment and violence and, where it is determined that such inappropriate conduct has occurred, it will act promptly to eliminate the conduct and impose such corrective action as is necessary, including disciplinary action where appropriate.

Please note that while this policy sets forth Vinfen's goals of promoting a workplace that is free of discrimination, harassment and violence, the policy is not designed or intended to limit its authority to discipline or take remedial action for workplace conduct which it deems unacceptable, regardless of whether that conduct rises to the level of a legal claim of discrimination or harassment. Sexual harassment of employees requires particular attention. The sexual harassment policy and procedures also applies to other forms of harassment and discrimination not permitted by Vinfen.

Sexual harassment is behavior of a sexual nature or based on gender directed towards employee(s), regardless of the employee(s)' gender, and can include sexual advances, requests for sexual favors, or verbal and physical conduct of a sexual nature when:

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

While it is not possible to define precisely what type of conduct will constitute an intimidating, hostile, or offensive working environment, it may include verbal abuse or insults of a sexual nature, sexual jokes or other references of a sexual nature, display or circulation of sexually degrading pictures or other materials, inquiry regarding another employee’s sexual experiences or activities, and other similar offensive conduct. Such conduct can include actions or communications in person, by letter or note, by telephone, by fax, by electronic mail, or through social media including cyber (email, texting, online posting, telephone, and voicemail). Workplace violence includes intimidation, harassment, direct or indirect verbal threats of violence or bodily harm, non-verbal actions such as threatening gestures and physical intimidation as well as physical (such as hitting, pushing, shoving, kicking, touching, and assault),

It is also against Vinfen’s policy to engage in verbal or physical conduct that denigrates or shows hostility or aversion towards an individual because of his or her race, color, national origin, ethnicity, sex or gender, age (40 years old and older), disability, religious creed, sexual orientation, gender identity or expression, genetic information, veteran status, military status or any other basis covered by federal, state, or local law (or that of the individual’s relatives, friends, or associates) that:

- has the purpose or effect of creating an intimidating, hostile, humiliating, or offensive working environment;
- has the purpose or effect of unreasonably interfering with an individual’s work performance; or
- otherwise adversely affects an individual’s employment opportunities.

Depending on the circumstances, the following conduct may constitute discriminatory harassment based on an individual’s race, color, religious creed, national origin, gender, sexual orientation, age, disability, military or veteran status, genetic information or gender identity or expression or any other basis covered by federal, state, or local law: epithets, slurs, negative stereotyping, jokes, or threatening, intimidating, or hostile acts, and/or written or graphic material that denigrates or shows hostility towards an individual or group that is circulated in the workplace or placed anywhere in Vinfen’s premises such as on an employee’s desk or workspace or on Vinfen’s equipment or bulletin boards.

It also is the policy of Vinfen to encourage employees to come forward with any complaints of sexual or other harassment and/or to cooperate in any investigation of harassment. This policy and the law prohibit retaliation against an employee for filing a complaint of sexual or other harassment or for cooperating in the investigation of such a complaint, and any retaliation will not be tolerated.

**Investigating Allegations of Harassment; No Retaliation**

If an employee believes that he or she has been subjected to sexual or other illegal harassment, the employee is strongly encouraged to inform any of the following individuals:

<i>Who to Contact</i>	<i>How to Contact</i>
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Regional HR Manager or Senior HR Manager	Contact 617-441-1800 for specific number
Director of Employee Relations Michelle Fraser	617-441-1788 or fraserm@vinfen.org
Senior Vice President of Human Resources Kathy Krysiak	617-441-1826 or krysiakk@vinfen.org
Vice President and General Counsel Lurleen Gannon	617-441-1820 or gannonl@vinfen.org

If the employee cannot or does not wish to inform any of the individuals listed above, the employee can notify any supervisor or manager, who must immediately notify Human Resources.

Any report will be promptly and thoroughly investigated. While each investigation will proceed as the particular circumstances warrant, an investigation will at a minimum involve an interview with the employee making the report and interviews with persons identified as witnesses or otherwise having knowledge of the incident or conduct. The employee making the report is expected to cooperate in the investigation to help Vinfen reach a timely, appropriate resolution. The investigation will be conducted in such a way as to maintain confidentiality to the extent practicable under the circumstances. It is preferable that information related to any investigation be kept confidential out of respect for the privacy of all persons involved. Also, all persons will be informed that it is unlawful and Vinfen will not tolerate any form of retaliation directed towards an individual who makes a complaint or who participates or cooperates in an investigation.

If because of the investigation it is determined that any individual engaged in conduct that either constitutes harassment or otherwise violates Vinfen’s policies or rules of conduct, appropriate remedial or disciplinary action will be taken. Such actions could include (among others) eliminating contact between the employees involved in the incident, mandated training and/or counseling, demotion or termination. Also, Vinfen will meet with the employees involved to make certain that any improper conduct has stopped, and that there has been no discrimination or retaliatory action against the complaining employee.

The importance of this policy cannot be over-emphasized. An environment free of sexual and other illegal harassment is not only the law, it is fundamental to the culture of Vinfen. While we hope that any employee will participate in the reporting and investigation process described above, if an employee believes he or she has been subjected to discrimination, sexual or other inappropriate harassment or retaliation, he/she can also file a formal complaint with either or both of the government agencies set forth below.

- The United States Equal Employment Opportunity Commission (“EEOC”)
  - 1 Congress Street – 10th Floor
  - Boston, MA 02114
  - (617) 727-3200
- The Massachusetts Commission Against Discrimination (“MCAD”)

Boston Agency:

One Ashburton Place –Rm. 601  
Boston, MA 02108  
(617) 727-3990  
(617) 994-6000

Springfield Agency:

436 Dwight Street, Rm. 220  
Springfield, MA 01103  
(413) 739-2145

- The Connecticut Commission on Human Rights and Opportunities (“CHRO”)  
25 Sigourney Street  
Hartford, CT 06106  
860 541-3400  
Connecticut Toll Free 1-800-477-5737  
TDD 860-541-3459  
FAX 860-246-5068

If an employee chooses to file a complaint of sexual or other illegal harassment or discrimination with CHRO, it must be filed within 180 days of the claimed harassment or discrimination. In the case of either MCAD or the EEOC, it must be filed within 300 days of the claimed harassment or discrimination. While it is the right of any employee to seek the assistance of these agencies, Vinfen hopes that all employees will feel comfortable coming forward and allowing a resolution of the matter to be reached internally.

**Effective Date: April, 2006**

**Revision Date: June, 2022**

## **E. EMPLOYMENT ADMINISTRATION**

### **PROCEDURE**

#### **Independent Contractors**

In very specific circumstances, Vinfen may enter into a services contract with an individual (a so called “Independent Contractor Agreement”) rather than employing that individual. Given the specific and significant legal restrictions placed on employers in this regard, please contact the Office of the General Counsel or your Human Resources Manager if you believe that such an independent Contractor Agreement might be appropriate for the services for which Vinfen seeks to engage an individual.

#### **Employment Agencies**

Any and all use of employment agencies, placement, or search firms must be approved by and coordinated through the Human Resources Department with terms and conditions outlined in a contract approved by the Office of the General Counsel. Information regarding approved staffing agencies may be found on the HR page of MyVinfen. Each department and/or Director of Service area is responsible for tracking the time worked by temporary employees, completing and signing agency timesheets, as well as arranging for the payment of agency invoices.

#### **Recruiting**

##### **Job Requisitions and Filling Approved Vacancies**

In order to begin the recruiting process, the hiring manager must submit a fully approved “Job Requisition – Posting Request” form to his/her HR Manager. The form can be found on the HR Department webpage of <https://www.myvinfen.org/>. The employment process is outlined below. The completion of a Job Requisition will initiate the job posting, advertising, or other related recruiting activities by the HR Manager and ensure that the position is filled as quickly as possible with the best possible candidate.

#### **Advertising**

All employment advertising must be placed through an HR Manager.

#### **Application for Employment**

Every applicant is required to complete and sign a Vinfen Application for Employment before he/she will be offered a job with Vinfen.

#### **Employment of Vinfen Relatives**

Members of an employee’s immediate or extended family may be considered for employment by Vinfen provided that the applicant possesses the required qualifications for the vacant position and is not directly or indirectly supervised by a family member. For purposes of this policy statement, “immediate family” includes: spouse; domestic partner; sons and daughters (including stepchildren);

grandchildren; sons- and daughters-in-law; parents (including stepparents); grandparents; father- and mother-in-law; and brothers and sisters (including stepbrothers and stepsisters).

Employees are not permitted to initiate or participate in (directly or indirectly) decisions that involve a direct benefit or detriment to members of their immediate family (e.g., initial employment or appointment, retention, promotion, salary, work assignments, or leave of absence).

If it is found that immediate family members are working in violation of this rule, where practicable and at Vinfen's discretion, the Company may discipline the employees involved, up to and including termination or may attempt to transfer one of the employees to a different position to eliminate the issue. If no position is available and appropriate or if the employee refuses to transfer, the employee or employees may be terminated.

Employees who marry or become members of the same household after they are employed at Vinfen may continue employment in accordance with this Policy. Such employees must alert their respective managers and HR managers at the time they become part of the same household. ***Employees should also review the Personal Relationships Policy found later in this manual that addresses romantic and/or intimate relationships.***

Any concern regarding employment of relatives at Vinfen should be raised to the area HR Manager who, in turn, will escalate the concerns to the SVP of Human Resources. The SVP of Human Resources will refer concerns to Vinfen's Conflict Committee, as needed, for resolution.

### **Re-Hire of Employees**

Employees who have been laid off for economic reasons may be eligible for re-employment consideration as openings occur for which they are qualified and apply.

An employee who is re-hired after a break in service of six (6) months or more will be required to successfully pass all required employee screenings and complete the new-hire (NEO) process as a new employee. This includes relief employees who have not worked at Vinfen within a six (6) month period.

### **Employment of Minors**

Work certificates are required in any special instances where minors (under age 18) are employed. Consult with HR before considering offering employment or an internship to any minor to ensure compliance with applicable laws and regulations.

### **Background and Criminal Records Check**

Vinfen seeks to provide a safe environment for its employees and the people we serve. It is the policy of Vinfen to conduct criminal records checks as part of general background checks for all individuals in employment, volunteer or intern capacities at Vinfen. In order to work at/for Vinfen, criminal background check results must be resolved in a satisfactory manner.

The following practices and procedures will be followed for all criminal background checks.

Background check policies and procedures are conducted in compliance with applicable state and federal laws and regulations. All applicants will be notified that a criminal background check will be conducted. If requested, the applicant will be provided with a copy of the Background and Criminal Records Check policy.

Upon acceptance of our contingent offer of employment, the applicant will complete the “Disclosure and Authorization for the Release of Information” Form provided by Human Resources. Once completed, the form should be returned to the HR Manager.

Vinfen has designated certain individuals within the Human Resources Department as individuals authorized to access criminal background records and to request criminal background records on behalf of Vinfen. Personnel other than those specifically authorized by Vinfen are not to seek criminal background records, whether through the DCJIS system or by any other method, including an Internet search.

Unless otherwise provided by law or regulation, a criminal record will not automatically disqualify an applicant. Rather, determinations of suitability based on criminal background checks will be made consistent with this Policy and any applicable law or regulation.

If an adverse criminal record is received, Vinfen will confirm that the record relates to the applicant.

If Vinfen is inclined to make an adverse decision based on the results of the criminal background check, the applicant will be notified immediately. The applicant must be provided with a copy of the criminal record and Vinfen’s Background and Criminal Records Check Policy and given an opportunity to dispute the accuracy and relevance of the criminal background record.

Applicants challenging the accuracy of this record shall be provided a copy of the documentation related to the background check process. If the record provided does not match the identification information provided by the applicant, Vinfen will make a determination based on a comparison of the record and documents provided by the applicant. Vinfen may at its sole discretion decide to contact the background checking agency and request a more detailed search.

If Vinfen reasonably believes the record belongs to the applicant and is accurate, based on the information as provided, then the determination of suitability for the position will be made. Unless otherwise provided by law, factors considered in determining suitability may include, but not be limited to the following:

- Relevance of the crime to the position sought;
- The nature of the work to be performed;
- Time since the conviction;
- Age of the candidate at the time of the offense;
- Seriousness and specific circumstances of the offense;
- The number of offenses;
- Sentence(s) imposed and length of any period(s) of incarceration;
- Whether offenses were committed in association with a dependence on drugs or alcohol, from which the applicant has since recovered;
- Any relevant evidence of rehabilitation or lack thereof;
- Any other relevant information, including information submitted by the candidate or requested by the hiring authority



In Connecticut, applicants who will have direct and ongoing contact with persons served will have a state of Connecticut Registry of Sex Offenders check and DDS Abuse and Neglect Registry check prior to commencing employment with Vinfen.

Vinfen will notify the applicant of the decision and the basis of the decision in a timely manner.

### **Office of Inspector General/System for Award Management**

All employees will be subject to ongoing screening to comply with federal requirements related to 42 CFR1101.1901 which precludes Vinfen from employing individuals who have been excluded from participation in federal programs.

### **Drug Testing**

To maintain a safe workplace for employees and clients, Vinfen reserves the right to require employees to submit to drug and/or alcohol tests where there is a reasonable suspicion that an employee is either under the influence of alcohol or drugs while at work, or is in violation of Vinfen's drug and alcohol policy. Any such testing will be conducted in accordance with applicable state law.

### **Fingerprinting**

For purposes of conducting required criminal records checks, or for other business reasons, Vinfen may find it necessary to fingerprint employees.

### **Promotion or Transfer from Within**

Internal candidates may apply for open positions by contacting the Human Resources Manager whose name appears on the job posting and following the application procedure found below. The HR Manager will determine the internal applicant's eligibility for transfer or promotion to an open position based on the following criteria which may be waived at the joint discretion of HR and the applicant's current supervisor:

- The applicant must have worked in the current position no fewer than six (6) months. Any deviation from this requirement must be approved by the SVP of Human Resources.
- The applicant must be in good standing at Vinfen

Vinfen employees who request transfers are given priority over equally qualified outside applicants; however, the decision related to filling a particular position is at management's sole discretion. The recruitment process is modified for internal candidates below.

#### ***Procedure – Hiring Internal Candidates: Transfer or Promotion***

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- Before employees apply for a promotion or transfer they must first notify their current supervisor of their intention to do so. Such notification will in no way jeopardize their current position.
- No HR Manager or hiring manager may approach an employee in another

program/department regarding a transfer or promotional opportunity without first consulting with the employee's current supervisor.

- Successfully pre-screened internal applicants will be given an interview.
- The hiring manager, in collaboration with the HR Manager, must communicate with the employee's current supervisor regarding such employee's current and prior work performance prior to making an offer.
- Once an offer has been accepted the hiring manager will contact the employee's current manager to negotiate terms of transfer. The promotion or transfer shall take effect within two (2) months from the date of notification, or as quickly as practicable.
- When an employee has been accepted for a new position, all accrued vacation, sick and personal time is assumed by/carries over to the program to which the employee transfers.

**Effective Date: July, 2009      Revision Date: July, 2020**  
**Reviewed Date: June, 2022**

## **F. REFER A FRIEND INCENTIVE PROGRAM**

Vinfen's Refer A Friend Incentive Program is designed to encourage Vinfen employees to refer qualified external candidates for open positions. Electronic gift cards or monetary payments are available as incentives. The type and size of incentive is determined by the referred candidate's progress in the hiring process and the position filled.

No referral incentive will be paid for candidates whose original contact with Vinfen was the direct result of other Vinfen recruitment efforts, such as advertisements, employment agency contact, online sourcing, on-campus recruiting, etc., or who previously worked at Vinfen.

### **Types of Awards and Payments**

1. Candidate Lead Referral: A referral incentive in the form of a \$50 Target electronic gift card will be paid to eligible employees that refer a candidate through the Refer a Friend form who successfully completes an interview with the hiring manager for an open position. Please see the Recruiting page of MyVinfen for more information about this program including how to make a candidate lead referral.
2. Regular Full & Part-time Employee Referrals: A referral incentive of \$500 will be paid to eligible employees that refer a candidate who is subsequently hired as a regular full or part-time employee and completes three (3) consecutive months of employment.
3. Per Diem Staff Referrals: A referral incentive of \$200 will be paid to eligible employees that refer a candidate who is subsequently hired as relief staff and works at least 200 hours within the first 6 months of employment.
4. Per Diem Staff Promoted to Regular Full or Part-time Status: Except as described in this policy, a referral incentive of \$500 will be paid to eligible employees that refer candidates hired as relief staff that are promoted to regular full or part-time status within (12) months of their date of hire. If the referral incentive of \$200 has been already paid to the eligible employee for the Per Diem staff that has worked 200 hours in his or her first 6 months of employment and the Per Diem staff is then promoted to a full or part-time employee, a referral incentive of \$300 will be paid to the eligible employee.
5. Enhanced Referrals: From time-to-time Vinfen may offer enhanced referral incentives for some hard to fill positions. Please refer to the terms and conditions published at the time of the promotion for more specific information.

Referral incentive payments are subject to applicable state and federal withholdings.

### **Referrer Eligibility**

To be eligible, the referring employee's name must appear on the Refer-A-Friend Form or the candidate's employment application. The referring employee must be an active Vinfen employee at the time of the incentive payment to receive the award.

No more than one employee may serve as the referrer for a candidate or new employee. In all cases, only the first person to refer the candidate or new employee will be eligible for the incentives. The initial referrer listed on the Refer-A-Friend form will supersede both the paper and/or electronic application. The online application shall supersede the paper application in cases in which contradictory employee names are listed.

### **Employees Ineligible to Participate**

No referral incentive, including a gift card, will be paid to supervisors or managers when referring a candidate to fill a vacancy in his/her own program, division or department that reports directly or indirectly to the supervisor or manager. No member of the Human Resources Department will be eligible for participation in the Employee Referral Incentive Plan. Members of the Executive Team are not eligible to receive referral incentives.

**Effective Date: January, 2009**  
**Reviewed Date: June, 2022**

**Revision Date: December, 2021**

## G. EMPLOYMENT CATEGORIES AND SERVICE CALCULATION

Vinfen management ordinarily should staff their departments/locations with 40 hours per week full-time employees and supplement with part-time or on-call relief staff when necessary for periods of peak workload, employee absences, or other situations where management determines that such staff are needed. All employees will have a status designated as either Regular (full or part time employees hired for an indefinite period of time) or Relief (on-call employees). Relief employees are not eligible for benefits except as required by law. Regular employees may be eligible for certain benefits, dependent in part on their length of service and their scheduled weekly work hours and the terms of specific benefits programs.

### *Definitions*

- **Regular Full-Time:** An employee who is scheduled to work 40 hours per week.
- **Regular Part-Time:** An employee who is scheduled to work on a regular basis, but less than 40 hours per week. Eligibility for some benefit plans vary by type of benefit and the state in which the program operates.
- **Relief:** Relief employees are not regularly scheduled to work but are available to work on an as-needed basis to fill in for absent employees or to assist in peak work periods.
- **Active Employment:** Not on unpaid leave, suspension or salary continuation.
- **Exempt Employees:** Employees who, because of their job duties, responsibilities, and salaries are not covered by (i.e., are exempt from) the minimum wage and overtime requirements of the Fair Labor Standards Act and its state law counterparts.
- **Non-Exempt Employees:** Employees who are paid by the hour for each hour worked or paid a salary based on the number of hours worked and are eligible to receive overtime pay for all hours in excess of 40 in a workweek. Non-exempt employees are subject to the minimum wage and overtime requirements under the Fair Labor Standards Act and its state law counterparts.

Designation of exempt and non-exempt status is made by the Human Resources Department in compliance with state and federal law. Changes in an employee's position will be reviewed by Human Resources in order to determine if there is a need to re-classify the employee's status.

### *Service Calculation*

Length of service with Vinfen is a factor used to determine eligibility for certain benefits. Service is calculated in years and fractions thereof as measured from an employee's date of hire or rehire. Any time an employee terminates his/her employment it will be deemed a break in service with Vinfen. An employee who terminates his/her employment or is reclassified to relief status and is eligible for rehire will not be rehired any sooner than 30 days following his/her break in service without specific approval of the SVP of Human Resources.

Upon being assigned a rehire date, an employee is treated the same as a new hire with the following exceptions:

- When rehired in less than 12 months from the date of termination, the employee is exempt from the 90 day waiting period and will have their accrued Sick Time restored to the lesser of actual balance or 40 hours.
- When rehired within 5 years from date of termination, the employee's vested balance in Vinfen's Defined Contribution Plan will be restored and the employee's prior years of service will be taken into account.

**Effective Date: October, 2007**  
**Reviewed Date: June, 2022**

**Revision Date: September, 2016**

## **H. INTERNS AND VOLUNTEERS**

All interns and volunteers who will be working with and potentially having unsupervised contact with Vinfen clients must be coordinated through the Human Resources and Legal departments to ensure that the arrangement is in conformity with existing legislation and complies with all applicable policies and procedures. Below you will find the processes for identifying and on-boarding either a volunteer, an unpaid intern, or a paid intern. This process is not intended for those volunteers who will be assisting with public events in which there will be no unsupervised contact with Vinfen clients, such as the Friends of Metro Boston Thanksgiving lunch or the Annual Film Festival

The Human Resources Department will maintain a database of all interns and volunteers placed at Vinfen. Additionally, the Human Resources Department will maintain files for each volunteer and intern. Paid interns will be treated as regular employees. Unpaid interns and volunteers will have their documents maintained in designated unpaid intern and volunteer files in the HR Coordinator office.

For both unpaid intern and volunteer positions, it is the responsibility of the supervisor and HR Manager to inform the HR Coordinator office when a placement is ending. At least once per year, the Director of Employee Relations will reach out to the HR Managers to confirm whether unpaid interns and volunteers are still active.

### **Paid and Unpaid Internships**

Any temporary placement that is earning school credit will be classified as an internship. Unpaid internships must be pre-approved by the Legal Department to ensure compliance with labor laws. Consult your HR Manager and your Director of Service prior to starting the internship process. Interns are expected to adhere to all applicable Vinfen policies and procedures and will undergo on-boarding processes.

Paid interns will be subject to the on-boarding screenings and processes applicable to new hires. All paperwork will be maintained in the same fashion as regular employees.

Unpaid interns will be subject to the following on-boarding screenings: Unpaid Intern / Volunteer Application, Fingerprint screening (DS/BI only), Department of Children and Families Registry of Alleged Perpetrators check (Behavioral Health division only), CORI, SORI (if applicable), TB test, and credentialing (if applicable), and any other state-specific check.

In lieu of attending New Employee Orientation, the unpaid intern will undergo an abbreviated training with the area HR Manager. The HR Manager is required to have TB documentation reviewed by the MAP Training Specialist prior to any client contact. Additionally, the HR Manager must forward the approved TB documentation and signed orientation acknowledgements to the HR Coordinator Office to be placed in the intern file.

In addition to the necessary on-boarding forms for the processes mentioned above, the following is required for each unpaid intern as well as their affiliated academic institution, where applicable:

- Signed business agreement between Vinfen and school, where applicable
- Identification of duties and the scope of responsibility
- Signed non-disclosure agreement

The HR Manager is required to work with the Legal Department to ensure that the three documents mentioned above are completed before the beginning of the placement and then forwarded to the HR Coordinator office to be placed in the intern file.

Each intern will be assigned a primary supervisor who will be responsible for scheduling site-specific orientation and training, ongoing supervision, and assessment of performance. Supervisors are tasked with completing any paperwork requirements set forth by the educational institution and should consult with Human Resources and/or the Legal Department if any issues or questions arise. Copies of all documents submitted to the education institution by the supervisor should be retained by that supervisor.

## **Volunteers**

Volunteers are classified as any non-employee conducting activities on an on-going or as needed basis in either Vinfen programs or Vinfen events. Volunteers, while not employees, will need to undergo on-boarding processes to ensure safety for persons served and adherence to Vinfen policy. Consult your HR Manager and your Director of Service prior to starting the volunteer process. Volunteers are expected to adhere to all applicable Vinfen policies and procedures and will undergo on-boarding processes.

Volunteers will be subject to the following on-boarding screenings: Intern / Volunteer Application, Fingerprint screening (DS/BI only), Department of Children and Families Registry of Alleged Perpetrators check (Behavioral Health division only), CORI, SORI (if applicable), TB test, and credentialing (if applicable), and any state-specific check.

In lieu of attending New Employee Orientation, the volunteer will undergo an abbreviated training with the area HR Manager. The HR Manager is required to have TB documentation reviewed by the MAP Training Specialist prior to any client contact. Additionally, the HR Manager must forward the approved TB documentation and signed orientation acknowledgements to the HR Coordinator Office to be placed in the volunteer file.

Each volunteer will be assigned a primary supervisor who will be responsible for or to schedule site-specific orientation and training, ongoing supervision.

**Effective Date: February, 2010**

**Revision Date: November, 2023**



## **I. CREDENTIALING AND MALPRACTICE INSURANCE POLICY**

Vinfen has specific positions which require certain qualifications such as licensure and certification. Any management or professional position in which employees are using their license or certification as part of the position responsibilities will be credentialed.

All physicians providing services to Vinfen are required to have malpractice insurance. Clinical services cannot be provided without proof of sufficient coverage.

1. All applicants and/or existing employees who are being hired or transferred into positions which require qualification by discipline, level of licensure, and/or certification must complete a Credentialing Release and Authorization Form, which will allow Vinfen to verify credentials and education as appropriate and obtain a completed credentialing record which will be maintained in the employee's personnel record, to include:

- A. A record of professional training and work experience;
- B. Proof of current licensure or certification (updated according to the provisions of the respective state or national licensing or certification Board) in the respective profession; and
- C. Appropriate malpractice insurance documentation, when required.

2. Physicians who are employed by Vinfen must have valid, current and sufficient malpractice insurance. In circumstances where Vinfen enters a contractual relationship for physician services, the contract will require that the physician have malpractice insurance in effect and that Vinfen may ask for proof of coverage.

3. Requirements of the Malpractice insurance policy:

- A. Occurrence-based, NOT claims-made;
- B. Minimum coverage of \$1 million per claim; \$3 million aggregate; and
- C. Insurance carrier and coverage terms must be acceptable to Vinfen or designee.

4. Vinfen will contract directly for malpractice coverage for all new hire full and part time physicians including those covered under the MMHC Clinical services contract. Malpractice coverage will cover physicians for work conducted on behalf of Vinfen only.

5. Employed physicians covered by malpractice insurance, other than coverage provided by Vinfen, must provide proof of a valid policy (as required by this Policy) as needed and at least on an annual basis.

### **New Hires**

All new hires whose position requires credentialing will not be eligible to begin employment with Vinfen until Vinfen obtains proof of required license or certification. If an applicant does not meet the required credentialing qualifications:

1. Vinfen may rescind the employment offer;
2. Vinfen may offer an applicant another position within the Company for which that particular license/credential is not required;
3. With prior approval, Vinfen may extend the start date of the offer for an additional two weeks in order for the applicant to obtain the necessary license or certification; or

4. On rare occasions, if an applicant is not yet licensed or certified, but meets all other qualifications and is deemed essential for the position, the Division Head may recommend an exception to the Credentialing Committee. The recommendation may be to move forward with employment, as long as the applicant becomes licensed or certified within the specific agreed upon timeframe subject to the approval of the Credentialing Committee.

The Credentialing Committee may or may not approve this recommended exception. If it does approve the exception, then the new hire will be provided with specific criteria and timeframes in which the employee needs to be licensed or certified. Applicants will be provided with an exception letter and a recertifying date will be determined. Until such license or credential is obtained, the employee's record will reflect this Exception status.

### **Promotions/Transfers**

All employees in the process of being promoted/transferred into a position which requires credentialing will not be eligible to move into their new position until Vinfen obtains proof of required license or certification.

1. If an employee does not complete the required Credentialing Release and Authorization Form within one week of receipt of the Form, the offer may be rescinded or put on hold.
2. If an employee does not meet the required credentialing qualifications:
  - A. Vinfen may rescind its offer of promotion/transfer; or
  - B. Vinfen may extend the start date of its internal offer for an additional two weeks in order for the employee to obtain the necessary proof of required license or credential.

### **Annual Credentialing**

All employees whose positions require credentialing will have their credentials re-verified on an annual basis. If an employee's certification or license is expired, he/she will be suspended for up to 30 days, if the job requires licensure/certification. If the employee fails to resolve the credentialing issue within the 30 days:

1. He/she may be terminated from Vinfen at Vinfen's sole discretion; or
2. He/she may be transferred into a role which does not require that particular license/credential, provided there is a suitable position available.

### **LPHA**

If an employee's job description does not require licensing, but he/she is a Licensed Practitioner of the Healing Arts (LPHA), and the employee acts as a LPHA in that job, he/she may remain active in his/her current position, but cannot act as a LPHA. That employee must resolve any outstanding licensure/credentialing issue within 30 days of notice, or his/her salary may be decreased since he/she can no longer act in the role of a LPHA.

It is the responsibility of the employee to notify his/her manager if his/her license or certification has expired or been suspended. Failure to do so may result in disciplinary action.

All credentialing issues regarding either new hires or existing employees are reviewed on a weekly basis by the Credentialing Committee. The Credentialing Committee consists of the VP of Quality and Compliance, the VP of HR, and the Director of HR Operations. The Credentialing Committee works at the direction of the COO. The Credentialing Committee makes all final decisions regarding the resolution

of credentialing issues. As appropriate, the Credentialing Committee may seek additional information from Vinfen senior managers to resolve a credentialing issue.

All clinical and professional staff must have ongoing supervision as required by law or Vinfen's internal policy. The clinical/professional supervisor (e.g., Director of Nursing, Clinical Director, etc.) of the employee is responsible for ensuring that clinical and professional services provided by the employee meet standards of care and treatment required by the professional disciplines and Vinfen's standards for clinical and professional excellence.

The Director of Human Resources Operations reports to the Corporate Compliance Committee at each committee meeting regarding any issues related to the review of new applicants or existing employees who have been credentialed or have been reviewed for credentialing.

In addition to the ongoing review by the Credentialing Committee, the Director of Human Resources receives reports of misconduct and violations of standards for clinical or professional practice of Vinfen or a professional licensing or certification and reports this information to the Committee. Any such reports are reviewed and issues are resolved by the Committee.

### **Reporting to Appropriate Board of Registration**

In the event that Vinfen receives a report of misconduct on the part of a credentialed employee which is contrary to the agency policy or specific clinical or professional practice related to and as guided by applicable professional and ethical standards, the Credentialing Committee will review any and all pertinent reports, investigations, and related documentation. If an employee is discharged with cause because of the above and/or if the Committee believes the employee is to be discharged, the VP of Human Resources, or designee may submit a report to the respective Board of Registration, e.g. Medicine, Social Work, Nursing, Psychology, etc. adhering to the guidelines for reporting established by the respective Board.

**Effective Date: October, 2007**

**Revision Date: November, 2022**

## **J. NEW EMPLOYEE ORIENTATION (NEO)**

Vinfen provides staff with opportunities to develop and enhance professional skills that in turn support the needs of all persons served. All newly hired employees and onboarding interns complete a mandatory one-day orientation session. This New Employee Training (NEO) serves four general purposes:

1. To introduce new employees to the wide array of services and supports that Vinfen provides and the values that guide the organization.
2. To learn on essential policies and procedures including health, safety, diversity, and inclusion.
3. To connect to Vinfen's business systems including time and attendance, learning management, Microsoft 365, Outlook, and SharePoint.
4. To give an introduction to Vinfen Benefits including healthcare, wellness, professional development, career development, and tuition support.

During NEO, all employee receive an Individualized Training Plan that is specific to their new positions. Required clinical, administrative, certifications, and values-based trainings are assigned for completion within the first 60 days of employment.

**Effective Date: April, 2006**

**Revision Date: June, 2022**

## **K. PERSONNEL FILE MAINTENANCE**

Vinfen maintains seven employee files for each employee:

- Employee Personnel File
- Medical File
- Payroll File
- CORI/Criminal Background Check File
- I-9 File
- Training File
- Retirement & Pension File

### **Employee Personnel File**

A personnel file is a record kept by an employer that identifies an employee, to the extent that the record is used or has been used, or may affect or be used relative to that employee's qualifications for employment, promotion, transfer, additional compensation or disciplinary action. A **personnel file** shall not include information of a personal nature if disclosure of the information would constitute a clearly unwarranted invasion of privacy.

Personnel files are maintained for each employee of Vinfen. These personnel files contain confidential documents and are managed and maintained by Human Resources staff.

Managers are only required to document critical incidents, whether positive or negative, and as that documentation now constitutes part of the personnel file, that documentation should be forwarded to the assigned HR Manager to be filed in the employee's personnel record.

Typical documents in a personnel file include, but are not limited to:

- Name, address, date of birth, job title and description;
- Rate of pay and any other compensation paid to the employee;
- Starting date of employment;
- Employment application;
- Resumes or other forms of application;
- Employee performance appraisals;
- Written warnings of substandard behavior;
- Waivers signed by the employee;
- Copies of dated termination notices;
- Any other documents relating to disciplinary action regarding the employee, including employee rebuttals;
- Employment references and/or employment verifications;
- Copies of job related certifications, licenses and/or credentials (if applicable);
- Emergency contact information;
- Personnel Action Forms (PAFs), which contain a history of the employee's jobs, departments, compensation changes, etc.;
- W-4, M-4 and direct deposit forms;
- Positive contributions, rewards and/or recognition;
- Employee handbook and company policy sign off sheets.

Not all personnel files contain the same documents, but each personnel file should have the aforementioned items.

All employees, former employees and representatives of employees may view certain contents of their personnel file with advance notice to Human Resources staff. Documents that relate to the employee's qualifications for hire such as the application, promotion, disciplinary action and transfer **may be viewed**. Additionally, the employee may review policy sign-off forms and training records.

Documents that the employee **may not review** include: employment references, records of any investigation undertaken by management, documents related to a judicial proceeding and any document that would violate the confidentiality of another employee or individual served.

### **Procedure:**

#### **Requests to view/review the contents of a personnel file:**

An employee who wants to review the allowable contents of their personnel file should contact the Human Resources Department with at least 24 hours notice. Former employees, or representatives of a former employee unknown to the Human Resources staff, must present identification and /or proof of permission to access the personnel file. Personnel files must be reviewed in the presence of a Human Resources staff person. No part of the personnel file may be removed from the office by the employee.

#### **Requests for copies of a personnel file:**

Photocopies of the personnel file, or portions of the file, must be requested by the employee or former employee in writing. Within five (5) business days in MA, seven (7) business days in CT or ten (10) business days in CT for former employees, the Human Resources staff person or Legal Department will provide photocopies. If the employee disagrees with the information in the personnel record, the employee may submit a written statement to the Manager of Employee Relations explaining their position. This statement will then become a part of the employee's personnel record. If the employee and Vinfen *mutually agree* upon a change, the record may be corrected.

In CT, the current or former employee has a right to copy their personnel file. In these cases, a Human Resources staff person will accompany that employee to the photocopy machine at Vinfen's CT office while the copies are made.

#### **Internal Procedure for Responding to Requests for copies of personnel file**

Once a written request for a personnel file is submitted, the HR Department or the Legal Department (if necessary) will gather the appropriate documents.

### **Medical File**

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) requires employers to maintain the confidentiality of employee medical records. As such, medical records are secured safely and confidentially and are kept separate and apart from the general personnel file and other business records that supervisors may access. The contents of the medical file are not available to anyone except

Human Resources designated staff and the employee whose records are retained in the file.

Typical documents in a medical file include, but are not limited to:

- Health insurance application forms;
- Life insurance benefit designation forms;
- Applications for any other employee benefit that might require medical information;
- Requests for paid or unpaid medical leaves of absence;
- Family Medical and Leave Act (FMLA) reports and related paperwork;
- Physician's examinations, notes, correspondence and recommendations;
- Medically-related excuses for absenteeism or tardiness;
- Medical job restrictions;
- Accident and injury reports, including OSHA-required documents;
- Workers' compensation reports of injury or illness;
- Any other form or document that contains private medical information about an employee, including new employee Tuberculosis test results, Hepatitis B Vaccine Series Training and Decision Form, and proof of vaccinations (if applicable).

## **Payroll File**

Payroll Files are also maintained for every employee. Payroll files contain a history of the employee's jobs, departments, compensation changes, etc. The employee payroll file is the repository for everything that has to do with an employee's pay check. The payroll file limits accessibility to confidential employee information. The employee payroll file enables the Payroll Department to have the information they need to pay the employee.

Typical documents in a payroll file include, but are not limited to:

- New Hire Personnel Action Form (PAF);
- W-4 Form, M-4 for MA employees and CT-W4 for CT employees;
- Payroll/Benefit Deduction forms - paperwork and authorization relating to any employee benefit that involves a payroll deduction including, but not limited to, 403b contributions, loan repayments, Dependent Care and/or Medical Care Flexible Spending Accounts (FSA);
- Direct deposit authorization form;
- Garnishment orders and records;
- Authorization for release of private information;
- Copies of employment verifications submitted to 3<sup>rd</sup> parties;
- All other PAFs including, but not limited to, paperwork related to stipends, gain shares, salary reserves, referral bonuses or recognition awards;
- W-2 forms.

## **CORI/Criminal Background Check File**

It is the policy of Vinfen to conduct criminal records checks as part of general background checks for employment, volunteer work and internships. Prospective employees and volunteers are required to undergo a Criminal Offender Record Information (CORI) check in Massachusetts and a Criminal Background check in Connecticut. (*See Background and Criminal Record Check Policy for more details.*) CORI/Criminal Background Check records retrieved and stored by the HR Department will be kept in a secure location, separate from the employee personnel and medical files.

## **I-9 File**

Vinfen maintains I-9 files for all employees. Such files are kept in a separate confidential file along with any supporting documentation.

## **Training File**

A training file is maintained for each employee in Pathlore (and ADP where applicable) that identifies the following:

- Transcript of employee's attendance at the New Employee Orientation (NEO);
- Transcript of all trainings an employee is scheduled for; and whether or not they attended;
- Copies of applications for employee tuition remission and professional development fund benefits.

The Training Department also maintains copies of recent CPR/First Aid/ Safety Care certifications and MAP tests, which are maintained by the date of the class.

## **Retirement and Pension File**

Vinfen retains records of any loans taken by employees from the 401a Retirement Plan or hardship withdrawals taken from the Vinfen 403b Plan. Vinfen is also responsible for retaining QDRO (Qualified Domestic Relations Order) payments and withdrawals from the Plan.

**Effective Date: December, 2009      Revision Date: September, 2016**  
**Reviewed Date: June, 2022**



## L. PERSONNEL ACTION FORM (PAF)

### POLICY

All changes to an employee's work status or pay must be documented through the use of the web-enabled Personnel Action Forms ("PAF") and approved by the employee's supervisor. Some status or pay changes may require higher levels of approval as provided elsewhere in this manual.

### PROCEDURE

#### PAF-Required Events

A member of the Human Resources Department will be responsible for completing a PAF for most events. Managers must work with their Human Resources Manager in order to correctly process any PAF-Required events. A PAF must be initiated under any of the following circumstances:

- **New Employee Hire**
- **Department Transfer**
- **Position/Title Change**, e.g., from relief to regular status, promotions, etc.
- **Change in pay rate**
- **Change in regularly scheduled hours** (may affect benefit time accruals and/or insurance eligibility)
- **Leave of Absence**
- **Suspension** In addition to the supervisor and his/her manager approving the suspension, the Manager of Employee Relations or Senior Vice President of Human Resources must also approve the PAF.
- **Termination:** In addition to the supervisor and his/her manager approving the involuntary termination, the Manager of Employee Relations or Senior Vice President of Human Resources must also approve the PAF.
- **Any and all other changes to an employee's work status**

**Effective Date: October, 2007**

**Revision Date: April, 2016**

**Reviewed Date: June, 2022**

<b>M. CHANGE OF PERSONAL INFORMATION OR LEGAL NAME</b>
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**Every Vinfen employee is required to provide updates to his/her change of address, telephone number, personal email address, emergency contact, or legal name promptly after any such change.** A Change of Personal Information form is available on MyVinfen on the Human Resources page and may also be obtained from area Human Resources Managers. Employees are reminded that Vinfen must on occasion be able to contact them with important information such as updates to its benefits offerings, or must be able to reach emergency contacts in case of a medical emergency at work.

**Effective Date: February, 2000      Revision Date: April, 2016**  
**Reviewed Date: June, 2022**

## N. HOURS AND LOCATION OF WORK

### Standard Work Week

The standard work week for non-exempt employees is 40 hours, beginning at 12:01 a.m. Sunday and ending at midnight the following Saturday. Employees may be required to work rotating shifts, variable schedules, weekends, or at different locations in fulfilling their responsibilities, but in general employees will work 8-hour days with scheduled breaks. Each staff member is responsible for knowing his/her own work schedule.

**Please note that all Vinfen managers are required to maintain their employees' schedules in the time and attendance system so that deviation from standard hours may be flagged and proper tracking, calculating, and awarding of leave time may be conducted.** Managers must enter a new employee's schedule into the system upon hire and must update the schedule when changes occur. Managers should reach out to their supervisors or Payroll for assistance in adding standard schedules in the time and attendance system..

If an employee works more than 8 hours in a day, the supervisor may choose to reduce the employee's hours for a subsequent day that week in order to keep the employee's weekly hours from exceeding 40.

### Schedules

Work schedules are set to meet the staffing needs within a program and/or department. In sites where irregular or rotating schedules are needed, such schedules should be set and posted as far as possible in advance. Schedules will be revised, as needed, when staffing problems arise.

### Overtime

Vinfen, on some occasions, must require employees to work overtime (more than 40 hours in a week) when circumstances present a need. When overtime is requested, it is expected that each employee will work the needed time.

Exempt employees do not receive overtime compensation. Non-exempt employees are paid 1.5 times their regular hourly rate for hours worked in excess of 40 hours in a workweek. **Only hours actually worked, Holiday hours, and Jury Duty hours are included in the weekly computation of overtime.**

**An employee may not work more than 20 hours of overtime during a week (Sunday through Saturday) without Senior Program Director or On-call Administrator Approval, which may be given verbally.** Employees are only allowed to work Overtime if requested by his/her supervisor or unless otherwise authorized prior to actually working such overtime hours.

**Program Directors, Department Heads or their designees must approve all overtime. Additionally, managers are required to monitor overtime to ensure that no employee is working excessive hours that may impact the quality of care provided.**

The following must be followed for both regular and per diem employees:

1. Home Program Directors/Per Diem Pool Coordinators are responsible for managing both the regular and overtime hours of their employees.
2. An employee may not work two consecutive overtime days, unless their Home Program Director or On-Call Administrator approves the exception, which may be given verbally.
3. Although it is the employee's responsibility to disclose to the manager if additional hours worked will qualify as overtime, the responsible manager should ask the employee the following questions before approving an employee to work an overtime shift:
  - A. How many hours have you worked this week? (Will the shift put the employee into overtime?)
  - B. Have you worked any other overtime shifts in the week? If so, when and how many?
  - C. Will this shift put you over the overtime limit (20 hours) for the week?

Only under emergency circumstances, as identified by the Home Program Director or the On-Call Administrator, may an employee work more than 20 hours without an 8-hour break.

### **Meal Breaks and Rest Periods**

Meal breaks and rest periods vary from program to program depending in part on the needs of the persons served, staffing at the program, and the daily or weekly schedule. Employees should ask their supervisor for guidance as specifics of the program in which they are working.

### **Call-in Pay**

On rare occasions certain of our operations must close on very short notice forcing non-exempt (hourly) employees to leave work before completing their shift. If that is the case, non-exempt employees who have reported for work will be paid a minimum of 3 hours worked. However, if an employee is scheduled to work for less than 3 hours, then the employee will only be paid for actual hours worked and not for a minimum of 3 hours.

### **Daylight Savings Time - Impact on Hours Paid**

Employees that work shifts that include the beginning of a new day, such as the 11PM – 7AM shift, will work one hour less than their scheduled hours on the day that Daylight Savings goes into effect. Conversely, when we revert to Standard Time, they will work one hour more than their scheduled hours. In either case an employee cannot be paid more or less than the hours he/she actually works.

### **Location of Work**

Although all Vinfen employees have a “home” department or program, Vinfen can, solely at its discretion reassign or redeploy staff to other programs based on program and/or staffing needs. Staff who refuse to comply with a reasonable request to redeploy to another program may be subject to corrective action up to and including termination of employment.

### **Flexible Work Arrangements**

Staff who are eligible for Flexible Work Arrangements (FWA) must live within a commutable distance of their home office. Anyone seeking an arrangement that will allow them to live in a location that is not considered to be within commutable distance must submit a request in writing and

the request must be approved by the Divisional Senior Vice-President and Senior Vice-President of Human Resources before such an arrangement can be initiated.

**Effective Date: April, 2006**

**Revision Date: June, 2022**

## O. WEATHER EMERGENCIES

Vinfen must remain open and ready to provide care and service to the people we serve regardless of weather conditions. Staff attendance at such times is particularly important.

### Severe Weather Conditions

Supervisors should carefully monitor the weather conditions and allow an employee to leave if the employee believes that he or she needs to leave early in order to return home safely and the absence can be accommodated without risking the safety or health of the people we serve. If an employee does not wish to come to work because of severe weather conditions, the employee must call in and request authorization from his or her supervisor. When weather conditions worsen substantially after a work day has begun, the Program Director in residential or day programs, in consultation with the Director of Service and Divisional Vice President, may announce to staff that certain categories of employees may leave work at a designated time. *Non-exempt employees arriving late or leaving early will be paid only for hours actually worked and may use Personal or Vacation Time, as available, to complete the normal hours for the day. Both exempt and non-exempt employees who decide not to report for work due to severe weather conditions will only be paid for the day if they elect to use Personal or Vacation Time.*

Staff already on site in residential programs may be required to remain on duty for extended periods if co-workers on the next scheduled shift are unable to come in.

### Facility Closings

When State officials declare a State of Emergency due to severe weather and ask that only essential staff report to work, Vinfen will honor this declaration by closing certain of its facilities and requiring only staff designated as essential to report to work and all others to remain at home. Similarly, our Developmental Services Division day programs may be closed if our contracted transportation companies are unwilling or unable to transport clients due to weather conditions. Vinfen management will specify which employees are essential and notify them that they are expected to report to work in such situations. *In such instances, only those who are required to report to work and actually report to work will receive pay for hours worked. All other employees must use Vacation or Personal Time to receive pay for such days. If an employee does not have any accrued Vacation or Personal Time, he/she may request an advance of Vacation Time for a period not to exceed the emergency closure time.*

In those circumstances where management has determined that an employee's job can be performed outside the office or program site, such as with ACCS and PACT teams, those employees will be treated as having reported to work if they actually perform work from the designated off-site location. Work from home arrangements must be planned in advance.

The Training Departments will follow the same weather-related closings or delays as the Vinfen administrative offices at 950 Cambridge St. in MA and Windsor Office in CT. When severe weather occurs before or after normal business hours, employees should call the phone numbers listed in the section below:

## **After-Hours Guidance on Weather Emergency Procedures and Closings**

When severe weather occurs or an official Weather Emergency is declared before or after normal business hours, employees should call the following numbers, listen to the pre-recorded message, and follow its instructions for weather-related guidance.

- In Massachusetts, call: (617) 441-1800 or toll-free (877) 2Vinfen
- For the Massachusetts Training Center, call: (617) 863-5962
- In Connecticut, call: (860) 787-2432

**Effective Date: March, 2011**

**Revision Date: November, 2018**

**Reviewed Date: June, 2022**

## **P. ATTENDANCE, ABSENCE FROM WORK, AND TARDINESS**

Vinfen is committed to maintaining a productive work environment that is responsive to the needs of the people we serve. For this reason, employees are expected to come to work to perform their job responsibilities in accordance with their work schedule. Good attendance and punctuality are particularly important at Vinfen because of the 24 hour, 7 day per week nature of our business, the strict staffing demands of state operating regulations, and the needs of the people we serve. Management recognizes that circumstances beyond an employee's control may cause unscheduled absences and/or tardiness for all or part of a day. However, excessive or fraudulent use of benefit time or other violations of this policy will not be tolerated and may result in corrective action up to and including termination of employment.

### **Attendance**

Attendance standards may differ depending on the department and the program. In general, if an illness or other emergency will delay or prevent an employee from reporting to work by more than five minutes, he/she must speak directly with his/her supervisor or supervisor's designee. A voice-mail message or other message will not under normal circumstances be acceptable. *Employees must notify their supervisor of any planned sick absences at least 7 days in advance. (Vacation, Personal, or unscheduled Holidays must be requested of their supervisor no less than ten (10) days prior to the intended date of absence)* Each program is responsible for providing their employees with a written protocol for reporting an unscheduled absence or tardiness. Managers should make sure that Kronos is kept up to date with all employee time away from work.

### **Absence From Work**

It is at the discretion of the supervisor to grant approval for time off for discretionary benefit time based on the workload and staffing needs of the department and/or program.

### ***Scheduled Absences***

Scheduled absences must fit one of the following conditions, be requested in accordance with program/department-specific protocol for advance notification of absences, and be approved by the employee's supervisor or officially announced through emergency notification process.

- Authorized use of Vacation/Sick/Personal/Holiday Time.
- Authorized leave pursuant to Vinfen's leave policies
- An employee being told not to report to work due to severe weather or other emergency preventing the operation of the program or department.
- An employee being sent home from work if the department/program supervisor deems that he/she has a temporary medical condition that may be infectious or will put the employee or others at risk.

### ***Unscheduled Absences***

In the case of an unscheduled absence (one which did not receive the prior authorization from the employee's supervisor), the employee or employee's surrogate (spouse, adult family member or other



responsible party) is expected to contact his or her supervisor as far in advance of the start of the shift/day, or as soon as practicable in the case of an emergency. This notification is to be provided each day of an employee's absence, unless the employee has already explicitly communicated to the supervisor the expected duration of his/her absence. Employees should be given written documentation of their program's call-in procedure.

Employees who fraudulently or excessively call out sick by engaging in an activity that is not consistent with the allowable purposes for sick leave or in a manner consistent with state law will be subject to corrective action, up to and including termination of employment, unless the employee provides verification of the need for authorized use by a health care provider.

## **Special Procedures in Place Due to COVID-19**

The safety and health of persons served and employees is of the greatest importance to Vinfen. As such, and as required by our funders and regulators, Vinfen has the following policies and procedures in place to address the concerns of COVID-19.

### ***Mandatory Self-Screening and Monitoring***

All Vinfen staff will self-monitor and not come to work with symptoms. All staff will self-screen at home, *prior* to coming to work for the day.

Additionally, all Vinfen residential and day services locations must screen staff, or have staff attest to, before they are permitted to start their work day (residentially) or enter the space (day services).

Self-screening shall include checking temperature (temperature of 100.0°F or above is considered a fever), and checking for symptoms including:

- Fever (temperature of 100.0°F or above), felt feverish, or had chills
- Cough
- Sore throat
- Difficulty breathing
- Abdominal pain
- Unexplained Rash
- Fatigue
- Headache
- New loss of smell/taste
- New muscle aches
- Nausea or vomiting
- Diarrhea

### ***Symptomatic Employees***

Staff exhibiting any of the symptoms above will NOT come to work. Such staff must follow their program's call out procedures immediately, which includes contacting their managers and alerting their HR Manager. Staff must cooperate with completing a medical and exposure questionnaire to be triaged by the regional COVID response team as well as with responding to follow up questions and communications from the HR and Benefits staff.

Staff at work will self-monitor themselves for symptoms throughout the day, and if they experience any of these symptoms, they will isolate/remove themselves from building as applicable, alert their supervisor, and seek medical attention as needed. The supervisor will immediately reach out the appropriate HR Manager and follow the COVID-19 protocols in place,

### ***Staff Tested or About to Be Tested for COVID-19***

Staff who have reason to be tested for COVID-19 or have been tested, must inform both their manager and their HR Manager immediately so that COVID-19 protocols may be followed. Employees are required to report their test results to their manager and their HR Manager.

### ***Staff With Close Contact with Person with COVID-19***

Staff who have been in close contact with a person known to be infected with the novel coronavirus (COVID-19) must inform both their manager and their HR Manager immediately so that COVID-19 protocols may be followed.

Each Vinfen service will closely monitor and follow funding source / State guidelines regarding COVID-19 and update as needed.

### **Tardiness**

All Vinfen departments/programs have legitimate business reasons to establish tardiness standards that are consistent with their needs. These standards are reviewed by the Department Head and the Human Resources Department and communicated to all employees.

As with reporting unscheduled absences, employees are expected to notify their supervisor if they will be late. If the anticipated arrival time is delayed, employees are expected to update their supervisor of their plans as soon as possible. Repeated failure to provide proper notice of tardiness may be considered serious misconduct and may be grounds for immediate dismissal.

Earned Sick Time may not be used as an excuse to be tardy for work without an authorized purpose, such as caring for yourself or a family member's illness or medical appointment, or to address the effects of domestic violence.

Employees who are tardy more than three (3) times in any 90-day period other than for FMLA or other approved medical emergencies/reasons will be subject to corrective action, up to and including termination of employment. Failure to provide notice of such tardiness to the employee's supervisor may increase the severity of the corrective action taken.

**Effective Date: January, 2003      Revision Date: July, 2020**

**Reviewed Date: June, 2022**

## **Q. CODE OF PROFESSIONAL CONDUCT TOWARD PERSONS SERVED AND EMPLOYEES**

### **POLICY**

Vinfen is devoted to the care of persons with mental health conditions, acquired brain injuries and intellectual & developmental disabilities. We take pride in offering a high level of professionalism based on knowledge, understanding, dedication and kindness. Vinfen requires that each employee interact appropriately with persons served and respect and honor their unique needs, values and choices. Each person's dignity and privacy should be protected. To ensure that these standards are maintained, we require the report of any person served mistreatment or abuse and will provide appropriate protection to any employee providing such reports.

Vinfen recognizes and values the unique principles and practices of all professional disciplines of its employees in specialized roles such as peer specialists, recovery coaches, social workers, physicians, nurses, behavior specialist. Vinfen holds employees with these specialized roles to the ethics, boundaries, and job responsibilities of the professional standards of their licensure or certification body.

Vinfen further believes that high standards of professional conduct governing employees' conduct toward one another are necessary for the efficient operation of our business, and to maintain a productive work environment.

This policy is in addition and should be considered in conjunction with the Conflicts of Interest Policy. Any employee who violates this Code or the Conflicts of Interest Policy may be subject to corrective action, up to and including termination of employment.

### **Professional Conduct Toward Persons Served**

#### ***Providing Care***

Employees must use good judgment at all times while on duty. Employees must remain awake during working hours and must not compromise their judgment by engaging in activities that cause them to be unduly fatigued or confused while working.

Personal visitors (friends and family including children) are not permitted at work locations during work times without prior authorization from your supervisor and in accordance with Vinfen's security policies.

Employees will not bring persons served to the employee's home without prior approval by their supervisor and/or the interdisciplinary team. This approval will only be given if the purpose of the trip is in the best interest of the person served, and the person served and/or his/her guardian is in support of the trip.

Neglect or abuse of persons served will not be tolerated. Care and medication administration plans must be strictly adhered to.

#### ***Loans/Gifts***

Employees are prohibited from taking, lending or borrowing money, possessions or gifts from the people we serve. Vinfen recognizes that the persons we serve, and their family members sometimes desire to give gifts to Vinfen employees, but our rules must be strictly enforced. Therefore, a gift may only be accepted if it is general and intended for use by all staff or for the program. Gifts are not to be accepted if intended only for individual staff members.

Employees must notify the Program Director if a gift is offered. The Program Director will determine whether the program may accept the gift.

If an individual employee is offered a gift, the employee must return the gift and explain to the person making the offer that Vinfen employees may not accept such gifts.

### ***Financial Gain***

Employees are prohibited from using professional contact with a person we serve for personal gain. They are also prohibited from having financial connections with the program in which they are employed or with a program to which they make referrals.

### ***Personal Relationships***

Employees are prohibited from developing romantic attachments to or engaging in sexual activity with any person we serve.

Employees are also prohibited from any other social interaction unrelated to providing Vinfen's services including, for example, "friending" on social media sites with persons served.

### ***Reporting Client Mistreatment or Abuse***

All employees are required to report the mistreatment or abuse of persons served in accordance with the law and with procedures outlined in the Program Operations Policies and Procedures Manual. Vinfen will not tolerate and explicitly prohibits retaliating against an employee who makes or assists in the making of such a report.

## **Professional Conduct Toward Employees**

All Vinfen employees must conduct themselves in a civil and professional manner in their working relationships and interactions with fellow employees. Misconduct directed at other employees such as physical abuse; use of threatening language, fighting, engaging in horseplay; unlawful harassment based on any category protected by federal, state or local, or other unsafe conduct; theft or damage of the property of another employee; and refusal to follow a job assignment or reasonable request of supervisor are examples of behavior that may result in disciplinary action, up to and including termination of employment.

Complaints of misconduct should be brought to the attention of the employee's supervisor or supervisor's supervisor for investigation and corrective action as appropriate to the facts and circumstances. The relevant supervisor must also contact their area HR Manager regarding the matter.

## **Personal Relationship & Family Policy**

Vinfen strives to provide a work environment that is collegial, respectful and productive. This policy establishes rules for the conduct of personal relationships between employees, including supervisory personnel, in an attempt to prevent conflicts and maintain a productive and friendly work environment.

A “personal relationship” is defined as a relationship between individuals who have or have had a relationship of a romantic or intimate nature or are members of the same immediate family or same household. For purposes of this policy statement, “immediate family” includes: spouse; domestic partner; sons and daughters (including stepchildren); grandchildren; sons- and daughters-in-law; parents (including stepparents); grandparents; father- and mother-in- law; and brothers and sisters (including stepbrothers and stepsisters). Vinfen reserves the right to include other persons in the definition of immediate family if, for example, a close relationship exists that may influence an employee’s ability to be impartial.

An employee who is involved in a personal relationship with another employee may not work directly for or supervise the employee with whom he or she is involved. In some instances, determined solely by Vinfen, an employee who is involved in a personal relationship with another employee may not occupy a position in the same department.

Vinfen reserves the right to take prompt action if an actual or potential conflict of interest arises concerning individuals who engage in a personal relationship that may affect terms and conditions of employment. Supervisors and managers are prohibited from dating subordinates and may be disciplined for such actions, up to and including termination.

When a conflict or the potential for conflict arises because of a personal relationship between employees, even if there is no line of authority or reporting involved, the employees may be separated by reassignment, or terminated from employment. If such a personal relationship between employees develops, it is the responsibility and obligation of the employees involved to disclose the existence of the relationship to their manager and Human Resources promptly.

When a conflict or a potential for conflict affecting terms or conditions of employment arises because of the relationship, the individuals concerned will be given the opportunity to decide who is to be transferred to another position, or terminated, if no position is available. If no decision is promptly made to resolve the situation, Vinfen will determine who is to be transferred or, if necessary, terminated from employment.

**Effective Date: May, 2011    Revision Date: October, 2022**

## **R. SOCIAL MEDIA**

Vinfen recognizes that the internet provides unique opportunities to take part in interactive discussions and share information using a wide variety of social media. In general, Vinfen views the use of social media, including social networking sites (e.g., Facebook, Twitter, LinkedIn), personal web sites, and web logs (“blogs”) positively and respects the right of employees to use them as a medium of communication and self-expression. However, employees’ use of social media can pose risks to Vinfen’s confidential proprietary information and can expose the company to claims of unlawful harassment and jeopardize its compliance with business rules and laws. Therefore, we set forth below some guidelines and rules for Vinfen employees to follow with respect to their social media use.

1. Vinfen encourages its employees to participate responsibly in their use of social media. Employees assume legal responsibility for comments that are defamatory, obscene, indecent, pornographic, or libelous.
2. The same principles, guidelines, and policies that apply to activities at work in general apply to work-related online activities. For example, Vinfen’s Code of Professional Conduct, its Confidentiality Policy, and its Non-Discrimination and Non-Harassment Policy apply to online communications, and employees may not use social media in violation of those Policies.
3. Employees must be aware that company computers and other electronic devices including smart phones are company property and, as such, are subject to monitoring and searching at any time without notice. Vinfen voicemail and email are subject to the same scrutiny. Employees do not have any right to privacy regarding the use of such equipment or any communications made using the equipment. The use of a password to access Vinfen’s computer does not create any right to privacy in the documents sent, received, or stored on that computer. Employees using email to communicate information about Vinfen must also be aware that such communication may be forwarded, stored, printed, and intercepted by others.
4. If employees choose to communicate about Vinfen in their online postings, they must do so in their own names and make clear that the views in their posts are their own.
5. Employees may not disclose Vinfen’s confidential, proprietary information, or trade secrets.
6. Employees may not post anything specifically related to any of the people Vinfen serves, including photographs of persons served.
7. Employees may not connect with the people Vinfen serves via social media. Such prohibition includes, for example, “friending” or “linking in” with persons served.
8. Employees may not create a social media page (e.g. Facebook page) or add content to an existing social media page on behalf of Vinfen unless specifically authorized to do so by Vinfen’s Director of Communications and Public Affairs. Any development of or changes to such social media pages must comply with guidelines set forth by the Director of Communications and Public Affairs.
9. This policy is not intended to preclude or dissuade discussions among employees about wages,

terms, and conditions of employment or other legally protected or required activities.

10. Violation of this policy may result in disciplinary action, up to and including termination.

**Effective Date: July, 2013**  
**Reviewed Date: June, 2022**

**Revision Date: August, 2019**

## S. CONFLICTS OF INTEREST

Vinfen requires that its employees act with a high level of personal responsibility, integrity, and commitment to the company and its affiliates and subsidiaries. The Conflicts of Interest Policy provides guidelines of conduct for Vinfen employees for structuring their outside business enterprises, and relationships with businesses, in view of the primacy of their responsibilities to Vinfen. This policy should be read in conjunction with the Purchasing and Accounts Payable General Policy.

A Conflict of Interest is defined as an actual or potential conflict between the personal interests of an employee and the interests of Vinfen (including the provision of services to its consumers), or the reasonable appearance of such a conflict and is determined by Vinfen in its sole discretion. Vinfen employees may not engage, either directly or through other persons acting on their behalf, in activities or pursuits that conflict with or might reasonably be viewed as conflicting with their obligations and responsibilities to Vinfen. This includes any conflicts arising in the course of federally funded research activities performed by a Vinfen employee as defined by 42 CFR 50, Subpart F and 45 CFR Part 94.<sup>1</sup>

Vinfen employees may not use the company's confidential information, or goodwill for personal, political, or financial gain or for the personal, political, or financial gain of others.

Vinfen reserves the right to prohibit the appearance or existence of conflicts of interest that present unmanageable risks or that would require excessive resources to manage. Failure to disclose a conflict of interest as defined in this policy, including a significant financial interest as defined by 42 CFR 50, Subpart F and 45 CFR Part 94, may result in corrective action, up to and including termination from employment.

### Specific Restrictions

To avoid the appearance or existence of a conflict of interest, employees are specifically restricted from:

- Engaging in business as a competitor to Vinfen.
- Serving as proprietor, partner, officer, or director of a supplier or competitor to Vinfen, unless specifically authorized in writing by the President and CEO.
- Using the Vinfen name or customer or employee lists for any purpose other than company business without the approval of the President and CEO.
- Disclosing any confidential or proprietary information about Vinfen or any persons served for business or personal profit.
- Knowingly owning capital stock or other investments in enterprises that are competitors of or suppliers to Vinfen, unless such investment does not interfere or conflict with the employee's obligations and responsibilities to Vinfen.
- Soliciting or receiving gifts, loans, entertainment, or any other consideration of more than

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<sup>1</sup> In the event a Vinfen employee serves on Vinfen's behalf as an Investigator in a federally funded research capacity, Vinfen may require such employee to take additional steps in regards to conflict of interest disclosure. Such employees should contact Human Resources, who will consult with the Legal Department as necessary, to better understand the disclosure requirements set forth in 42 CFR 50, Subpart F and 45 CFR Part 94.



nominal value (\$100) from a person or organization that does business or may want to do business with Vinfen or its affiliates or subsidiaries. If a Vinfen employee receives any substantial gift or favor, the employee must notify his/her manager and it must be returned. If consumed, the employee must return the fair market value of the gift. This restriction does not apply to Entertainment by Business, as set forth in this Policy.

- Accepting any cash payment from an individual or company doing business with Vinfen.
- Offering a gift or anything of value that may appear to be intended to influence the judgment of anyone outside Vinfen (including, but not limited to, current and former government employees), with regard to doing business with Vinfen.
- Participating in (directly or indirectly) employment decisions that involve a direct benefit or detriment to members of their immediate family (e.g., initial employment or appointment, retention, promotion, salary, supervision, work assignments, or leave of absence) or their romantic partner. For purposes of this policy statement, “immediate family” includes: spouse; domestic partner; sons and daughters (including stepchildren); grandchildren; sons- and daughters-in-law; parents (including stepparents); grandparents; father- and mother-in-law; and brothers and sisters (including stepbrothers and stepsisters).

### **Contracting**

No employee, officer, or agent of Vinfen shall participate in the selection, award, or administration of a contract if a real or apparent conflict of interest would be involved. Such a conflict would arise when the employee, officer or agent, any member of his/her immediate family, his/her partner or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm awarded the contract.

### **Entertainment by Businesses**

Notwithstanding the restrictions set forth above regarding soliciting or receiving gifts, Vinfen employees and agents may accept entertainment offers from outside businesses only if the entertainment is reasonable, helps to strengthen the business relationship, and does not involve significant expenses. It is unethical to encourage or ask for entertainment from any person or company who does business with Vinfen. All such offers from outside businesses must be disclosed to Vinfen’s CEO.

### **Involvement with Other Companies**

As described above, no Vinfen employee may serve as proprietor, general partner, officer, or director of any corporation, whether for profit or not-for-profit, that acts as a competitor of or vendor to Vinfen, without prior written consent of the President and CEO.

### **Consulting/Employment Outside of Vinfen**

Vinfen employees may not serve as consultants to, or as an owner, employee or representative of, another company if such service would:

- Involve providing a service that: Vinfen provides on a commercial basis, benefits a competitor, or involves any other conflicting business relationship.
- Interfere or conflict with the employee’s obligation to Vinfen through demands on their time

- and attention.
- Use Vinfen proprietary information or information gained primarily through employment with the Company.
- Cause Vinfen to be viewed as associating with a particular cause or activity outside of its stated mission.

### **Former Employees**

Businesses established by former Vinfen employees may not be suppliers or consultants to Vinfen for two years following termination without written consent of the President and CEO. Except as authorized by the President and CEO, purchases may not be made through a vendor represented by a former Vinfen employee, for two years following the employee's termination.

### **Conflict of Interest Disclosure**

Senior managers will be asked to disclose any related party transactions with Vinfen of which the senior management is aware immediately upon becoming aware of such conflict, and for members of the Interdepartmental Council during its annual process for disclosing all known current or anticipated conflicts of interest. For these purposes, the term "related party transactions" means, in general, those transactions between Vinfen and (1) an individual employee, (2) a close relative of an employee or (3) an organization in which an employee, or one of his or her close relatives, holds an office directorship, a significant management position, or ownership interests.

The disclosures of known or anticipated conflicts will be reviewed by a committee consisting of members of the Executive Team appointed by the President and CEO to ensure that conflict is managed in the best interests of Vinfen and in accordance with applicable state and federal regulations regarding disclosure of conflicts of interest. This Conflicts Review Committee shall also, prior to Vinfen's expenditure of any funds under a PHS-funded research project and consistent with §94.4(f): review all Investigator disclosures of significant financial interests; determine whether any significant financial interests relate to PHS-funded research; determine whether a financial conflict of interest exists; and, if so, develop and implement a management plan that shall specify the actions that have been, and shall be, taken to manage such financial conflict of interest.

**Effective Date: April, 2006 Revision Date: August, 2019**

**Reviewed Date: June, 2022**

## T. REPORTING VIOLATIONS

Vinfen is committed to conducting its affairs honestly, ethically and in compliance with applicable laws and regulations. The Vinfen Compliance Plan, which is posted on the policies and procedures page of MyVinfen, defines the laws and standards to which all Vinfen employees are held accountable and articulates our ongoing commitment to educating our employees what is permissible and what would be considered a violation of law and/or policy. Employees must adhere to the highest ethical standards and obey the laws and regulations as set forth by federal, state, a set of standards that if violated, may cause harm to the people we serve, our employees and reflect poorly on Vinfen.

All Vinfen employees play a role in compliance to these standards. Employees are encouraged to report good faith concerns about violations of standards. Beyond an employee's personal responsibility to act appropriately, an employee who witnesses a violation of the rules and regulations must report it.

Vinfen policy and the law prohibit retaliation against an employee for filing a complaint.

### Methods of reporting violations of standards:

1.	Speak with your Supervisor, or your supervisor's supervisor; or
2.	Notify the Corporate Compliance Officer (phone: 617-441-1777 or email: <a href="mailto:complianceofficer@vinfen.org">complianceofficer@vinfen.org</a> ); or
3.	Call our anonymous Hotline: 1-844-992-4817 which is available 24 hours a day, 7 days a week. A hotline representative will notify the Corporate Compliance Officer; the report can be completely anonymous.

### After reporting a violation:

Vinfen takes all reports seriously and will conduct an investigation and act on the findings of the investigation to rectify any issues identified. Investigations will be completed within 30 days unless an extension is granted by the SVP of Quality and Compliance, or designee.

**Effective Date: December, 2009**

**Revision Date: December, 2021**

**Reviewed Date: June, 2022**

## **U. EMPLOYEE THEFT**

Vinfen does not tolerate property theft of any kind and takes seriously any allegation that an employee has committed theft of property or money against a person served, another employee, or the Company. Vinfen considers property theft to include the unauthorized use of company services or facilities or the taking of any company property for personal use. Theft also includes time card fraud. Employees who violate this policy will be subject to disciplinary action, up to and including termination and prosecution as set forth in this policy.

In the event that funds are found to be misappropriated or willfully mismanaged, or property stolen by an employee, Vinfen will take all steps to recover those funds and/or property, take appropriate corrective action, and file a complaint with the appropriate law enforcement agency when appropriate.

Responding to thefts, misappropriation, and mismanagement:

- If wrong-doing can be reasonably established, the employee will be terminated.
- When Vinfen suffers the loss of cash or property (either directly or as a result of reimbursing persons served), Vinfen may report the theft to law enforcement.
- In the event the victim is an employee or a person Vinfen serves, Vinfen will assist the victim in such filing, should that victim wish to pursue it.
- In circumstances where Vinfen experiences the loss (either directly or as a result of reimbursing persons served) Vinfen will seek restitution, which may include filing a lawsuit against the employee.
- If repayment can be negotiated, it will be done in a reasonable timeframe (e.g. less than one year) and on terms acceptable to Vinfen.
- Vinfen will notify its insurer of the theft and Vinfen's insurer may independently seek to recover the amount of any claim paid to Vinfen.

**Effective Date: September, 2014**  
**Reviewed Date: June, 2022**

**Revision Date: August, 2019**

## V. CONFIDENTIALITY

Vinfen's business and professional affairs, information about Vinfen employees, and information about persons served by Vinfen are confidential and should never be given to an outside company or individual without appropriate authorization or as otherwise permitted under this policy or as required by law. Confidential information includes, but is not limited to, confidential, proprietary, and trade secret information of Vinfen and any of the people Vinfen services, including but not limited to case plans and progress, treatment plans, service recipient families, case records, medical records, and financial or other records of Vinfen or service recipients. Vinfen business information, business plans, employee records, vendor contacts and vendor information, pricing information, and the like.

This policy also applies to posting Vinfen confidential information (such as policies or forms, for example) or client protected health information (PHI) in any forum accessible by non-Vinfen employees, including but not limited to, personal blogs, personal e-mail, and/or social networking sites such as Facebook, Instagram, YouTube, or Twitter. This policy should be read in conjunction with the Social Media Policy. Both apply to the disclosure of Vinfen confidential information through the use of social media.

The obligation to maintain the confidentiality of Vinfen information continues throughout an employee's employment and even after the employment terminates.

All employees are reminded that, unless otherwise authorized in writing by an officer of Vinfen, they are to keep all Company data confidential and prevent its disclosure to outside parties. No one is permitted to remove or make copies of any Vinfen records, reports, documents, notebooks, data files, computer disks, or any other form of proprietary information without prior written approval of the President of Vinfen or his/her designee. Any and all confidential documents and computer storage devices must be kept under lock and key when left unattended. Flash drives or USB devices must be secure and must be password protected.

Any violation of confidentiality seriously injures Vinfen's reputation and effectiveness. Therefore, employees may not discuss Vinfen confidential business, and more specifically any information about persons served with anyone who does not work for us. Exception to revealing information by an employee may be made in instances where a legal or mandated reporting investigation overrides confidentiality practices.

If an employee is questioned by someone outside the company and is concerned about the appropriateness of giving the individual certain information, the employee, as politely as possible, should refer the request to the President or COO.

This policy will not be interpreted or enforced in a manner that conflicts with the rights of any non-supervisory employee to engage in concerted activity for mutual aid or protection pursuant to Section 7 of the National Labor Relations Act.

**Effective Date: December, 2009    Revision Date: July, 2013**  
**Reviewed Date: June, 2022**

## **W. COMMUNICATING WITH THE MEDIA**

As a leading human services organization, Vinfen has constant communications with the mass media. Although working with the media helps to spread the good news of Vinfen and its efforts in the industry, relationships with the media can sometimes be complex and, at times, difficult. It is extremely important that all programs contact the Communications and Public Affairs Department when a member of the media makes direct contact with a program or residence so that Communications and Public Affairs can respond in a timely and appropriate manner.

### **Media Inquiries**

Only the President, COO, Division Heads (e.g., Senior Vice President), or the Director of Communications and Public Affairs are authorized to comment directly about Vinfen's programs and the people we serve.

Any staff contacted by a representative of the media (newspapers, television, radio, writers of blogs, etc) must either direct the call to or contact directly the Director of Public Affairs, Chief Operating Officer, or the President and CEO (617-441-1800). When a staff person is contacted, they should obtain the name and affiliation of the person requesting information and the specific issue the person is requesting information about.

Any staff member wishing to contact media outlets must clear all media inquiries with the Director of Communications and Public Affairs, COO, or the President. In their absence, the inquiry should be cleared by the division Senior Vice President.

Vinfen staff will refrain from contacting the media directly about a Vinfen program or the people Vinfen serves. If there is a newsworthy story or prospective story at a program, please contact the Communications and Public Affairs Department. They will work with your staff on the story and its potential placement.

### **General Information Request**

Members of the general public who contact staff requesting general information about Vinfen should be referred to the Communications and Public Affairs Department where staff can provide a press kit. Questions regarding clinical issues (e.g., treatment or rehabilitation modalities) should be referred to the appropriate Director of Service/Vice President. When in doubt, call the Director of Communications and Public Affairs.

**Effective Date: October, 2007      Revision Date: July, 2013**  
**Reviewed Date: June, 2022**

## **X. DRUGS AND ALCOHOL**

Vinfen is committed to maintaining a work environment that is free from the effects of alcohol and other drugs. All employees are prohibited from consuming alcoholic beverages, illegal drugs, or other substances that may impair an employee's judgement, on Company premises. Employees may not report to work, attempt to work, or remain at work while impaired by alcoholic beverages or drugs/medication. Failure to remain free from the effects of alcohol and drugs/medication while on Company property may result in corrective action, up to and including termination.

Supervisors who suspect that an employee is at work under the influence must reach out immediately to their supervisor and Human Resources Manager.

**Effective Date: January, 2000      Revision Date: June, 2022**

## **Y. ACCESS, SOLICITATION AND DISTRIBUTION ON VINFEN PREMISES**

### **Access**

All visitors are required to register their presence on Vinfen premises by checking in with a supervisor or a supervisor's designee at the Vinfen location. Visitors shall be asked about the reason for the visit, and the supervisor or supervisor's designee shall determine whether the visitor may enter Vinfen's premises in accordance with this Policy. Employees are not permitted in Vinfen offices or buildings or in the homes of people we serve unless working or conducting Vinfen business.

### **Solicitation and Distribution**

Solicitation for purposes of this Policy means oral conversation or speech with the purpose of trying to interest someone in something – for example, a girl scout selling cookies or a union rep may try to solicit an employee with the goal of interesting that employee in a labor union.

Distribution for purposes of this Policy means the passing out or providing of information or materials (for example, advertising material, handbills, or printed or written literature of any kind, buttons, DVDs).

For purposes of this Policy, "work time" is defined as those periods when either the employee conducting the solicitation or the employee who is the target of the solicitation is working. "Non-work time" is limited to break periods and periods before the beginning of or after the end of an employee's shift. Employees may not use the Company e-mail, telephone, or computer systems to solicit or distribute to other employees at any time.

**Vinfen's rules regarding Solicitation and Distribution under this Policy are as follows:**

#### ***Rules for non-employees***

- All non-employees are prohibited from soliciting on Vinfen premises and cannot distribute literature or any materials to employees on Vinfen premises. This is a rule regarding conduct, not content. It applies to all non-employees and should be applied consistently to all non-employees.
- The only exception to this rule is for scheduled service providers such as plumbers, electricians, or regulatory officials including staff from DPPC, DMH, DDS or the City Fire Marshall.
- Vinfen staff shall inform non-employees who seek to enter Vinfen premises for purposes of solicitation or distribution (for example, union reps) that non-employees may not enter and staff shall notify manager or supervisor of the solicitation or distribution request immediately.

#### ***Rules for employees***

- All employees are prohibited from distributing non work related materials, e.g. take out menus, notice of theatrical events, in work areas. However, employees may solicit and distribute to other employees in non-work areas, as long as all employees involved are on non-work time. Employees



may also solicit in work areas if all employees involved are on non-work time. In client residences, employees may only solicit in non-work areas (for example, the staff office) if all employees involved are on non-work time.

All solicitation and distribution of people we serve is prohibited at all times.

**Effective Date: January, 2000      Revision Date: October, 2012**  
**Reviewed Date: June, 2022**

## **Z. BULLETIN BOARDS**

Secure bulletin boards are located at each administrative or staff office as a means of communicating Vinfen business information including postings required by federal, state, or local regulations. Bulletin boards are not to be used for solicitation or personal purposes.

Program Directors and Department Heads are responsible for posting and removing dated items on Bulletin Boards and ensuring that only appropriate postings are permitted. Employees may not post to bulletin boards without prior authorization of the Program Director, Department Head, or Human Resources.

**Effective Date: January, 2000**

**Revision Date: April, 2013**

**Reviewed Date: June, 2022**

**AA. VINFEN’S CODE OF PROFESSIONAL ETHICS**

Vinfen’s mission is *transforming lives together*. We do so by providing individualized services and supports to each person served. We want each person served to learn, thrive, achieve his or her goals, and meet his or her needs and obligations in a community setting. We respect each person’s dignity, cultural values, and uniqueness and promote equality, cultural diversity, and opportunity within a safe and caring community environment. By skillfully performing your daily duties and holding yourself to the highest standard of personal and professional integrity, you will help Vinfen be the *human services provider* of choice, the *employer* of choice, and a *partner* in the greater community. As an employee of Vinfen, your primary responsibility is always to do your best to support our commitment to each other, the community, and, most important, to the people that we serve.

Vinfen recognizes and values the unique principles and practices of all professional disciplines of its employees in specialized roles such as peer specialists, recovery coaches, social workers, physicians, nurses, behavior specialist. Vinfen holds employees with these specialized roles to the ethics, boundaries, and job responsibilities of the professional standards of their licensure or certification body.

**The following principles are important to Vinfen, and all employees should be sure to follow them in our work for Vinfen every day:**

- Treat all persons served and employees with dignity, respect, courtesy, and fairness, regardless of their disability, gender, race, national origin, ancestry, religion, spiritual beliefs, age, sexual orientation, or political affiliation.
- Do your job each day to the very best of your ability and in a way that conforms to Vinfen policies and procedures.
- Preserve and promote high levels of confidentiality, privacy, dignity, self-determination, and basic human rights for each person served.
- Strive at all times to provide professional, clinically appropriate, effective, and efficient services and supports to each person served.
- Promote social justice, access, and opportunities for persons served by furthering acceptance of those who experience a disability in daily and community life activities.
- Provide a healthy and safe living, learning, and working environment for persons served, fellow employees, and visitors to Vinfen.
- Provide complete, truthful, and accurate reporting in all written and oral documentation and Vinfen records that you prepare or review in the course of your job duties. Report to your manager any action you observe that may jeopardize the care we provide to the persons served or create a risk of harm to those persons or your fellow employees.
- Cooperate fully and honestly in any investigation of alleged inappropriate conduct.
- Protect all funds and belongings of persons served, as well as the supplies, records, and assets of Vinfen and its programs from damage, misuse, or theft.
- Do not enter into any sexual, financial, or business relationship with persons served.
- Do not enter into any sexual, financial, or business relationship with fellow employees or other individuals if that relationship might compromise or hinder your ability to perform your job duties.
- Protect persons served from exploitation, neglect, abuse, or other potential harm. Report any suspected harm to persons served to your supervisor and authorities as required.
- Do not engage in any illegal activity or behavior.
- Refrain from personal fundraising and soliciting during work time; persons served should not be solicited at any time.
- Any marketing activities should be based upon complete and accurate information about Vinfen, our mission, and the services we provide.

\_\_\_\_\_  
Employee Name (Please Print)

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

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

**BB. PERSONAL APPEARANCE**

Personal cleanliness, good grooming, and appropriate dress are required of all employees while at work.

**Vinfen’s 950 Cambridge Street, Cambridge, MA Office**

For those employees whose work requires that they conduct business with persons not employed by Vinfen, either at 950 or in other locations, it is important that dress reflects a high level of professionalism; therefore, when staff have meetings scheduled with non-Vinfen individuals they will wear appropriate business attire regardless of the day of the week.

For all other 950 employees, business casual attire is expected Monday through Thursday. On Fridays, employees may wear casual clothes subject to the rules set out below.

Supervisors may require an employee who is dressed inappropriately to go home and change his/her clothing.

**All Other Locations**

Employees are expected to come to work in attire that is appropriate for the site as designated by the Program Director or supervisor as program requirements can differ based on the work place or clinical needs of persons being served. Supervisors may require an employee who is dressed inappropriately to go home and change his/her clothing. Examples of appropriate and inappropriate dress include:

<i>Appropriate</i>	<i>Inappropriate</i>
All clothing must be clean, pressed or without wrinkles and without holes or tears <ul style="list-style-type: none"><li>• Casual and dress shirts</li><li>• Casual skirts and dresses</li><li>• Sweaters and jackets</li><li>• Trousers, pants, or chinos</li><li>• For those who work at 950, jeans may be worn only on Fridays</li></ul>	<ul style="list-style-type: none"><li>• All tight fitting clothing or clothing which exposes any part of the trunk of an employee’s body, such as tank tops, midriff, and backless clothing, short skirts/shorts</li><li>• Clothing with holes</li><li>• Dirty, stained, or disheveled clothing</li><li>• Shirts or outer garments displaying symbols or words in reference to alcohol, drugs, sex, violence, or death</li><li>• Flip-flops and backless shoes (for safety reasons)</li></ul>

**Effective Date: April, 2006**  
**Reviewed Date: June, 2022**

**Revision Date: May, 2013**

## **CC. PERSONAL PROPERTY**

Strict liability guidelines from our insurance carrier prohibit the storage of personal equipment or vehicles on Vinfen property at any time when employees are not working. Vinfen is not responsible for damage to or the security of personal vehicles, property or possessions, and the Company reserves the right to remove personal property and/or have vehicles removed at the owner's expense.

Vehicle parking and/or the use of personal property on Vinfen property is done at each employee's personal risk.

Storage space for your personal possessions needed while on site will be designated by your supervisor. Space availability varies from site to site.

**Effective Date: January, 2000      Revision Date: April, 2013**  
**Reviewed Date: June, 2022**

## **DD. PERSONAL USE OF PHONES AND OTHER COMMUNICATION DEVICES**

Vinfen maintains telephone for effective communication with people we serve, co-workers, and business associates. Accordingly, while at work, employees are expected to restrict both incoming and outgoing personal calls to those that cannot be made before or after work. This policy applies equally to the personal use of cell phones and smartphones.

Since the ringing of phones and the conversations that ensue, as well as the distraction of sending or receiving text message, can be disruptive to meetings, classes, and other group activities, it is expected that employees will silence or turn off their cell phones and other communications devices while engaged in company meetings, classroom, and other group activities.

**Effective Date: April, 2006**  
**Reviewed Date: June, 2022**

**Revision Date: September, 2016**

## EE. E-MAIL, VOICEMAIL, COMPUTERS, AND TELEVISION

### Privacy and Vinfen Property

Both physical and electronic technical assets are the property of Vinfen – referred to as Vinfen IT Property in this section. Vinfen IT Property includes, but is not limited to computers, laptops, thin clients, televisions, projectors, desk phones, conference phones, mobile phones, E-Mail, voicemail, and Internet access technology. Televisions at program sites are Vinfen IT Property just like the phones, and computers. **Employees have no expectation or right of privacy regarding any information maintained in or on, transmitted using, or accessed through Vinfen IT Property.** Nothing employees enter, record, send, or receive via these systems is private. This means that any information or message sent, received, or reviewed on or through the Company's computer systems, televisions, or other technical resources is subject to investigation, search, and review by the Company at its discretion without notice. Even electronic texts or messages that an employee has deleted remain subject to the Company's review. Similarly, any material viewed on the Company's televisions (including but not limited to videos, video games, and cable programs) is subject to investigation, search, and review by the Company in its discretion without further notice.

### Appropriate Use

Employees should use Vinfen's technical resources, including voicemail, E-Mail, Internet, computer systems, cell phones, and televisions, for Vinfen business purposes. Reasonable occasional use as might be expected with traditional technology such as office-based telephones is permissible. In no event, however, should employees use the system in any manner that violates federal or state law or violates Vinfen policies including but not limited to its harassment, discrimination, and bullying policies. In addition, hourly employees may not use Vinfen technical resources to perform any work outside of the employee's regular working hours unless the employee has been authorized by the employee's manager to perform such work. Employees who violate these policies may be subject to discipline, up to and including termination.

### Requirement to Check Vinfen Email

Email is essential to effectively operating Vinfen's services and communicating across the organization. Email is relied upon to effectively communicate essential information including organization-wide announcements, information concerning employee trainings, benefits, and assignments, and program or area specific job-related information.

***As part of their jobs, all Vinfen employees are expected to check and respond to email in a timely fashion. In most programs and positions, timeliness is defined as within 24 hours of receipt or the next day worked, whichever is later. All employees should check their email accounts a minimum of at least once during their shift or workday.***

Managers should ensure that all of the employees they supervise are able to log into Vinfen email and check it as part of their jobs. New employees specifically must be oriented as to how to access their email and instructed as to how to access the system. In the event an employee is having difficulty accessing email, the employee's manager must work with the employee and the Information

Technology Department Helpdesk (IT Helpdesk) to resolve the issue. The IT Helpdesk may be reached at 1.617.441.1811 from 8 am to 5 pm, Monday to Friday.

**Effective Date: February, 2010**      **Revision Date: October, 2018**  
**Reviewed Date: June, 2022**



## **FF. PERSONAL MAIL**

Employees are discouraged from receiving and sending personal mail/packages at a work site, particularly when the site is the residence of a person we serve. In occasional instances where it may be necessary to do so, Vinfen is not responsible for incoming personal mail.

Each employee is responsible for any personal mail that they receive at work. Vinfen is not responsible for personal mail or packages. This includes UPS, Federal Express, or other deliveries that are signed for by the Vinfen front desk.

Vinfen employees may not use any Vinfen location as their home or mailing address of record in our systems. .

Outgoing personal mail must include postage supplied by the employee.

**Effective Date: January, 2000      Revision Date: June, 2022**

## GG. WORKERS' COMPENSATION

### IMPORTANT TELEPHONE NUMBERS FOR WORK RELATED INJURY REPORTING

- Travelers Insurance (Phone): 1-800-832-7839
- Workers' Compensation Team (Fax): 1-617-441-1858
- Workers' Compensation Team Email: [workerscomp@vinfen.org](mailto:workerscomp@vinfen.org)
- Workers' Compensation Manager (Phone): 1-774.283.6461

### POLICY

Vinfen is committed to responding to employees who may become injured while at work in a timely, considerate, and compliant manner. In addition to ensuring that the employee receives appropriate medical treatment, if necessary, managers must comply with the requirements outlined below to ensure compliance with OSHA and other regulatory requirements.

#### Posting Requirements

All sites are required to have the current "Notice to Employees" form posted. Additional material, including a list of network providers, relevant forms and prescription benefit information can be found in the Appendix of the Human Resource Policies and Procedures Manual on the Policies and Procedures found here: [Human Resources Policies and Procedures \(sharepoint.com\)](#) as well as on the Human Resources Sharepoint page found here: [Human Resources Department - Home \(sharepoint.com\)](#).

#### Injury Reporting Requirements

*All work-related injuries must be immediately reported to the employee's supervisor, no matter how minor. The supervisor of the injured employee will report the claim to the insurance carrier by telephone within 24 hours (telephone number above); the Telephone Reporting Worksheet will identify the information that needs to be reported. The Worksheet may be found in the Appendix of the Human Resources Policies and Procedures Manual found here: [Human Resources Policies and Procedures \(sharepoint.com\)](#)*

Effective Date: December, 2006

Revision Date: June, 2022

## HH. COMPENSATION POLICY

Vinfen’s Mission Statement includes the clear intent to be “the employer of choice”, which is critically important in providing quality care and outcomes to the individuals and families we serve. The organization’s annual strategic plan includes objectives targeting recruitment and retention of caring and well-trained staff. To accomplish these goals, Vinfen makes a concerted effort to provide competitive salaries based on our understanding of the local job market forces and consistent with both the constraints and requirements of our funding sources.

Vinfen participates in salary surveys and seeks and analyzes data from appropriate markets for positions in the various administrative, direct care, and clinical roles to ensure our competitiveness. Vinfen also reviews turnover trends, vacancy rates, and assesses the time and difficulty of filling key positions in an effort to identify the most effective compensation strategies. Salary adjustments and other forms of compensation must be consistent with state funding requirements as well as be aligned with Vinfen’s goal of treating all employees fairly. Therefore, we adhere to the following compensation principles:

- Vinfen consistently monitors its obligations to adhere to state and federal laws affecting employee compensation and updates and implements applicable policies and action plans.
- Vinfen seeks to pay competitive wages in the field of Community Behavioral Health and Human Services and makes adjustments based on survey data, market trends, recruitment and retention data, and the need to attract, recruit, and retain staff for key positions. Based on these data and analyses, as funding permits, Vinfen may make adjustments to pay for certain jobs or job groups as the market dictates to ensure that Vinfen can continue to retain or enhance staff competencies needed to provide quality services and optimal outcomes.
- Vinfen provides additional compensation to employees for their participation in certain employee referral and reward programs and employees may receive additional compensation based on a change in licensure, education, and training depending upon the relevance of acquired credentials to the current needs of their program. On occasion, Vinfen provides additional compensation to employees based on their ability to take on additional duties and responsibilities.
- Vinfen reviews the entirety of its funding and financial resources when making adjustments in compensation, and takes care to treat all employees fairly. When required or expected to do so by state funding sources, Vinfen makes specific adjustments to targeted positions or programs. In some cases, the state funding source articulates more general expectations with regard to compensation which allows Vinfen more flexibility in making adjustments. Finally, Vinfen may receive increases in funding from the state which do not have requirements or expectations regarding how dollars are to be spent. In those cases, Vinfen assesses the totality of its funding and allocates adjustments in compensation on a division-wide or company-wide basis, within the constraints of internal equity, and prioritizing employee positions where need is deemed greatest to forward the mission of the company.

- Vinfen shares its savings with staff when possible after determining that it has met all existing financial obligations and reserve requirements, in a manner which prioritizes employee positions where need is deemed greatest to forward the mission of the company.
- In addition to compensation, Vinfen provides a competitive benefits package to eligible employees that includes paid benefit time as well as access to elective benefits such as health, dental, and vision insurance. Annually, Vinfen assesses these insurance offerings on key dimensions such as affordability, accessibility, and quality of customer service provided by the insurance companies and adjusts as necessary. Similarly, Vinfen benchmarks its paid time off benefits against other human services organizations. Additional information can be found on the Benefits webpage of <https://www.myvinfen.org/>.

The foundation of Vinfen’s compensation policy is the requirement that every Vinfen position have a written position description, a unique code in the Human Resources/Payroll System, is evaluated and ranked relative to other positions, and is assigned a job grade/salary range.

### **Creating New Jobs - Position Descriptions**

When a new job title is needed, the Division Vice President or Department Head will contact the Director of Employee Relations to determine if a new position will be created and to assist in writing the position description. In cases in which opinions differ regarding the need to create a new job title or use an existing title, the Corporate Officers will review the options and make a final decision. If a new job will be created, the Position Description template will be used which will allow for consistency in including requirements such as certifications, credentialing, education, driving, and physical efforts. The SVP of Human Resources must review the final version of all job descriptions.

Position descriptions and job grades can be found under the heading “**Compensation, Job Codes, and Descriptions**” on the Human Resources Department webpage of <https://www.myvinfen.org/>.

### **Salary Ranges**

Vinfen’s salary ranges establish the minimum and maximum compensation allowed for any given position. The Human Resources Department periodically (and at least biannually) conducts or participates in compensation surveys in both Massachusetts and Connecticut and analyzes the resulting data to determine if Vinfen salaries and/or ranges will be adjusted to reflect compensation trends in the broader labor market. Compensation for Corporate Officers and key select senior management positions (such as Senior Vice Presidents of Divisions), is set by the Compensation Committee of Vinfen’s Board of Directors to ensure adherence with regulatory requirements.

Starting pay rates for any given position may not be the same throughout Vinfen given the fact that they are governed by contracts with funding sources that require or expect certain salary levels or ranges, differences in the skills and abilities of individual candidates, and other factors. If information is needed on market pay rates for any position, Division or Department Heads will contact the Director of Employee Relations to request information.

### **Exempt Employee Stipends**

On limited occasions, Vinfen will authorize a stipend designed to reward exempt employees for performing significant work in addition to work required by their position description, which would otherwise have been performed by adding staff positions or outside resources at a greater cost to Vinfen.

The decision to pay a stipend is based on a written summary of the additional duties and must be approved in advance by the applicable DOS, VP, or Department Head as well as the divisional Senior Vice President/Exec. Dir. & VP CT and the Director of Employee Relations or Senior Vice President of Human Resources. Stipends are paid to employees during the period of time in which they are performing these added responsibilities. All stipends should have an end date or an expected end date noted on the stipend form described below.

An example of a stipend is that paid to a Program Director who also functions as a Relief Pool Coordinator, who is paid based on the size of the relief pool for the additional duties required to coordinate and manage a pool.

Stipend amounts are based on a review of and recommendation for reasonable and equitable pay for the significant additional required duties by the DOS/Division Head and the Senior VP/Exec. Dir. & VP CT, in conjunction with the Human Resources Department.

### ***Stipend Approval Process***

The manager requesting the stipend payment will first complete the “Exempt Employee Stipend Agreement,” a copy of which can be found under the heading “Compensation” on the Human Resources Department webpage of <https://www.myvinfen.org/>. This agreement will be signed by the employee receiving the stipend, the applicable DOS, VP, or Department Head and, when necessary, the divisional Senior Vice President/Exec. Dir. & VP CT, as well as the Director of Employee Relations or Vice President of Human Resources. A copy will be given to the employee and filed in the employee’s personnel record.

A Personnel Action Form (PAF) will be created by a member of the Human Resources Department and be approved by the employee’s applicable DOS, VP, or Department Head and, when necessary, the divisional Senior Vice President/Exec. Dir. & VP CT as well as the Director of Employee Relations or Vice President of Human Resources. The effective date must coincide with the start of a pay period. When completing the PAF, the form will indicate “Stipend”, as well as indicate if this is a one time payment or an ongoing payment and will list the amount to be paid in the “Reason for above Change/Comments” section of the form.

### ***Stipend Monitoring Process***

The Human Resources Department will monitor active stipends and distribute a list for review to each Dept. Head/Sr. VP/Exec. Dir. & VP CT on a monthly basis. Ongoing current stipends will also be reviewed at the quarterly HR Governance meeting. Employees on stipends as well as the manager approving the stipend are responsible for informing Human Resources that the need for a stipend has ended so that the stipend may be ended in a timely manner.

### ***Stipend Discontinuation Process***

When it is determined a stipend no longer should be in place, a member of the Human Resources Department will submit a PAF to stop the stipend with an effective date coinciding with the beginning of a pay period. The employee’s manager will notify the employee that the stipend has been discontinued. In the event an employee continues to receive the stipend after the agreed upon period of time (e.g. the position is filled or the additional responsibilities are no longer required), the employee may be responsible for paying back the overpayment through payroll deductions. The employee will

be informed that he/she must notify his/her Human Resources Manager if he/she, for whatever reason, continues to receive the stipend after the arranged end date.

### **Salary Actions – (Gain Share and State Compensation Actions)**

#### ***Discretionary Annual Payments: Gain Share, including Retirement Savings Contributions***

“Gain share” is the term used for sharing with employees the financial success gained from exceeding the financial targets set forth by the Board of Directors for Vinfen’s performance in a given fiscal year (July 1-June 30th). It can take the form of additional compensation such as a one-time cash payment and/or a retirement savings plan contribution. Vinfen’s Executive Team has committed to employees that we will share savings when Vinfen is able to achieve them and reward participants who contribute to our success.

After the financial records for the fiscal year have been finalized, Vinfen reviews its financial position to determine whether there are sufficient savings to contribute to employee gain share. The company’s first priority is to ensure that it remains financially healthy, that financial results meet all external commitments, including meeting the requirements of our debt holders, for financial performance and position, and that an annual contribution is made to build our reserves so that operations and staff compensation could continue in the event of a major unplanned interruption in funding. After meeting these obligations, the company will seek to distribute additional savings to employees in the form of gain share distributions.

Senior Management considers employee input as to the distribution of gain share which could be in the form of a one-time payment, and retirement savings plan contribution, some combination of one-time payment and retirement savings plan contribution, or some other methodology. The Corporate Officers on behalf of the Executive Team then make a recommendation to the Board of Directors for their approval prior to disbursement. The amount distributed to each employee may vary from year to year based on the organization’s financial results, the specific eligibility criteria, and the distribution methodology.

#### ***Salary Reserve/Cost of Living Increase (COLA)***

Depending on the financial circumstances of the states of Massachusetts and/or Connecticut, the states may set forth requirements or expectations for salary adjustments or one-time payments. Vinfen adheres to the terms of its contract with the specific state requirements, and attempts to meet expectations for compensation established in state developed funding for specific contracts.

#### ***Salary Actions – Individual Salary/Job Code Pay Rate Adjustments***

Salary adjustments to individual employees may be made to reward increased responsibility, typically associated with a promotion. In individual circumstances, the managers will work with the Director of Employee Relations to determine if an adjustment will be made. The manager’s recommendation will be reviewed and approved by the Division or Department Head before the PAF is initiated by Human Resources.

In addition, Human Resources, in conjunction with Divisional Leaders, with the approval of Corporate Officers, may periodically recommend and implement increases or changes in compensation to groups of employees by job titles, which are intended to primarily align an employee’s pay to meet internal equity or comparability with rates of pay in the marketplace. In circumstances where adjustments will be made to groups of employees, the Director of Employee Relations will work with Divisional Leaders

to implement.

### **Employed Persons Served**

The Special Relief category is used for persons served who work limited or irregular work schedules as part of the operation of a Vinfen program. Employees assigned to the Special Relief job code are paid on an hourly basis and are therefore eligible for payment of overtime. For further information, refer to the Employment and Supervision of Persons Served Policy located in the Program Operations Policies and Procedures manual found on <https://www.myvinfen.org/>.

### **Relief - Professional**

Professional Relief includes both non-exempt and exempt employees who have professional licensure, certification, or accreditation, as well as those employees who serve in either an administrative or managerial capacity. Employees assigned to the Professional Relief job code may be paid on an hourly or salary basis, depending on the nature of the work they are hired to perform. The Director of Employee Relations will work with the appropriate Director to establish an appropriate market rate.

**Effective Date: May, 2008    Revision Date: April, 2019**

**Reviewed Date: June, 2022**

## II. TENURE-BASED PAY

### POLICY

Vinfen recognizes the value of retaining experienced employees and is excited to nurture the talents of our staff. Therefore, starting with the pay period beginning 12/31/2023, pay rate increases will be granted to certain Operations staff based on their employment tenure. This policy applies to all Massachusetts-based Operations staff who are scheduled to work at least 30 hours per week. Members of the Interdepartmental Council (IDC) are excluded – these are Directors of Service, Directors of Departments/Divisions, Vice Presidents, Senior Vice Presidents, and Corporate Officers. Physician and nurse prescribers are also excluded.

**EFFECTIVE DATE:** 12/31/2023

### DEFINITIONS

#### Eligible Staff:

- Massachusetts employees (Connecticut employees are excluded)
- Must be regularly scheduled to work at least 30 hours per week
- Must be an employee assigned to an Operations Work Order, Program, or Service
- Must be in good standing (meaning that they have not receive a final written warning within the 6 months prior to their anniversary date)
- Must intend to continue their employment with Vinfen (meaning that they have not given notice of resignation within the 30 days prior to their anniversary date)
- Administrative staff working in the centralized services of the organization are *excluded*
- Members of the Interdepartmental Council are *excluded* (i.e. Directors of Service, Directors of Departments/Divisions, Vice Presidents, Senior Vice Presidents, and Corporate Officers)
- Physician and nurse prescribers are *excluded*

**Operations Staff:** Operations staff work directly with persons served and work in the following settings:

- Residential (Program Directors, Senior Program Directors, and Residential Directors are eligible)
- Outreach (ACCS Team Leaders are eligible)
- Day Program (Program Directors, Assistant Program Directors, Senior Program Directors are eligible)
- Integrated Care (Staff under the level of Director of Service level are eligible)
- Outpatient Services (Staff under the level of Director of Outpatient Services are eligible; prescribers are excluded)
- Administrative Assistant and Representative Payee staff working to support Operations programs and working in field offices and paid from Operations Work Orders
- Clinical staff working to support programs and paid from Operations Work Orders
- For a full list of eligible job codes, visit the Tenure Based Pay subpage of the Human Resources page of MyVinfen at [bit.ly/vinfentensurepay..](https://bit.ly/vinfentensurepay..)



**Base Compensation Rate:** This is the established base level compensation rate for a given position. Base compensation is determined based on frequent surveys of what similar positions in similar organizations are paying. Vinfen participates in annual surveys with our trade organizations – the Association for Developmental Disability Providers, the Mass Providers Council, and the Association for Behavioral Health Providers – to ensure that we are provided with up-to-date information regarding market salaries. In addition, when positions become difficult to hire for and we sustain long term vacancies, Vinfen completes mini surveys of the market for that position in our geographic areas served.

For more information on base rates please contact your supervisor or the HRM for your area.

## **PROCEDURE**

For each completed year of Vinfen service up to 10 years, eligible employees may receive a \$0.25 per hour adjustment to their position’s base compensation rate. Note that this is an adjustment to the **base compensation rate for the position**. If the employee’s current rate is already higher than the base rate for the position, the adjustment may be less than \$0.25 per year. Some employees may not see an increase in their pay; however, no employee will see a decrease in pay under this policy.

### ***Timing of Pay Rate Increases***

#### ***Initial Implementation***

As the program is initially implemented, eligible staff will receive an adjustment of \$0.25 per hour to their position’s base compensation rate for each completed year of Vinfen service up to 10 years. Eligible employees may receive between an additional \$0.25 per hour and an additional \$2.50 per hour starting with the pay period beginning 12/31/2023.

#### ***Ongoing Process***

After the initial implementation of the program is complete, eligible employees may see an increase of \$0.25 per hour to the base compensation rate for their position starting in the pay period after their employment anniversary date each year.

### ***Calculation of Tenure***

For the initial calculation of tenure an employee that left the organization and returned within 2 years may be eligible for the tenure-based increase, and calculations will include their original tenure with Vinfen prior to the break in service. The reinstatement date will be used for initial calculation of the tenure pay, and the most recent hire date will be the anniversary date for future increases.

For staff members who have had prior short employment gaps that are less than two years, there will be a one-time adjustment where your tenure prior to the short gap will be counted. Note that your historical short employment gap may be an adjustment that will be made afterwards through a manual process, with proper retroactivity applied.

Beyond the initial implementation of the tenure pay increases on 12/31/23, employees that leave the company and return will start at their most recent date of hire for purposes of tenure calculation.

### ***Changing Positions***

#### ***Moving from an Eligible Position to another Eligible Position***

Tenure-based pay increases belong to the employee and will be part of their rate when they change

positions or statuses, if the new position or status is also eligible for tenure-based pay increases – i.e. the position must be an eligible Operations position.

In this circumstance, the employee's base rate will be adjusted to reflect the base compensation rate for the new role, in addition, if they have received an increase based on their tenure, the amount of tenure-based pay they have received will transfer with them.

- **Example:** A 40 hour/week Residential Counselor (RC) currently earning \$20.50 per hour is transferring to a 40 hour/week Awake Overnight (AON) position paying \$17.00 per hour. The base compensation for the RC role is \$20.00 per hour. The additional \$0.50 reflects the tenure increase. The base compensation rate for the AON position is \$17.00 per hour. When the employee transfers to the AON role, they will be paid the new base rate **plus** their tenure increase which equals \$17.50 per hour.

#### *Moving from an Ineligible Position/Status to an Eligible Position/Status*

If an employee is moving from a position/status where they are not eligible for tenure-based pay increases to a position/status where they are eligible, then as of the date of their transfer, they will receive the base compensation rate for their new position plus the additional tenure-based pay they are entitled to base on their tenure with Vinfen.

- **Example:** A Residential Counselor (RC) employed with Vinfen for 2 years who is scheduled for 20 hours/week and earning a base compensation rate of \$20.00 per hour is increasing their hours to 30 hours/week. As of the effective date of the change, if they meet all other criteria to be eligible, they will be paid the base compensation rate of \$20.00 per hour for their 30-hour position **plus** a tenure-based pay increase of \$0.50 per hour, for a total of \$20.50 per hour.

#### *Moving from an Eligible Position/Status to an Ineligible Position/Status*

If an employee is moving from a position/status where they are eligible for and receiving tenure-based pay to a position/status where they are ineligible, then as of the date of their position/status change, they will stop receiving any tenure-based pay and receive only the base or negotiated compensation rate for their new position/status.

- **Example:** A 40 hour/week Residential Counselor (RC) currently earning a base compensation rate of \$20.00 per hour plus \$0.50 per hour of tenure-based pay (for a total of \$20.50 per hour) is transferring to a 20 hour/week Awake Overnight (AON) position that pays a base compensation rate of \$17.00 per hour. Since the AON position is not scheduled for at least 30 hours/week, the employee will be ineligible for tenure-based pay as of the date they transfer to the 20 hour/week AON position. They will earn only the base compensation rate for the 20 hour/week AON position of \$17.00 per hour.

#### ***Tenure-Based Pay and Shift Differentials***

Shift differentials are associated with programs/work orders and are not part of base compensation. Staff only receive a shift differential when they work at a program and in a position eligible for a shift differential. When working at a program and in a position eligible for a shift differential, staff will receive their base compensation rate, plus any tenure pay they may be eligible for, plus the shift differential for that program and position. When working at a program that does not have a shift differential, they will receive their base compensation rate plus any tenure pay they may be eligible for.

### ***Employees on Leave of Absence Status***

Employees on legally protected Leaves of Absence as of their employment anniversary will receive their tenure-based pay increase as of their anniversary date, the same as if they were actively working. Note that if the employee is not receiving pay from Vinfen as of their anniversary date, they will not see the effects of the tenure-based pay increase until they begin to receive pay from Vinfen again.

Employees on Personal Leaves of Absence, which are not legally protected but granted under Vinfen policy, will not receive their tenure-based pay until they return to work. At that time the tenure-based pay increase will be processed retroactively to their employment anniversary date.

### ***Employees on Suspension Status***

Employees on Suspension status as of their employment anniversary may not receive a tenure-based pay increase for that employment anniversary or may receive their increase after their suspension period is over as follows:

- If the employee is returned to work with retroactive pay for their suspension period, the tenure-based increase will be effective as of the employment anniversary date and will be paid retroactively to that date.
- If the employee is returned to work with retroactive pay for their suspension period and with a corrective action below the level of a final written warning, the tenure-based increase will be effective as of the employment anniversary date and will be paid retroactively to that date. Note that if the employee was not receiving pay from Vinfen as of their anniversary date, they will not see the effects of the tenure-based pay increase until they begin to receive pay from Vinfen again.
- If the employee is returned to work with a final written warning, they will not receive a tenure-based pay increase for the anniversary occurring during their suspension. See below “Employees Not in Good Standing” section for more information.
- If the employee does not return to work from their suspension, they will not receive the tenure-based pay increase for the anniversary occurring during their suspension.

### ***Other Exclusions***

#### ***Employees Not in Good Standing***

In order to be eligible for the initial or annual increase, employees must be in good standing, meaning that they must not have received a final written warning in the 6 months preceding their anniversary. Staff who have received a final written warning in the 6 months preceding their anniversary will not be eligible to receive any new tenure-based increase until their next employment anniversary. At that time, if they are in good standing, they will be made whole as of their employment anniversary and going forward. No retroactive tenure-based pay will be issued for the year in which it was not received due to the employee not being in good standing.

#### ***Employees Providing Notice of Resignation***

Employees who have given notice that they are resigning their employment with Vinfen within the 30 days preceding their employment anniversary will not receive a tenure-based pay increase as of their employment anniversary.

## **ATTACHMENTS**

For a full list of eligible job codes, visit the Tenure Based Pay subpage of the Human Resources page

of MyVinfen at [bit.ly/vinfentensurepay](https://bit.ly/vinfentensurepay).

## **CROSS-REFERENCE**

Compensation Policy

## **REFERENCES**

None

## **REVIEW**

This policy is reviewed at least every three years, or more frequently as needed.

## JJ. PERFORMANCE APPRAISAL

### Performance Appraisal

A written performance appraisal will be completed each year for every regular full and part time employee having at least six (6) months service. Completed performance appraisals are to be scanned and emailed to the Human Resources Department in accordance with communicated timelines and directions, which will vary based on specific job duties. Copies of Vinfen’s appraisal forms can be found under the “Compensation, Job Codes, and Descriptions” section of the Human Resources Department webpage of <https://www.myvinfen.org/>. While Division and Department Heads will determine the appraisal forms to be used in their departments, the following is a suggestion of which forms are most appropriate for selected segments of our workforce and the process used for their completion:

- **Direct Service Performance Appraisal Form:** Intended for use with direct service positions such as Residential Counselor, Day Counselor, Instructor, Job Coach, etc.
- **Operations Performance Appraisal Form:** Intended for use with management positions, such as Site Manager, Program Director, Director of Service, etc.
- **Clinical Performance Appraisal Form:** Intended for use for all clinical positions such as Clinical Specialist, Clinical Coordinator, Nurse Coordinator, Nurse LPN, Nurse Liaison, Social Worker, Assistant Clinical Director, Psychologist, etc.
- **Administrative, Professional and Management Performance Appraisal Form:** Intended primarily for use with management and non-management positions in the Finance, Purchasing, Information Systems, Human Resources, Development, Public Affairs, Planning, Legal and Quality Departments, as well as all Administrative Assistants. This form can be used for any position since it is geared to an employee’s Position Description. All position descriptions can be found under the heading “Compensation, Job Codes, and Descriptions” on the Human Resources Department webpage of <https://www.myvinfen.org/>.

### Appraisal Process:

Employees receiving an appraisal should complete their part of the appraisal form, rating themselves, and attach a copy of their Position Description. Managers should also complete the appraisal form, rating their employee as well as using the comments section to record recommended actions to correct performance deficiencies and goals for next 12 months. If employees disagree with the appraisal, they should be invited to provide comments to that effect at the end of the appraisal or to provide a written addendum to the appraisal. Once the employee has signed the appraisal form and provided any addendums, a copy should be given to the employee and made for the manager, while the original is scanned and email to the Human Resources Department at the address specified in the memorandum containing appraisal directions and found on the Human Resources Department webpage of <https://www.myvinfen.org/>. Appraisal dates and overall rankings will be recorded in the HR/Payroll System.

**Effective Date: May, 2008**  
**Reviewed Date: June, 2022**

**Revision Date: September, 2016**

## **KK. UKG TIME AND ATTENDANCE**

### **Timekeeping Responsibilities by Role**

#### *All Employee Responsibilities*

- All employees are required to understand how to properly use the UKG time and attendance system. All employees may find job aids and other resources on the UKG Sharepoint page found here: [UKG Employee & Manager Resources \(sharepoint.com\)](#) Additionally, employees should reach out to their managers if they are having difficulties understanding or using the system.
- All employees are required to accurately record and approve their hours of work in Vinfen's UKG time and attendance system. For hourly employees this means time punching in and out of work via a Vinfen computer or a Vinfen device for all hours worked.

#### *Requesting and Approving Time Off - Holiday, Vacation, Personal and Sick*

- Employees must request time off for holidays, vacation, and personal time off through the My Time Off tile on the dashboard of the UKG time and attendance system. The employee's manager must approve all time off requests through the UKG system. Once approved, the timesheet will automatically populate the correct benefit time based on the employee's schedule in UKG.
- Sick time should be entered using the "Sick" pay code on the timecard. An employee's manager must make this edit.
- Non-intermittent leave of absence (LOA), including FMLA – As long as HR/Benefits has been made aware of the need for an LOA, HR/Benefits will complete the employee's timecard for the LOA period.
- Intermittent leave of absence (LOA), including FMLA – Employees taking an intermittent LOA must notify their manager when taking time off related to the LOA. The manager should then input any time taken related to the LOA using the "Int LOA Tracking" pay code. Benefits/HR will then add the appropriate benefit time to the timecard alongside the "Int LOA Tracking" pay code.

#### *Use of the UKG App on a Phone or Personal Device*

- Vinfen employees may use the UKG App installed on Vinfen cell phones and devices. Employees may also load the UKG Dimensions App onto their personal devices to perform tasks such as checking their schedules and requesting time off. Directions on how to load the app may be found on the UKG Employee & Managers Resource Page found on the employee intranet here: [UKG Employee & Manager Resources \(sharepoint.com\)](#)
- Hourly employees may not use a personal device such as a cell phone to time-stamp unless employed in a job code with permission to do so. Hourly employees who violate this policy may be subjected to corrective action up to and including termination.

#### *Failure to Adhere to Timekeeping Rules and Responsibilities*

- *Failure to accurately record hours worked or benefit time taken and/or failure to adhere to payroll review and approval deadlines will result in corrective action, up to and including termination.*
- *Time-stamping for another employee or asking another employee to time stamp for you is payroll*

*fraud and will result in corrective action up to and including termination.*

- *Time-stamping from an unapproved device such a non-Vinfen computer or smartphone is prohibited and will result in corrective action up to and including termination.*
- *Repeated failure of managers or employees to perform their duties regarding recording time including transfers, timely timekeeping review, correction, and approval will result in corrective action up to and including termination.*

### ***Manager Responsibilities***

- Managers are responsible for making sure that all supervised employees have an accurate schedule entered in the UKG time and attendance system and that each employee's schedule is updated if it changes.
- Managers are required to monitor and correct all timecard exceptions throughout the pay period. The home manager is responsible for making sure that all work order transfers are accurately completed. If an employee works in another work order and does not transfer, the home manager must contact the employee to determine where they have worked and to coach them on transferring or missed punches, if needed.
- **Managers of hourly employees must approve their hourly employees' timesheets by noon on the Monday following the close of every bi-weekly payroll period, unless Monday is a holiday, in which case the deadline is 10 am on Tuesday.**
  - **Except for hourly employees working shifts on the last Friday evening and Saturday of a payroll period, all employee timecards should be clean and approved by the end of business on Friday.**
- **Managers of salaried employees must review and approve exempt employee timecards by the close of business on Friday before the end of the bi-weekly payroll period. These deadlines will be accelerated by one day during weeks when payroll closing contains a holiday.**
- Managers are also tasked with making sure all of their employees have access to UKG, understand how to use it, are aware of program-specific timekeeping policies, are following the policies, and are properly using the system.
- Managers are required to ensure that their employees are properly requesting time-off using UKG, successfully transferring jobs and work orders as needed, and reviewing their timecards for errors.
- Managers are required to promptly follow up on and respond to all Payroll requests to ensure that the payroll closes on time to ensure employees are paid correctly.
- Hourly employees must be paid for all time actually worked, including overtime, whether or not scheduled or approved in advance. If an hourly employee fails to obtain prior approval for hours worked and/or overtime, it should be dealt with as a corrective action issue. Hourly employees called in or scheduled to work who are subsequently sent home before the completion of their regular scheduled hours must be paid a minimum of 3 hours' call-in pay.
- Managers are also responsible for ensuring that their employees are not working excessive overtime and are following the overtime policies and procedures.
- **New Employee Responsibilities:** All employees participating in NEO should be paid for 8 hours that day. NEO will include training new employees in how to log into the time and attendance system, punch in and out, and manage their timesheets. While new employees will not punch in and out on their first day, they will be paid for the entire first day by schedule. Beginning on their second day, they are paid according to regular UKG policy for hourly or exempt employees.

Managers for new employees must schedule them for the remainder of their first week, whether they are scheduled to participate in NET or fulfill other assignments. The manager must also enter the new employee's schedule in UKG and approve time for new employees at the end of their first pay period and going forward.

### ***Hourly Employee Responsibilities***

- Hourly employees must review and approve their time on their last shift worked during the pay period. For example, if an hourly employee finished work on a Friday and does not work on Saturday, that employee must review and approve their time on Friday.
- Hourly employees are responsible for correctly adding transfers and work rules. ***Hourly employees who repeatedly fail to properly records transfers may be subject to corrective action up to and including termination.***
- Hourly employees who are having difficulty punching or understanding how to use the UKG system, must reach out to their managers promptly for help.

### ***Salaried Employee Responsibilities***

- **Salaried employees must review and approve their own timesheets by the close of business on Thursday before the end of the bi-weekly payroll period.**
- Salaried employees who work more than ½ their scheduled hours on a given workday will not be required to put in benefit time for the remainder of the day. For example, a salaried employee who has a dental appointment in the afternoon requiring that employee to leave during the afternoon should not enter paid time off for that time away from work. Salaried employees are expected to be reasonable in their use of this practice. Excessive or fraudulent use of this practice may result in corrective action.

Salaried employees who work a partial day that is less than ½ day should only be credited with a half day of work. For example, an exempt employee whose usual schedule is 8 am to 4 pm works until 10:30 am and then receives an emergency call taking him/her away from work the rest of the day. This employee should enter 4 hours work and 4 hours of benefit time. If an exempt employee's benefit time has been exhausted, he/she cannot be docked for absences of less than a full day.

This policy does not apply in cases where the employee is missing time due to an intermittent leave of absence. Absences related to an intermittent leave of absence should be recorded accurately and noted in UKG using the "Int LOA Tracking" pay code.

In the case of an abuse of this policy, managers, with the help of Human Resources, should address this abuse through supervision and corrective action, if necessary.

Please keep in mind that due to such things as ADA accommodations, intermittent leaves of absence, and compressed work schedules, some additional guidance to proper timekeeping will be needed in some cases. Questions regarding these situations should be directed to Human Resources.

### ***Per Diem Employee Responsibilities***

- Per Diem employees are assigned to Per Diem Pools as their home work orders. For all hours



worked other than new employee orientation and training, Per Diem employees must enter a transfer in UKG to the correct work order and job. Failure to properly transfer may result in corrective action up to and including termination.

- Per Diem employees are responsible for promptly communicating with their Per Diem Pool Coordinator to answer any questions about their timecards.
- It is the responsibility of the Per Diem employee to ensure that their contact information is always up to date in UKG so that they may be reached in a timely manner to resolve issues and questions.

### ***Per Diem Pool Coordinator Responsibilities***

- The Per Diem Pool Coordinator assigned to a specific per diem pool is the approving manager for employees in that home work order.
- The Per Diem Pool Coordinator is specifically responsible for ensuring that all Per Diem employees are trained in how to use UKG, are correctly recording time, and are correctly transferring work orders and jobs.
- Coordinators are specifically required to correct missed transfers throughout the pay period.
- Managers using Per Diem employees have access to the timesheets of those Per Diem employees who worked in their work order during the pay period. The Per Diem Pool Coordinator should verify with the manager of the program where the Per Diem employee worked that the Per Diem employee worked the hours as documented in the time and attendance system, including verification of approval for overtime. The Per Diem Pool Coordinator then is responsible for approving the Per Diem employee's timesheet.

### ***Payroll Responsibilities***

- The Payroll Department will undertake the final review and approval of all timesheets and process the payroll.
- Payroll is responsible for responding to employee inquiries regarding their pay in a timely manner. Information on how to contact Payroll may be found on the employee intranet here: [Payroll Department \(sharepoint.com\)](#)

## **Hourly Employee Timekeeping**

### *Logging On and Punching In*

- Time-stamp punch-ins and punch-outs are defined as staff indicating their start and end times, respectively, in a timesheet.
- Employees may only use Vinfen computers and devices to log punches. Employees may not use other devices such as personal cell phones to record time unless working in a job code specifically exempted from this requirement.
- Total Time: While noting the actual punch time, the time and attendance system will total the exact total of hours and minutes, rounded to the nearest 15-minute, to determine actual time paid.
- Vinfen will pay employees who time-stamp out late; however the time must be approved by the manager. The manager may discuss this with the employee involved, and take corrective action if warranted.
- If an employee works overtime, it must be paid; however, overtime requires manager

approval. Working overtime without prior approval may result in corrective action, up to and including termination.

#### *Edits and Changes to Timecards*

- Hourly employees cannot modify or change any punches, but they can enter transfers to authorized work orders.
- Managers are responsible for adding missed punches and correcting wrong punches, and are also able to transfer time or input benefit time by adding the appropriate pay code.
- Managers must correct timecards including missed or incorrect transfers on a daily basis, not wait until the pay period ends.
- All additions or corrections should have comments noted in the comment section noting the circumstance.
- Both employees and managers have access to view the audit trail showing edits made to the timesheet.

#### *Hourly Employees Recording and Tracking Training Hours*

- When hourly employees are participating in training they should when punching in “add transfer”, select “add work rule” and choose “1-training”.
- Managers are able to schedule training hours on an hourly employee’s schedule. Please refer to the job aid on the UKG resource page for more information.

#### *Approvals*

- Managers can approve timesheets for the day or for the pay period.
- Approval Lock-out: Once a manager approves an employee’s time, the employee cannot add punches or modify their timesheet for the approved period. If a manager pre-approves the timesheet, the individual will not be able to punch in or out or modify their timesheet.
- Timesheets require approval by the employee’s immediate manager. If the immediate manager is not available, the approval goes up the reporting chain or to an assigned alternative manager. Second level managers must ensure that timecards are corrected and approved or that the designated manager is completing this task if the primary manager cannot.
- In Operations program business units (site work orders), Program Directors may delegate to the Site Manager responsibility to approve the timesheet. For payroll control purposes, only one manager’s approval is required to authorize approval. This does not reduce the Program Director’s responsibility for managing the Site Manager in scheduling, assigning, and approving the hours worked by employees.
- For vacant manager positions, another manager can be authorized to approve time sheets for a specific work order. Second level managers and Directors of Service are responsible for making sure that timekeeping duties are completed in a timely manner.

### **Timesheet Reviews by Employees**

UKG has an “audit” tab on the bottom of each timecard which shows detailed information about punches and timecard edits. If an employee does not understand or disagrees with a manager’s

adjustment of their timesheet, the employee should resolve this with the manager, or take the issue to higher levels of supervision.

### **Inclement Weather / State Emergency Closures**

When Vinfen facilities are officially closed due to either weather-related circumstances or state mandated emergency closings, benefit-eligible employees will have the choice of going unpaid or using their Vacation, Personal, or Holiday time for any hours they were unable to work due to the closure. Employees who lack sufficient Vacation, Personal, or Holiday time to make up hours lost due to such closures may be given a Vacation “advance” to be offset by future Vacation accruals. ***Such Vacation “advances” can only be processed in the time and attendance system by using the “Inclement Weather” pay code. The “Inclement Weather” pay code may not be used if the employee has available Personal, Vacation, or Holiday time.***

### **Overtime Distributions**

If an employee works more than 40 hours in a week, and works across multiple work orders, overtime is distributed by the time and attendance system automatically, assigning the first 40 non-overtime work hours to the home work order, then assigning overtime to work orders based on the chronological order of when and where the overtime was incurred.

### **Time and Attendance System Failure**

If the time and attendance system fails to operate, any affected units should immediately convert to using paper timesheets. If the time and attendance system failure is temporary, managers will enter paper timesheet data into the time and attendance system as soon as reasonable after the system has been restored, and in time to make payroll deadlines. If the period of time and attendance system failure extends to a point in time where transfer of information cannot be accomplished without missing payroll processing deadlines, managers will work with the Payroll Department to submit paper timesheets for payroll processing. Payroll and senior operations management will then direct managers on what, if anything, would need to be done to update time and attendance files.

**Effective Date: March, 2011**

**Revision Date: March, 2023**

## **LL. PAYROLL - DISTRIBUTION**

Employees are paid bi-weekly (every two weeks) by check or direct deposit to their designated bank account. No employee will be paid in cash.

### **Payroll Related Forms (available through Payroll on [www.MyVinfen.org](http://www.MyVinfen.org))**

- Personnel Action Forms – used by managers to instruct and authorize Payroll to carry out specific payroll changes (See Human Resource Manual)
- IRS W-4 Tax Withholding Form – required by the IRS and completed by employees to instruct Vinfen as to the federal tax withholding status of each employee
- M4 (Massachusetts) and CT-W4 (Connecticut) – completed by employees to instruct Vinfen as to the State withholding status of each employee
- Fringe Benefit Enrollment Forms – completed by employees to authorize Vinfen sponsored benefits and other voluntary deductions
- Direct Deposit Authorization Form – completed by employee to authorize Vinfen to electronically transfer the employee's pay into whatever institution (e.g. bank, credit union) that the employee has specified. All direct deposit changes must be sent from the employee's Vinfen email address.
- Change of Address Form – completed by employee to update legal name or mailing address
- IRS W -2 Form – completed by Vinfen for each calendar year by January 31 of the following year, reports annual taxable wages, other compensation and taxes withheld for each employee.
- Time and Attendance Correction Forms – completed by employees and approved by managers this form is submitted to Payroll to correct paid time or benefit time taken.

### **Current Employees**

A schedule of payroll periods and corresponding pay dates is published by the Payroll Department at the beginning of each calendar year. The payroll cycle is fourteen (14) days, beginning on a Sunday and ending the second following Saturday. Employees are usually paid the Friday following the close of a payroll period (approximately one week later). If a holiday occurs on a scheduled pay date, employees are paid the preceding Thursday.

### **Timesheet Submission**

All employees are required to record or verify and approve their hours of work in the Kronos Time and Attendance System. Approved Kronos time reports (or timesheets) are due at the 950 Cambridge Street Office in the Payroll Department by noon of the Monday following the end of each pay period. If a scheduled holiday falls on a Monday following the pay period, the timesheets are due at the 950 Cambridge Street Office in the Payroll Department by noon of the Friday just before the period end (refer to the special notes on the payroll schedule).

### **Direct Deposit**

Employees who participate in the direct deposit program automatically have their pay (in full or in part) deposited to a designated bank account, with funds being available on the scheduled payday.

Employees can enroll in up to three bank accounts in Direct Deposit, of which, only two can be of a similar account type (e.g. two checking and one savings; or visa versa) Employees participating in Direct Deposit can view their pay statements by logging onto the ADP Ipay system. Instructions on how to access pay statements on Ipay will be provided when an employee enrolls in Direct Deposit. Upon completion of the registration process, you may access your pay statements at <https://ipay.adp.com>.

Employees who elect to take advantage of this benefit must submit Direct Deposit documents via fax to 617-441-1780 or mail the documents to the attention of the Payroll Department at Vinfen, 950 Cambridge Street, Cambridge, MA 02141. All changes in direct deposit must be requested through the employee's Vinfen email address. Employees may be contacted to verify that the change is being requested.

**Direct Deposit documents should include:**

1. A completed Direct Deposit form – available online on MyVinfen under the Payroll page section or in person from the Human Resources or Payroll Department.
2. An original or photocopy voided check(s) from the account(s) to which the direct deposit(s) are to be made. Alternatively or for savings accounts, you can present an official document from your financial institution noting your name, bank account number, and bank routing number. Enrollment will be delayed for employees who do not provide support for direct deposit accounts.

The Payroll Department will process Direct Deposit documentation on the first payroll cycle following receipt of all the required documentation. Once the Payroll Department is able to verify the bank information provided, direct deposit will be instituted at the next payroll cycle. Until direct deposit is effective, employees will receive a check via first class mail.

If an employee wishes to change financial institutions, bank accounts or the amount directly deposited into their bank account, the employee must repeat the process as outlined above. Once direct deposit has been terminated, the employee will be issued a check via first-class mail. Direct deposit will be reinstated on the following payroll once Payroll is able to validate the new information provided.

**Check Distribution**

Although Vinfen prefers direct deposit, distribution of checks will be made via US Postal Service every other Thursday, in accordance with the payroll calendar. Checks are not available for pick up at the corporate office (950 Cambridge Street, Cambridge).

In cases where an original check is stolen, lost or otherwise misplaced, the employee may request a replacement check. However, ***no check will be reissued until a stop payment has been issued on the check and five business days have passed. Any check issued to replace a stolen, lost or otherwise misplaced check will be considered an advance against the next payroll check(s) until such time as the original payroll check is returned to the Payroll Department or the bank accepts the Stop Payment Order.*** Vinfen strongly suggests that employees use direct deposit.

Pay statements are available on the internet by accessing the ADP Ipay system. Direct deposit vouchers

are no longer printed or mailed to employees.

### **How to Register on ADP iPayStatements:**

1. Go to: <https://ipay.adp.com>
2. Click Register Now and then click Register Now again
3. Enter the Registration Pass Code which is: “vinfen-1234” (all one with dash)
4. Provide the Verify Your Identity information
5. Select iPayStatements as the Service
6. Select Pay Statement/Earnings Statement as the document

You will then be prompted to complete a registration process during which you must enter contact and security information, answer a few security questions and create a password. Your password must be at least eight characters long and must contain at least one letter and either one number or one special character. Also, your User ID and password are case sensitive. You will be assigned a system generated User ID. The security questions will be used to verify your identity if you ever forget your user ID or password.

Upon completing the registration process, you may access your pay statements at <https://ipay.adp.com>. You may also access your pay statements on your smart phone. You can find specific instructions on <https://www.myvinfen.org/ipay.asp>

### **Pay Advances**

Vinfen does not offer a pay advance program and therefore, no pay advances are issued.

### **Changes to Payroll information including Transfers between Cost Centers**

A completed PAF is required to make payroll changes including transferring between cost centers .  
(See Personal Action Form)

### **Separating Employees**

#### ***Involuntary Terminations***

Direct Deposit benefits are not available to employees that are terminated. If an employee is involuntarily termed, the final check including any accrued vacation time will be issued by check.

#### ***Voluntary Terminations***

Employees who terminate voluntarily by resignation, retirement, or during a leave of absence are issued their final pay check, including any accrued vacation time, on the regularly scheduled pay date following their last day of work.

**Effective Date: January, 2000**

**Revision Date: August, 2019**

**Reviewed Date: June, 2022**

## **MM. PAYROLL - DEDUCTIONS**

Vinfen withholds mandatory deductions and authorized voluntary deductions from all employee paychecks in conformity with relevant state and federal laws. Each employee is required to submit a completed W-4 or M-4 indicating his/her federal and state income tax withholding rates. Voluntary deductions include medical, dental and/or vision plans, flexible compensation plans, pension loan deductions, tax deferred annuity deductions, credit union deductions, and direct deposit deductions, all of which must be authorized by employees in writing.

Wage garnishments and/or tax levies are deducted as required by law.

**Effective Date: April, 2006**

**Revision Date: May, 2014**

**Reviewed Date: June, 2022**

## **NN. EMPLOYEE BENEFIT PLANS**

Vinfen provides a comprehensive package of protective benefits for eligible employees. The following are brief descriptions of the types of benefits offered by Vinfen. For more information about any of the plans described below, please see the Benefits Guide on the HR/Benefits page of MyVinfen or contact the Benefits Team at [benefits@vinfen.org](mailto:benefits@vinfen.org). More comprehensive information on these benefits is also contained in the plan documents, which are maintained in the Human Resources Department. Employees will be given copies of Summary Plan Descriptions upon request. Vinfen reserves the right to change, terminate, or discontinue any of its Employee Benefit Plans at any time and to the extent permitted by law. This can occur without the consent of, and without prior notice to, any active or retired employee and eligible dependent covered by such Employee Benefit Plans.

### **Eligibility, Waiting Periods, and Enrollment Windows**

To be eligible for most Vinfen employee benefit plans, an employee must be regularly scheduled to work at least 30 hours per week (20 hours per week for Physician employees). However, all employees are eligible for Vinfen's 403(b) Employee Retirement Savings Plan and may be eligible for contributions to the Vinfen 401(a) Company Defined Contribution Retirement Plan as described below. Dependents eligible for Vinfen group medical, dental, and vision insurance coverage include spouse and children only.

The effective date for new employees who elect coverage under Vinfen's medical, dental, vision, and flexible spending account plans or who are automatically enrolled in the company-paid Life, AD&D, Long Term Disability, and Short Term Disability plans is the first of the month following one month of employment. The same waiting period applies for existing employees becoming newly eligible for benefits due to a change in status (for example, a change in employment status from Per Diem to Regular Full-Time).

Each year, the company has an Open Enrollment period, generally occurring in July, with an effective date of September 1<sup>st</sup>. During the Open Enrollment period, employees may enroll, cancel, or change their benefit elections. Benefit election changes outside of the Open Enrollment period are only permitted in limited circumstances as determined by federal law. Specifically, eligible employees may elect to enroll or change their insurance coverage **within thirty (30) days** of a Qualifying Life Event as defined by federal law. Examples of a Qualifying Life Event include losing or gaining other coverage, marriage, divorce, birth or adoption of a child, or a change in employment status that affects the employee's eligibility for benefit coverage.

Medical, HRA, dental, and vision coverage continues through the end of the month in which employment terminates or a status change causes the employee to lose eligibility, as long as the employee pays their share of premiums. FSA plans, Life, AD&D, LTD, and STD coverage end as of the date of employment termination or status change.

### **Medical, Dental, and Vision Insurance**

Vinfen offers group medical, dental, and vision insurance plans to eligible employees. While the dental and vision plans are employee-pay-all plans, Vinfen pays a significant part of the premium for medical coverage.



A Health Reimbursement Arrangement (HRA) is also provided free of charge to employees enrolled in one of Vinfen’s medical insurance plans whose hourly pay rate is less than \$28.85 (\$60,000 per year for a full-time employee). See the Health Reimbursement Arrangement (HRA) policy for more details.

### **Healthcare and Dependent Care Flexible Spending Accounts (FSAs) and Commuter Spending Account (CSA)**

Vinfen offers Healthcare and Dependent Care Flexible Spending Accounts which allow eligible employees to set aside funds on a pre-tax basis that can be used towards eligible healthcare- or dependent care-related expenses throughout the plan year. A Commuter Spending Account is also offered which allows eligible employees to pay for parking and public transit expenses on a pre-tax basis.

### **Life, AD&D & Long Term Disability Insurance**

Eligible employees will automatically be enrolled in Company-paid Life, Accidental Death and Dismemberment (AD&D), and Long-Term Disability (LTD) Insurance.

### **Short Term Disability Insurance**

Eligible employees whose pay rate meets certain thresholds will automatically be enrolled in Company-paid Short Term Disability (STD) Insurance. The pay rate threshold for eligibility is set each year based on the benefits available under the Massachusetts Paid Family and Medical Leave (MA-PFML) and Connecticut Paid Leave (CT-PL) laws. The STD plan is designed to ensure that employees for whom state paid leave laws would provide them with less than 66 2/3% of their regular pay have access to STD coverage that will bring their total replacement income during a continuous medical leave to that level. Because maximum benefits available under MA-PFML and CT-PL may be updated each year by the respective states, the pay rate thresholds for eligibility may differ between states and may change each calendar year.

### **Retirement Plans**

Vinfen offers two investment vehicles to assist its employees with retirement savings:

**Vinfen 403(b) Employee Retirement Savings Plan** - Employees are immediately eligible for tax deferred savings under Vinfen’s 403(b) Employee Retirement Savings Plan. Under the 403(b), employees can elect an amount of their paycheck to be put into their own 403(b) account (pre-tax) each paycheck. The employee owns (or “vests in”) their 403(b) account immediately.

**Vinfen 401(a) Company Defined Contribution Retirement Plan** - Employees who are at least 21 years of age, have completed one year of continuous service, and have worked 1,000 hours in the preceding fiscal year will be eligible for a Vinfen-funded contribution to their 401(a) account. The 401(a) is an employer-pay-all profit sharing plan in which Vinfen may make a discretionary contribution following the close of the fiscal year. The Retirement Plan is subject to the terms and conditions defined in Plan documents of the Vinfen 401(a) Company Defined Contribution Retirement Plan.

## **COBRA Healthcare Continuation Coverage**

Vinfen adheres to the requirements under the Consolidated Omnibus Budget Reconciliation Act (COBRA) which provides continuation of health, dental, and vision insurance and healthcare flexible spending accounts because of termination of employment, death, divorce, or other life events such as reduction in hours worked.

In general, the coverage may continue for 18 months after employment ends or after the life event. In some situations, coverage may continue up to 36 months. If an employee meets the eligibility criteria for COBRA, he/she will be issued a full description of all eligibility requirements and all benefits.

**Effective Date: December, 2009    Revision Date: June, 2022**

## OO. HEALTH REIMBURSEMENT ARRANGEMENT (HRA)

When it is feasible, Vinfen may adjust components of its compensation and/or benefits to provide additional assistance to employees with a full-time equivalent pay rate of under \$60,000 per year (approximately \$28.85 per hour). The Health Reimbursement Arrangement Benefit is one such offering.

**Effective September 1, 2021**, for medical services provided on or after that date, Vinfen will reimburse eligible employees for certain types of out of pocket medical costs. Eligible employees will be reimbursed for a maximum of \$1,000 per family per medical insurance plan year (September 1- August 31). Married couples who both work for Vinfen are only eligible for a combined maximum of \$1,000 per plan year.

### ELIGIBILITY REQUIREMENTS:

In order to be eligible for reimbursement, **employees** must meet the following criteria:

- The employee or family member who received the medical services must be enrolled in a Vinfen-provided health plan.
- The employee's full-time equivalent pay rate must be less than \$60,000 per year (approximately \$28.85 per hour). If the person who received the medical services is a spouse or dependent who also works for Vinfen, their full-time equivalent pay rate must also be less than \$60,000 per year.

In order to be eligible for reimbursement, the **bill/service** must meet the following criteria:

- The medical service must be medically necessary and covered by Vinfen's health insurance plan.
- The service performed must be a qualifying service, as defined below.
- The amount owed by the employee and/or family member(s) after insurance payments and adjustments must be at least \$500.00 for dates of service within a period of 30 days. (The date of service associated with each charge on your bill is determined by the health care provider and should be clearly displayed on the bill.)
- Claims must be filed with all documentation no later than November 30 for expenses incurred during the plan year ending on the previous August 31 – similar to our flexible spending account deadline.
- More than one reimbursement per plan year may be made up to the \$1,000 maximum provided that each reimbursement meets the other criteria.

### QUALIFYING SERVICES

The following types of service are eligible for reimbursement if the other eligibility criteria above are met:

- Hospital inpatient services (for example: surgery or maternity)
- Hospital outpatient services (for example: outpatient/day surgery)
- Non-surgical outpatient services (for example: injections, chemotherapy, or cardiac rehabilitation)
- Diagnostic testing and screening (for example: MRIs, EKGs, X-rays, or blood work)
- Diagnostic tests performed at a hospital (for example: gastroscopy, colonoscopy, or

- sleep studies)
- Ambulance charges resulting in a hospital admission
- Physical therapy charges, if the plan's annual deductible applies

Please note that the following services are NOT eligible for reimbursement, even if the other criteria noted above are met:

- Ambulance charges that do not result in a hospital admission
- Emergency room charges that do not result in a hospital admission
- Physical therapy charges when the plan's annual deductible does not apply (i.e. copayments for physical therapy services)
- Durable medical equipment
- Skilled nursing care
- Dental services
- Routine vision care services, or charges for glasses or contact lenses

*Note: This is not a full list of excluded services. If your specific expense is not listed in this policy as either covered or not covered, the Benefits Department will review your documentation and make a determination as to eligibility.*

## **CLAIM SUBMISSION PROCESS:**

To submit a claim for reimbursement, please provide the following information to the Vinfen Benefits Department. Please note that ALL of the following documents must be received before reimbursement can be issued:

1. A completed and signed Health Reimbursement Arrangement (HRA) Claim Form. This form can be found on the Benefits page of MyVinfen.
2. A copy of the bill for services received from the medical provider, showing the date(s) of service, type(s) of service, and the amounts owed by the employee/family member after insurance processing. Alternately, you may provide the Explanation of Benefits form from the insurance company instead of the bill from the medical provider, as long as all necessary information is included.

This information should be submitted to the Benefits Team using one of the following methods:

- Email: [benefits@vinfen.org](mailto:benefits@vinfen.org)
- Fax: (617) 441-1899

All information must be submitted **by November 30** for any services received during the previous medical insurance plan year (September 1 – August 31).

Once all required documentation for your claim is received, your claim will be evaluated by the Benefits Department. You will be notified as to whether or not your claim is approved as soon as practicable, but not later than 30 days from the date your submission is received. A response will be sent to the Vinfen email address on file for you, unless you specifically state at the time you make your claim for reimbursement that you prefer another method of communication.

After review by the Benefits Department, an approved claim will be paid in the following payroll cycle. Payment will be issued via the same method as your regular paycheck (i.e. direct deposit or live check).

Vinfen reserves the right to verify the validity of your claim by contacting either you or the insurance plan.

***Please note that any medical bills submitted with dates of service prior to September 1, 2021 will be processed under the prior Medical Reimbursement policy.***

**Effective Date: September, 2021    Revision Date: June, 2022**

## PP. PAID BENEFIT TIME

### *Types of Paid Benefit Time:*

- Holiday
- Sick
- Vacation
- Personal
- Bereavement
- Jury Duty
- Civic Duty

### *Eligibility*

Regular full and part-time employees regularly scheduled to work at least 20 hours per week will be eligible for certain benefits set forth for each category of benefit time, with the exception of Sick Time in Massachusetts and Connecticut, which applies to all employees in accordance with certain guidelines as described later in this policy. *Employees are not eligible to use Vacation Time until they have completed at least six (6) full months of service, or Sick Time and Personal Time until they have completed at least three (3) full months of service.*

### *Scheduling and Use of Paid Benefit Time*

1. All requests for planned use of Paid Benefit Time (other than regularly scheduled Holidays) must be brought to the attention of the employee's supervisor for review, approval, and scheduling within the timeframes stated below. Vinfen best practice is that vacation and personal days should be requested, approved, and scheduled through the Kronos time and attendance system.
  - A. Vacation, Personal, or unscheduled Holidays: no less than ten (10) days prior to the intended date of absence; Planned Sick Time: no less than seven (7) days prior to the intended date of absence, or as soon as the need for such time off becomes evident;
  - B. Bereavement Time: as soon as the need for such leave becomes evident;
  - C. Jury Duty Leave or Civic Duty Leave: as soon as possible after the employee is subpoenaed or otherwise becomes aware of the civic obligation.
2. Unless otherwise required by regulation, use of Paid Benefit Time is at the discretion of Vinfen. Although every effort is made to accommodate employee requests, Vinfen may, at its discretion, require an employee to delay use of Paid Benefit Time if scheduling demands or the needs of the program so require.
3. Vinfen may require employees to use Vacation or Personal Time when they are unable to work because their facility is officially closed. Such closings are mostly likely to occur due to severe weather conditions. For more details on closings that might take place prior to the beginning of a shift, see the "Weather Emergencies" policy posted on MyVinfen.
4. Donations of Vacation and/or Sick Time to the Compassionate Relief Fund (for more information, please see applicable policy) are irrevocable elections which cannot be reversed once processed by the Payroll Department.

5. All requests for Vacation and Personal Time should be made and approved through the online time and attendance system. Supervisors should work with employees who needs assistance in making these requests. Supervisors may, in turn, contact Human Resources or Payroll for assistance and guidance. .

### ***Accrual***

1. Employment Status Eligible for Accruals: So long as an eligible employee is in a paid status, receiving regular pay, benefit time, short term disability benefits, or workers' compensation replacement wages, he/she will accrue time within the limitations specifically noted below:
  - A. Vacation Time: Employees do not earn or accrue any Vacation Time until they have been employed for six (6) months at which time employees will receive the appropriate applicable amount of earned and accrued Vacation Time for the prior 6 month period.
  - B. Accrual During Paid and Unpaid Leave: If an employee is on an approved, paid leave of absence, they will be eligible to accrue Sick, Vacation, and Personal time at their normal accrual rates during their paid leave. However, such benefit time will not be considered earned and accrued until that employee returns to active work status. Employees on an approved, unpaid leave of absence will not earn or accrue Sick and Vacation Time. A leave of absence is considered unpaid if the employee is not eligible to receive pay for hours worked, Sick, Vacation, or Personal time for the pay period in which the accrual is calculated. If Holiday time is the only source of pay during the pay period, the leave will still be considered unpaid and the employee will not earn or accrue Sick and Vacation time.
2. Status of Accruals upon Termination or Classification Change:
  - A. Vacation Time: If, prior to the end of the six (6) month waiting period before an employee is eligible to accrue Vacation Time, an employee terminates his/her employment or is reclassified/transferred into a position which is not eligible for Vacation Time, then no Vacation Time time will be paid.
  - B. Personal Time: If an employee terminates his/her employment or is reclassified/transferred into a position which is not eligible for Personal Time, he/she will lose his/her accrued Personal Time.
  - C. Sick Time: If an employee is reclassified/transferred into a position which is relief or scheduled for less than 20 hours per week, he/she will lose any accrued Sick Time over 40 hours.
  - D. Unused Sick Time: If an employee terminates his/her employment, he/she will not be paid for accrued Sick Time, regardless of the reasons for separation.

### ***Termination of Employment***

When an employee gives notice of his/her resignation or is given notice of his/her involuntary termination, the employee becomes ineligible to use Vacation or Personal Time benefits as of the date of the notice, regardless of whether Vacation or Personal Time was scheduled in advance. Upon termination of employment, unused accrued Vacation Time will be paid to the employee by check issued in the pay period following the date of *voluntary* termination or on the date of *involuntary* termination. Additionally, employees are not paid for holidays that fall after active employment ends.

### **PAID HOLIDAYS**

All active regular full and part-time employees who are scheduled to work at least 20 hours per week

are eligible to receive Holiday Pay for the twelve (12) paid holidays listed below.

- New Year’s Day
- Martin Luther King Day
- Presidents’ Day
- Patriots’ Day (floating holiday in both states)
- Memorial Day
- Juneteenth Independence Day
- Independence Day
- Labor Day
- Columbus Day
- Veterans’ Day **or** the day after Thanksgiving (at the choice of the employee, subject to staffing constraints and supervisor’s approval)
- Thanksgiving Day
- Christmas Day

**Holiday Pay**

Full-time employees receive Holiday Pay at their regular pay rate for an 8-hour day. Eligible part-time employees receive Holiday Pay at their regular pay rate for a prorated number of hours based on their regularly scheduled weekly hours as a percentage of a full-time schedule. Examples are shown in the table below.

<b>Holiday Pay – Examples of Prorated Hours for Part-Time Employees</b>		
Hours Regularly Scheduled per Work Week	Percentage of 40 Hour Work Week	Prorated Holiday Pay
40	100%	8.00 hours
32	80%	6.40 hours
24	60%	4.80 hours
20	50%	4.00 hours

***Holidays Falling on Saturday or Sunday***

In locations where staff do not normally work on weekends, Company-observed holidays that fall on Saturdays are observed on the preceding Friday; if the holiday falls on a Sunday, it is observed on the following Monday.

In locations where staff is normally scheduled to work on weekends, holiday scheduling for such days is determined at the discretion of the employee’s supervisor.

***Employees Working On the Holiday***

Some programs require the presence of staff seven days a week. If an employee is scheduled to work on a Company-observed holiday, the employee will be permitted to take a different day off as a paid holiday within the two weeks before or four weeks after the holiday. If the employee does not take a day off within the allotted time, the Holiday Time will be lost. No employee will receive Holiday Pay in addition to regular pay for the day of the holiday.

***Floating Holiday***



Because Patriots' Day is a Massachusetts holiday, Connecticut employees receive a floating holiday *instead* of Patriots' Day. This floating holiday can be taken at any time during the year with advance notice and scheduling. Connecticut employees should use the CT floating holiday code in the time and attendance system to account for this holiday rather than the Patriots' Day code.

### ***Time Reporting***

Paid Holiday Time is reported as Holiday Time taken on an employee's time sheet and is added to time worked when totaling hours in a pay period. It is paid at the salary or wage rate in effect during the period it is taken.

### ***Holidays Occurring While an Employee is Absent from Work***

Holidays that occur during an employee's approved scheduled vacation or the first 90 days of an approved leave of absence may be paid as Holiday Time.

### ***Religious Holidays***

Employees who wish to observe religious holidays other than those observed by Vinfen may take time off provided that:

- Time off is requested at least 10 days in advance of the requested date; and
- Time is taken without pay or is charged to accrued Vacation or Personal Time.

### **SICK TIME**

Sick Time is paid at the salary or wage rate in effect during the period in which it is taken. Employees should understand, however, that Sick Time pay is not considered wages, but rather is a benefit.

### ***Permitted Use***

All employees are eligible to take Sick Time within the guidelines described below. Sick Time is provided to eligible employees to provide continued income for the following reasons:

- 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 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 attend the employee's routine medical appointment or for a family member's (as stated above) routine medical appointment;
- To address the psychological, physical or legal effects of domestic violence (as stated in Domestic Violence Leave policy); or
- To travel to and from an appointment, a pharmacy, or other location related to the Sick Time being used.

### ***Restrictions***

Employees may use accrued Sick Time starting ninety (90) calendar days after the first day worked, regardless of the number of days worked during this time period.

An employee may only use earned and accrued Sick Time if he/she was previously scheduled and approved for a shift and had an unforeseen need to use Sick Time, for one of the reasons listed above.

An employee may not accept a specific shift assignment with the intention of calling out sick for all or part of that shift. Employees who engage in this practice may be subject to corrective action.

An employee may not use Sick Time during an approved vacation.

### ***Sick Time Call-In Requirements***

The employee or employee's surrogate (spouse, adult family member, or other responsible party) must call his/her supervisor each day he/she is going to be absent due to illness. Managers should provide employees with written documentation of their Program's call-in procedure. Employees who do not follow their call-in procedure may be subject to corrective action.

### ***Time Reporting***

Paid Sick Time is reported as Sick Time (Ordinary Sick, FMLA Sick, Legacy Ordinary Sick, or Legacy FMLA Sick depending on type) taken on an employee's timecard. An employee is paid for Sick Time only if accrued Sick Time is available. *Supervisors are responsible for monitoring Sick Time and advising the HR Department if an employee has been or is expected to be absent for 4 or more days, so that the HR Department may arrange for a leave of absence (Family Medical Leave or other protected leave), if qualified, and/or a claim for disability benefits, if required.*

*Please note that in taking sick time, employees should always first use time in the "Legacy Ordinary Sick" code or "Legacy FMLA Sick" code as appropriate if any time is available in the Legacy Total Sick Bank.*

Earned Sick Time that is taken may run concurrently with time off provided by other types of leave, such as Family Medical Leave, Massachusetts Parental Leave, and Massachusetts Domestic Violence Leave.

Employees are able to use earned Sick Time in increments as small as 15 minutes, however, employees may be required to take additional hours if deemed necessary. Employees may be required to take additional hours if it is necessary for Vinfen to ensure coverage during his/her absence. If an employee does not have sufficient Sick Time to cover the entire shift, the employee must use other paid benefit time available, such as Vacation or Personal Time.

In some cases, with the supervisor's approval, employees may be permitted to work alternative hours during the same week instead of using their accrued Sick Time.

### ***Required Documentation of Use of Sick Time***

In instances when the employee has been unable to work **for four or more days for the same health condition**, Vinfen **requires** the employee to complete an online Request for Leave Form (a link can be found on the Benefits page of the intranet) and contact Cigna, our Leave of Absence Administrator. The employee is required to work with Cigna to obtain medical certification in order to be considered for short term disability benefits, medical leave, or FMLA eligibility, as appropriate. ***If an employee is incapacitated and unable to fill out a Request for Leave Form, his or her manager must fill out the form on his or her behalf on the fourth day of absence.***

***Employees who are absent for 4 or more days and do not reasonably comply with the leave process administered by Vinfen and Cigna may be subjected to corrective action. Employees who are unable***

***to provide documentation in support of prolonged absences may be subjected to corrective action, and/or be unable to access some of their sick time accruals and therefore go unpaid.***

Vinfen may require an employee to provide a fitness-for-duty certification, a work release, or other documentation from a medical provider before the employee who has utilized Sick Time returns to work if reasonable safety concerns exist regarding the employee's ability to perform his/her duties. "Reasonable safety concerns" means a reasonable belief of significant risk of harm to the employee or others.

### ***Transfer***

When an employee transfers between departments or programs, available Sick Time is also transferred.

### ***Sick Time Use and Accrual Method for Full-time (40 hours/week) and Part-time (20-39 hours/week) Employees:***

#### ***Ordinary Sick Time (i.e. Sick Time that is not FMLA related)***

For full-time employees (regularly scheduled for 40 hours per week), no more than 80 hours of Total Sick Time may be taken as Ordinary Sick time in any calendar year. Part-time employees regularly scheduled for 20-39 hours per week have a pro-rated annual Ordinary Sick Time usage cap based on their regularly scheduled weekly hours as a percentage of a full-time schedule. Examples are shown in the table below. Part-time employees scheduled for less than 20 hours per week may use a maximum of 40 hours of Ordinary Sick Time per calendar year. Ordinary Sick time may be used for the reasons listed above under "Permitted Use." In no circumstances may an employee use more Ordinary Sick Time than they have accrued as of the date of the absence.

Please note that an employee may have earned and accrued time in their Total Sick bank in excess of their calendar year Ordinary Sick Time allowance. Total Sick Time in excess of the calendar year Ordinary Sick Time allowance may only be used if the employee has an FMLA leave approved by Human Resources and is not receiving or potentially eligible to receive pay from another Vinfen-related source such as short or long term disability benefits or workers compensation replacement wages.

#### ***Total Sick Time Accrual Method***

Total Sick Time is earned and accrued each pay period based on the employee's hours of service during the previous pay period. Sick Time is not considered earned until it is accrued.

#### ***Total Sick Time Accrual Rates***

Employees with regularly scheduled hours of 20 or more per week earn and accrue Total Sick Time at a rate of one hour for each 26 hours of service. Part-time employees regularly scheduled for less than 20 hours per week, including Relief employees, earn and accrue Total Sick Time at a rate of one hour for each 30 hours of service.

#### ***Total Sick Time Accrual Caps***

Full-time employees can earn a maximum of 80 hours of Total Sick Time per calendar year. Part-time employees regularly scheduled for 20-39 hours per week have a pro-rated annual Total Sick Time earnings cap based on their regularly scheduled weekly hours as a percentage of a full-time schedule. Part-time employees scheduled for less than 20 hours per week can earn a maximum of 40 hours per calendar year. Examples are shown in the table below.

<b><i>Sick Time – Examples of Prorated Hours for Part-Time Employees</i></b>			
Regularly Scheduled Weekly Work Hours	Percentage of 40 Hour Work Week	Pro-rated Annual Total Sick Time Earnings Cap	Pro-rated Annual Total Sick Time Usage Cap
40	100%	80 hours	80 hours
30	75%	60 hours	60 hours
24	60%	48 hours	48 hours
20	50%	40 hours	40 hours
10	25%	40 hours	40 hours
Relief Employees	Varies	40 hours	40 hours

***Total Sick Time Accrual during unpaid Leave of Absence***

An employee who is on an unpaid Leave of Absence does not accrue Sick Time

***Total Sick Time Maximum Carry-Over***

The maximum amount of accrued unused Sick Time that a full-time employee can carry-over from year-to-year is 160 hours. Part-time employees regularly scheduled for 20-39 hours per week have a pro-rated Total Sick Time Maximum Carryover based on their regularly scheduled weekly hours as a percentage of a full-time schedule. Part-time employees scheduled for less than 20 hours per week have a Total Sick Time Maximum Carryover of 40 hours per calendar year. Sick Time will not accrue once the maximum carry-over amount is reached. Examples are shown in the table below.

An employee who is reclassified from full to part-time whose Sick Time balance exceeds the allowable carry-over limit for his/her part-time status (20-39 hours/week) will retain his/her balance, but will not accrue additional Sick Time until his/her balance falls below the maximum hours/carry-over limit associated with his/her regularly scheduled work hours.

<b><i>Maximum Sick Time Carryover – Examples of Prorated Hours for Part-Time Employees</i></b>		
Regularly Scheduled Weekly Work Hours	Percentage of 40 Hour Work Week	Prorated Maximum Sick Time Carry Over
40	100%	160 hours
30	75%	120 hours
24	60%	96 hours
20	50%	80 hours
10	25%	40 hours
Relief employees	Varies	40 hours

***Change of Benefit Status***

**From a regular Part or Full-Time position to a Relief or Part-Time position scheduled for less than 20 hours/week:**

For employees who fall under this category, the Total Sick Time balance will be reduced to the maximum Sick Time accrual of 40 hours, or will remain the same if the employee’s balance is 40 hours or less as of the date of the status change.

The amount of Ordinary Sick Time already utilized within the calendar year will follow the employee

to his/her new status. Thus, if the employee has already used 40 or more hours, he/she will no longer be able to use Ordinary Sick Time in that calendar year. If he/she has used less than 40 hours, the net hours between 40 and the hours used will remain available.

### ***Rehire***

If an employee is rehired within one (1) year of termination, the employee will have his/her Sick Time restored, based on the balance that was in place on his/her termination date, up to a maximum of 40 hours. The employee may use any accrued Sick Time immediately upon rehire.

The rehire date will be the date used as the starting point going forward for other benefits related to 12 month increments.

## **VACATION**

Vinfen grants paid Vacation Time to full-time and eligible part-time employees regularly scheduled to work at least 20 hours per week at their regular rate of pay. ***All vacation time should be requested and approved using the time and attendance system.*** Vacation Time is considered a rest period given in recognition of past performance and in preparation for future performance. Vacations may be scheduled throughout the year, subject to staffing requirements, supervisory approval, and with due consideration for the employee's wishes. In general, an employee who makes the earliest request for Vacation Time should be given priority over other employees who later request the same Vacation Time. Supervisors are responsible for arranging vacation schedules within their programs and, if required, may assign Vacation Time for staff when conflicts occur. Employees do not earn Vacation Time during the first six months of continuous employment. Once an employee has completed six months of continuous employment, he/she will be eligible for specific hours as calculated below.

### ***Accrual Method***

Full-time employees who have less than five years of continuous service at Vinfen will accrue 120 hours of Vacation Time per year (the equivalent of three weeks for full-time employees).

Once an employee has completed six months of employment, he/she will receive an initial amount of Vacation Time which will equal six months of Vacation Time (10 hours a month multiplied by 6 months). Once an employee has six months of service, he/she will accrue Vacation Time as follows: Employees will earn 10 hours a month (120 annual hours divided by 12 months). Benefit time earned in any month accrues on the sixteenth of the following month. Employees do not earn Vacation Time during the first six months of continuous employment, but are eligible to take Vacation Time once they have completed six months of continuous employment.

Full-time employees with more than five years of continuous service will accrue 160 hours of Vacation Time per year (the equivalent of four weeks for full-time employees). Such employees accrue monthly installments of 13.33 hours (160 annual hours divided by 12 months).

Full-time employees with more than ten years of continuous service will accrue 200 hours of Vacation Time per year (the equivalent of five weeks for full-time employees). Such employees accrue monthly installments of 16.66 hours (200 annual hours divided by 12 months).

Eligible part-time employees accrue prorated Vacation Time determined by dividing their regularly scheduled weekly work hours by 40 and then multiplying that number by either 10 hours (for employees

with less than 5 years of service), 13.33 hours (for employees with 5 or more years of service), or 16.66 hours (for employees with 10 or more years of service) rounded to the second decimal place. Examples are shown in the table below.

<b>Examples of Prorated Hours for Part-Time Employees</b>				
Regularly Scheduled Weekly Work Hours	Percentage of 40 Hour Work Week	Less than Five Years' Service - Monthly Accrual	Five Years' or More Service - Monthly Accrual	Ten Years' or More Service – Monthly Accrual
40	100%	10 hours	13.33 hours	16.66 hours
32	80%	8 hours	10.66 hours	13.33 hours
24	60%	6 hours	8.00 hours	10.00 hours
20	50%	5 hours	6.67 hours	8.33 hours

***Relationship Between Vacation and Other Time Off***

Holidays that occur during an employee’s approved scheduled vacation or the first 90 days of an approved leave of absence may be paid as Holiday Time rather than Vacation. No allowance will be made for sick or other leave during vacation.

***Accrual for the transition month at five years of service***

If an employee’s five-year anniversary date falls between the first and fifteenth day of the month, the accrual rate will increase for the anniversary month. If the anniversary falls on or after the sixteenth day of the month, the accrual rate will increase on the first day of the following month.

***Accrual for the transition month at ten years of service***

If an employee’s ten-year anniversary date falls between the first and fifteenth day of the month, the accrual rate will increase for the anniversary month. If the anniversary falls on or after the sixteenth day of the month, the accrual rate will increase on the first day of the following month.

***Accrual for last month of employment***

If the employee’s termination date is between the first and fifteenth day of the month, no accrual will be made for the month an employee terminates. If employment ends on or after the sixteenth of the month, a full accrual will be made for that month.

***Accrual during unpaid leave of absence***

An employee who is not working and has used all available paid time off, including Sick Time, will not accrue Vacation Time.

***Maximum Vacation Accrual Balance***

The maximum Vacation accrual balance is equal to one year’s annual vacation accrual. The details of these vacation balance levels and examples of how they apply to part-time employees are shown in the tables below. The maximum Vacation accrual balance for eligible part-time employees is determined by dividing their regularly scheduled weekly work hours by 40 and then multiplying that number by the maximum Vacation accrual balance for full-time employees, according to their years of service.

Once an employee has reached their maximum vacation balance, they will no longer accrue Vacation Time. Vacation accruals will resume as soon as an employee's balance falls below the maximum allowable balance. ***Employees approaching their maximum vacation balance should check their pay stub or check their benefit accrual records using the time and attendance system.***

An employee who is reclassified from full to part-time status whose vacation balance exceeds the maximum limit for their part-time status will retain their balance, but will not accrue additional Vacation Time until their balance falls below the maximum limit associated with their new regularly scheduled work hours. Examples are shown in the table below.

<b>Maximum Vacation Balance</b>				
Regularly Scheduled Weekly Work Hours	Percentage of 40 Hour Work Week	Less than Five Years' Service – Maximum Balance	Five Years' or More Service – Maximum Balance	Ten Year's or More Service – Monthly Accrual
40	100%	120 hours	160 hours	200 hours
32	80%	96 hours	128 hours	160 hours
24	60%	72 hours	96 hours	120 hours
20	50%	60 hours	80 hours	100 hours

***Authorization and Time Reporting***

Supervisors must authorize through the time and attendance system (Kronos or Ceridian Dayforce) Vacation Time before it is taken and may designate when some or all vacations must be taken in order to ensure there is proper coverage at all times. Supervisors are responsible for ensuring adequate staffing levels and should attempt, when feasible, to resolve vacation scheduling conflicts based on timeliness of requests.

An employee will be paid for Vacation Time only if he/she has accrued time available and the timing of his/her vacation has been scheduled and approved in advance, as indicated by the supervisor's approval of their schedule.

Authorized paid Vacation Time is reported on an employee's timecard as Vacation Time taken.

***Transfer***

When an employee transfers between departments/programs, available Vacation Time is transferred to the new department/program.

***Change of Benefit Status***

If an employee changes his/her status from benefits eligible to ineligible, such as from a full-time position to a relief or part-time position scheduled for less than 20 hours/week, the employee will be paid for all unused accrued Vacation Time as of the date of change in status and will cease to accrue Vacation Time. Employees should look for this pay out in the next pay period after the effective date of the change in status.

***Vacation Buy-back with Voluntary Demotions***

When an employee requests a position having a lower job grade and pay rate (voluntary demotion) for personal reasons, or accepts such a position in connection with the elimination of their current position,

they will have a one-time opportunity to receive payment (buy-back) for all or part of their accrued but unused Vacation Time at their pay rate prior to demotion. This buy-back option is not available to an employee receiving a demotion as a result of corrective action (involuntary demotion). The one-time opportunity to exercise the vacation buy-back is at the time the Personnel Action Form (PAF) is processed to implement the voluntary demotion.

***Pay in Lieu of Time Off***

Pay in lieu of Vacation Time will not be given except upon termination of employment or change of status from benefits eligible to ineligible.

**PERSONAL TIME**

Regular full-time and part-time employees regularly scheduled to work at least 20 hours per week are eligible to receive paid Personal Time after completion of three months of continuous service. Personal Time is provided to eligible employees to enable them to attend to personal business that cannot ordinarily be conducted during regularly scheduled time off or to take any other approved absence.

***Personal Time Carry-Over***

Unused Personal Time may not be carried beyond June 30th of any year. An employee who is reclassified from full to part-time whose Personal Time balance exceeds the number of hours that would be allotted for their current part-time status will be allowed to retain their Personal Time balance. In future fiscal years, they will be allotted Personal Time according to their regularly scheduled work hours.

***Amount of Personal Time***

Vinfen allots Personal Time to employees on July 1st of each year. Each regular full-time employee will receive a Personal Time allotment of 24 hours for use between July 1st of the current year and June 30th of the following year. Part-time employees regularly scheduled to work at least 20 hours per week receive a pro-rated amount of Personal Time determined by dividing their regularly scheduled weekly work hours by 40 and then multiplying that number by 24 hours if hired after September 30, 1993 or by 40 hours if hired before that date, as shown in the table below. Full-time and eligible part-time employees hired after July 1st of the current year but before April 1st of the following year, are allotted Personal Time to be used by June 30th of the following year prorated by the difference between 365 (366 in leap years) and the number of days between July 1st and their date of hire, divided by 365 (366 in leap years). Examples are shown in the tables below.

<b>Personal Time – Examples of Prorated Allotments for Part-Time Employees Hired On or Before July 1</b>		
Regularly Scheduled Weekly Work Hours	Percentage of 40 Hour Work Week	Personal Time Allotment
40	100%	24.00 hours
32	80%	19.20 hours
24	60%	14.40 hours
20	50%	12.00 hours



<b>Personal Time – Examples of Prorated Allotments for Part Time Employees</b>					
Regularly Scheduled Weekly Work Hours	Percentage of 40 Hour Work Week	Personal Time Allotment if Hired On <i>Before July 1<sup>st</sup></i> <i>or</i> <i>July 1<sup>st</sup></i>	Personal Time Allotment if Hired <i>On October 1<sup>st</sup></i>	Personal Time Allotment if Hired <i>On January 1<sup>st</sup></i>	Personal Time Allotment if Hired <i>On March 1<sup>st</sup></i>
40	100%	24.00 hours	18.08 hours	12.16 hours	8.22 hours
32	80%	19.20 hours	14.47 hours	9.73 hours	6.58 hours
24	60%	14.40 hours	10.85 hours	7.30 hours	4.93 hours
20	50%	12.00 hours	9.04 hours	6.08 hours	4.11 hours

### ***Time Reporting***

Personal Time must be approved and scheduled in advance according to the program/department's accepted practice. ***All requests and approvals should use the online time off request process found in the time and attendance system.*** As with Vacation Time, supervisors must ensure that staffing is adequate at all times. Paid Personal Time is reported as Personal Time on an employee's timecard. Personal Time is paid at the salary or wage rate that is in effect at the time it is taken.

### ***Transfer of Time Upon Transfer of Job***

When an employee transfers between program/departments, available Personal Time is also transferred.

### ***Change of Benefit Status***

If an employee changes status from benefits eligible to ineligible, such as from a full-time position to a relief or part-time position scheduled for less than 20 hours/week, the employee loses all remaining Personal Time and will receive no Personal Time in the future.

## **BEREAVEMENT TIME**

In the event of a death in an employee's family, Vinfen provides regular full-time and part-time employees regularly scheduled to work at least 20 hours per week with paid time off to make necessary arrangements and to attend the funeral or memorial service.

### ***Paid Leave***

At management's discretion, employees will be paid for their regularly scheduled hours for up to four (4) days of paid leave, necessitated by the death of an immediate family member, which Vinfen considers as a spouse, child, parent, brother, sister, stepparent or stepchild, parent-in-law, foster parent, grandparent, grandchild, or any close relative living in the employee's household.

### ***Additional Unpaid Leave***

If an employee needs additional time off, management, at its sole discretion, may permit the employee to take additional time off without pay.

### ***Notice***

Employees should notify their supervisor as soon as possible of any such death so that the necessary arrangements can be made.

### ***Funerals of Non-Immediate Family Members***

If the death of a meaningful person beyond an employee's immediate family occurs and the employee wishes to attend a funeral or memorial service during work time, such time off may be scheduled and approved by the immediate supervisor, at management's sole discretion. For such time to be paid, Vacation or Personal Time must be used. If paid benefit time is not available, time off for such situations must be taken without pay.

## **JURY DUTY LEAVE**

Vinfen supports employees in fulfilling their civic duties, including jury duty. To ensure that employees can perform jury duty service without hindrance, Vinfen will pay regular full-time and part-time employees regularly scheduled to work at least 20 hours per week who serve jury duty their regular rate of pay for regularly scheduled hours for the first three (3) days of their time served. For days served after the first three days and up to a maximum of thirty (30) days, Vinfen will pay the employee's regular rate of pay for regularly scheduled hours provided that the employee agrees in advance to sign over to Vinfen the check received from the state for performing jury duty or, if the employee fails to do so, Vinfen may withhold the amount due from the employee's wages.

### ***Required Documentation***

In order to receive leave under this policy, employees must provide documentation from the clerk of the court verifying that they reported for jury duty service and stating the time that they were released.

### ***Start of Leave***

For day employees, the leave begins on the day that the employee is required to report for jury service. For night employees, the leave begins on the night before the jury service begins so that the employee is fully alert and able to perform the jury service.

### ***Reporting to Work After Partial Day of Jury Service***

Often, potential jurors do not actually serve on a jury or the jurors are told that they do not need to stay for the entire day. In circumstances where a day employee is called for jury duty service but is released from duty by noon, the employee must contact their supervisor to inquire whether they should report for work for the remainder of the day. Night employees are expected to report for work as usual that night unless they are scheduled to report for jury duty service again the following day. Vinfen will not require an employee to work more than 8 hours in any 24-hour period however, including time spent in jury service, during the Jury Duty Leave period. Once jury service is completed, employees are required to report to work as usual.

## **CIVIC DUTY LEAVE**

### ***Time Off to Vote***

Vinfen encourages employees to vote and expects that when possible, employees will arrange to vote on their off-duty time. In instances when an employee, at least one day before an election, requests time off to vote, however, Vinfen permits up to two hours time off after the employee's poll, precinct, or ward opens. **There is no paid time for voting unless an employee uses available paid benefit time (Personal or Vacation Time).**

***Witness Subpoena***

**Job Related Cases:** Employees who are assisting Vinfen in litigation as witnesses or otherwise will be paid for all such time as work time.

**Non-Job-Related Cases:** Employees who are subpoenaed to appear as witnesses in civil or criminal cases may be granted paid leave for time spent appearing in court. Employees must submit proof from the clerk of the court for time so spent. For such time to be paid, the employee must use available paid benefit time (Personal or Vacation Time).

**Effective Date: April, 2011**  
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## QQ. OTHER LEAVE

### *Types of Leaves of Absences:*

- MA Paid Family and Medical Leave
- CT Family and Medical Leave and CT Paid Leave
- Federal Family and Medical Leave Act (FMLA)
- MA Parental Leave
- MA Pregnancy Accommodation Leave
- CT Pregnancy Accommodation Leave
- MA Domestic Violence Leave
- CT Family Violence Leave
- Workers' Compensation Time Away From Work
- MA Small Necessities Leave
- Military Leave
- Personal Leave
- Administrative Leave

### **BASIC LEAVE RULES**

1. All requests for leaves of absence must be brought to the immediate attention of the HR/Benefits Department for review and approval. Employees must use the Request for Leave Form found on the Benefits page of MyVinfen or at [bit.ly/vinfenleaverequest](https://bit.ly/vinfenleaverequest). If the employee is unable to complete the Request for Leave form, it must be completed by their supervisor on their behalf.
2. While an employee is expected to submit a Request for Leave form, in all instances it remains the supervisor's responsibility to ensure the HR Department is aware of an employee's need for leave. ***The employee's supervisor must notify the HR Department as soon as they are aware of the employee's need to take a leave of absence, or after the employee has been absent from work four (4) or more consecutive days, or when an employee is repeatedly absent from work for their own or a family's health condition and/or for other reasons covered by these leave of absence policies.*** Employees and managers who do not make the HR Department aware of an employee who has been absent for four (4) or more days or who otherwise is absent for reasons covered by this policy may be subject to corrective action.
3. Upon receipt of a completed Request for Leave Form, a member of the HR/Benefits Department will reach out to the employee to review options and requirements.
4. Employees requesting a leave of absence must intend to return to Vinfen at the end of the leave.
5. The request for a leave is subject to the approval of Vinfen's HR Department. Employees must provide all required information, including the anticipated timing and duration of the leave, in order for Vinfen to determine if the leave is approved and qualifies for job protection.

6. An employee's failure to comply with Vinfen's Leave of Absence procedures, including submitting required leave requests and substantiating documentation in a timely manner, may be grounds for delaying or denying an employee's request for leave and may result in corrective action up to and including termination.
7. Employees must cooperate and be responsive to all requests and instructions from Vinfen's HR/Benefits Department. This includes responding to all mailings, emails, and telephone calls. Employees are solely responsible to ensure that Vinfen has their current mailing address, email address, and working telephone numbers. This includes a means to reach an employee who is traveling outside of the country during a leave. Failure to comply with any of the above may result in delay or denial of an employee's leave request and may result in corrective action up to and including termination.
8. ***Use of Sick/Personal/Vacation Time***  
Employees may choose to use earned and accrued Sick, Personal, Vacation, and Holiday time during any legally-protected leave of absence (i.e. any LOA other than a Personal or Administrative leave), to the extent permitted by law and Vinfen policy. Use of benefit time *is not required* during a legally-protected leave. However, use of benefit time, including Personal, Vacation, Holiday, and Sick (if applicable) may be required during a Personal or Administrative leave of absence.
9. ***Insurance Benefits***  
While the employee is on an approved leave, Vinfen will continue to pay its portion of the premium for the employee's medical, dental and/or vision insurance coverage, provided that the employee makes timely payments of their contribution portion for the medical, dental, and/or vision coverage. Employees on unpaid leave and/or receiving pay through disability benefits or otherwise outside of Vinfen's payroll will receive information on how to pay their portion of insurance premium(s) while on leave. In any case, like employees not on leave, failure to pay employee premium contributions will result in loss of coverage.
10. ***Returning to Work***  
If an employee's continuous leave is because of their own serious health condition, the employee is required, prior to returning to work, to submit to the HR/Benefits Department a Fitness for Duty Form or a doctor's note indicating their clearance to return to work and specifying whether there are any restrictions on the employee's job duties. Failure to do so will result in a delay in the employee's return to work. ***Employees who return to work without the required Fitness for Duty documentation will be sent home and will not be able to return to work until, at least, the Fitness for Duty documentation is received.***  
  
**An employee who fails to return to work on their scheduled return date or who fails to notify Vinfen that they will not be returning from an approved leave of absence will be considered to have voluntarily resigned their employment, effective the earlier of their scheduled return date or the date of notice.** In such cases, to the extent legally permissible, Vinfen shall be entitled to recover from the employee the cost incurred by Vinfen to continue the employee's medical, dental, and/or vision insurance coverage and

flexible spending account contributions.

If Vinfen authorizes an extension of leave beyond statutory requirements, an employee may not be returned to their former or an equivalent position.

### **MASSACHUSETTS PAID FAMILY AND MEDICAL LEAVE (MA-PFML)**

Most Massachusetts employees will be eligible for leave under Massachusetts Paid Family and Medical Leave (MA-PFML). Eligibility for MA-PFML benefits is determined by the Department of Family and Medical Leave (DFML), not by Vinfen. However, leave under the FMLA, the MA Parental Leave law, and other leave laws and policies, will run concurrently with an employee's MA-PFML to the extent the reason for leave also qualifies under other applicable leave laws and/or policies.

An eligible employee may request a MA-PFML leave of up to 20 weeks in a 12-month period for their own serious health condition; up to 12 weeks in a 12-month period to care for a family member's serious health condition, to bond with a new child, or for exigencies related to a family member being called into the line of duty; or up to 26 weeks in a 12-month period to care for a family member who is a covered service member who is injured or ill as a result of their service in the Armed Forces. A combined maximum of 26 weeks in a 12-month period may be taken for any of the above reasons. The 12-month period is measured looking-forward from the Sunday prior to the date the employee first takes MA-PFML leave. This means that an employee will be entitled to up to 26 weeks of MA-PFML leave during the 12-month period that begins on the Sunday before MA-PFML is first taken and ends 12 months after that date.

For purposes of this policy, 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 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."

#### ***More Detail on Reasons for Leave under the MA- PFML***

An eligible employee may request a MA-PFML leave for any of the following reasons.

1. The birth or adoption of a child or the placement of a foster child with the employee, or to care for the employee's child during the first 12 months after birth or placement.
2. To care for the "serious health condition" of an employee's spouse, domestic partner, child, parent or parent of a spouse or domestic partner, a person who stood *in loco parentis* to the employee when the employee was a minor child, a grandchild, a grandparent, or a sibling.

3. The “serious health condition” of an employee that causes the employee to be unable to perform the functions of his or her position, including incapacity due to pregnancy, prenatal medical care, or childbirth.
4. Any “qualifying exigency” arising out of a covered family member of the employee’s active duty (or notification of a call or order to active duty) in the Armed Forces (including the National Guard or Reserves). A “qualifying exigency” includes: 1) short notice deployment (limited to seven calendar days from date notified of deployment); 2) military events and related activities; 3) childcare and school activities; 4) financial and legal arrangements; 5) counseling; 6) rest and recuperation; 7) post-deployment activities; 8) making arrangements following the death of a military member; and 9) additional activities, only as mutually agreed to by the employee and Vinfen.

### ***Use of Leave (full time and intermittent)***

The leave may be taken in one block of up to twenty (20) weeks for the employee’s own serious health condition; up to twelve (12) weeks for a family member’s serious health condition, to bond with a new child, or to manage a qualifying exigency arising out of a family member’s active duty in (or call up to) the Armed Forces; or up to 26 weeks to care for a covered service member with a serious health condition. Alternately, employees may take MA-PFML leave on an intermittent or reduced leave schedule (select days or hours, for example) when medically necessary to care for a seriously ill family member or a covered service member, because of the employee’s own serious health condition, or due to a qualifying exigency. ***Employees needing intermittent leave for planned medical treatment must make reasonable efforts to schedule the leave so as not to unduly disrupt the Program’s operations.***

Leave taken for the birth, adoption, or placement of a child (bonding) may not be taken on an intermittent basis.

### ***Notice of Leave***

Unless the need for an absence is not foreseeable (e.g., an emergency medical situation), the employee must give notice of the need for leave at least 30 days before the commencement of the leave. If an absence that qualifies for MA-PFML leave is not foreseeable, the employee must give notice of the need for such unforeseeable leave as soon as practicable under the facts and circumstances of the situation and generally must comply with Vinfen’s normal call-in procedures for an absence or tardiness.

### ***Coordination of Compensation While on MA-PFML***

An employee’s weekly MA-PFML benefit from the DFML will be reduced by the amount of any unemployment compensation, worker’s compensation, or other such government disability benefits the employee is receiving. An employee receiving wages from another employer during their PFML leave will have their weekly benefit reduced to the extent that a combination of such PFML benefits and wages exceeds the employee’s Individual Average Weekly Wage (IAWW, calculated by the DFML). Your “individual average weekly wage” (IAWW) is

calculated from the amount you earned in your base period. Your base period is the last four completed quarters before the start of your benefit year. The IAWW is the average amount you earned per week in the two quarters when you earned the most money (or the one quarter with the most money if you only worked in two or fewer quarters).

If an employee is eligible for both PFML benefits from the DFML and paid leave benefits under other Vinfen policies (not including accrued paid leave policies such as vacation, sick or personal time), the employee may receive PFML benefits and benefits under those Vinfen policies (in accordance with the terms of those other policies) but may not receive more than their total IAWW.

An employee filing for PFML benefits through the DFML on November 1, 2023 or later is eligible to “top off” their PFML benefits using benefit time (such as sick, personal, vacation, and/or holiday time) that they have accrued as of the start date of their leave. This means that an employee on leave may elect to use their benefit time to be paid for the difference between their weekly PFML benefit and their IAWW, in accordance with the applicable policy. The total an employee may receive between PFML benefits paid by the Department and benefit time paid by Vinfen shall not exceed their IAWW. Because the amounts of an employee’s weekly PFML benefit and their IAWW are not available to Vinfen until an application for PFML benefits has been approved by the DFML, Vinfen is not able to provide, and employees are not eligible for, “top-off” benefit time until their application has been approved. Once the employee’s application has been approved, Vinfen will pay “top-off” benefit time retroactively to the date PFML benefits began where applicable, unless the employee requests otherwise. If it is determined that an employee has been paid benefit time that has caused their total income during leave to exceed their IAWW, Vinfen may collect the excess pay from future paychecks, in accordance with state and federal law.

### ***Returning to Work***

During an approved MA-PFML leave, the employee's position will be held open to the extent required by MA-PFML. However, if a workforce reduction occurs while on leave of absence which results in the elimination of an employee’s job, the employee will be treated as they would have been had they not been on leave, and they will not be returned to work at the end of the leave period.

Upon returning from MA-PFML leave, most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of MA-PFML leave will not result in the loss of any available employment benefit that accrued prior to the start of the leave.

### ***Extending, Reducing or Modifying Approved PFML***

Employees needing a change (extension, reduction, or other modification) to an approved leave must inform Vinfen as soon as practicable and follow Vinfen’s usual and customary notification procedures.

Employees seeking an extension of MA-PFML must file a request with the Department of Family Medical Leave (DFML) fourteen (14) days before the expiration of the originally approved



PFML period. The employee and Vinfen are required to provide the DFML with written notice should the status of an employee's circumstances justify an extension, reduction or other modification of the period of leave or amount of benefits within seven (7) calendar days.

It is extremely important that employees needing an extension of leave comply with these notification requirements because an employee who fails to return to work or to the employee's regular work schedule following the expiration of the leave period may be subject to discipline or be considered to have voluntarily abandoned their position.

### ***Non-Retaliation***

Vinfen shall not retaliate against an employee for exercising their rights under the MA-PFML. However, Vinfen reserves its right to take disciplinary action, up to including termination, with respect to employees who have been determined to have received benefits on the basis of a false statement. Additionally, an employee who fails to return to work or to the employee's regular work schedule following the expiration of the leave period may be subject to disciplinary action.

Please note that Vinfen will notify the DFML of possible fraud by an employee when Vinfen has a bona fide belief that an employee has committed fraud in connection with seeking or obtaining MA-PFML benefits.

### **CONNECTICUT FAMILY AND MEDICAL LEAVE (CT-FMLA)**

All Connecticut employees who have been employed by Vinfen for at least 3 consecutive months are eligible for leave under the Connecticut Family and Medical Leave Act (CT-FMLA). An eligible employee may request a CT-FMLA leave of up to 12 weeks in a 12-month period, with up to an additional 2 weeks for pregnant employees if qualified. The 12-month period is measured looking-forward from the date the employee first takes CT-FMLA leave. This means that an employee will be entitled to 12 weeks of CT-FMLA leave during the 12-month period that begins on the date CT-FMLA is first taken and ends 12 months after that date. An employee's leave under the CT-FMLA will be concurrently designated as leave under the FMLA and/or any other applicable local or state law(s) or Vinfen policy(s) where the reason for the employee's leave also qualifies under such law(s) or policy(s).

For purposes of this policy, 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 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."

(Please note that in all cases of requests for CT-FMLA leave, employees must complete all

required documentation within the timeframes specified by both Connecticut Law and Vinfen Policy.)

An eligible employee may request CT-FMLA leave for any of the following reasons:

1. The birth or adoption of a child or the placement of a foster child with the employee, or to care for the employee's child within the first year after birth or placement.
2. To care for the “serious health condition” of an employee's spouse, child, parent, grandchild, grandparent, sibling, or an individual to whom the employee is *in loco parentis* or who acted *in loco parentis* to the employee (in-laws are incorporated into the definition of these family members).
3. The “serious health condition” of an employee that causes the employee to be unable to perform the functions of their position, including incapacity due to pregnancy, prenatal medical care, or childbirth.
4. Any “qualifying exigency” arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of a call or order to active duty) in the Armed Forces (including the National Guard or Reserves). A “qualifying exigency” includes: 1) short notice deployment (limited to seven calendar days from date notified of deployment); 2) military events and related activities; 3) childcare and school activities; 4) financial and legal arrangements; 5) counseling; 6) rest and recuperation (limited to five days of FMLA leave); 7) post-deployment activities; and 8) additional activities, only as mutually agreed to by the employee and Vinfen.
5. To serve as an organ or bone marrow donor.
6. To care for the employee’s spouse, son, daughter, parent or next of kin with a serious injury or illness incurred on active duty in the Armed Forces.

Where both spouses are employed by Vinfen, they together are entitled to a maximum of 12 weeks leave during a 12-month period for the birth, adoption, or placement of a foster child or to care for a parent with a serious health condition. Each spouse is entitled to their full leave entitlement for all other reasons for leave.

#### ***Use of Leave (full time and intermittent)***

The leave may be taken in one block of up to twelve (12) weeks, up to fourteen (14) weeks for qualified pregnant employees, or up to 26 weeks to care for a covered service member. Alternately, employees may take CT-FMLA leave on an intermittent or reduced leave schedule (select days or hours, for example) when medically necessary to care for a seriously ill family member or a covered service member, because of the employee’s own serious health condition, or due to a qualifying exigency. ***Employees needing intermittent leave for planned medical treatment must make reasonable efforts to schedule the leave so as not to unduly disrupt the Program’s operations.***

Leave taken for the birth, adoption, or placement of a child (bonding) may not be taken on an intermittent basis.

### ***Notice and Designation of Leave***

Unless the need for an absence is not foreseeable (e.g., an emergency medical situation), the employee must give notice of the need for leave at least 30 days before the commencement of the leave. If an absence that qualifies for CT-FMLA leave is not foreseeable, the employee must give notice of the need for such unforeseeable leave as soon as practicable under the facts and circumstances of the situation and generally must comply with Vinfen's normal call-in procedures for an absence or tardiness.

If leave is requested because of a serious health condition either of the employee or of a covered family member or covered service member, or due to a "qualifying exigency," then in addition to the Request for Leave Form, employees are expected to have the certification form provided to them by Vinfen completed. Failure to submit the completed Request for Leave Form and required certification form in a timely manner may result in the delay or denial of the leave. Employees also may be required to provide periodic recertification supporting the need for leave.

Upon receipt of the completed forms by Vinfen, absent extenuating circumstances, the employee will be notified within five (5) business days whether their leave has been designated as CT-FMLA leave. If possible, Vinfen will also advise the employee of the amount of leave that will be counted against the employee's leave entitlement. If Vinfen's HR Department determines the leave is not CT-FMLA-protected, they will notify the employee of this fact as well.

***An employee's failure to comply with Vinfen's CT-FMLA leave procedures and administrative processes can be grounds for delaying or denying an employee's request for CT-FMLA. Additionally, failure of an employee to comply with Vinfen's CT-FMLA procedures may result in corrective action up to and including termination.***

### ***Returning to Work***

During an approved CT-FMLA leave, the employee's position will be held open to the extent required by the CT-FMLA. However, if a workforce reduction occurs while on leave of absence which results in the elimination of an employee's job, the employee will have no position to which he/she can return.

Upon returning from CT-FMLA leave, most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of CT-FMLA leave will not result in the loss of any available employment benefit that accrued prior to the start of the leave.

### ***Unlawful Acts and Enforcement***

The CT-FMLA prohibits employers from:

- Interfering with or denying any rights provided by the CT-FMLA or CT-PL. Examples include, but are not limited to, improperly refusing to grant CT-FMLA leave or discouraging employees from using CT-FMLA leave or applying for CT-PL benefits.
- Disciplining, terminating, discriminating against, or retaliating against any individual for taking CT-FMLA leave or applying for CT-PL benefits, for opposing or complaining about any unlawful practice, or being involved in any proceeding related to the CT-FMLA.

## **FEDERAL FAMILY AND MEDICAL LEAVE ACT (FMLA)**

All employees who have been employed by Vinfen for at least 12 months (which need not be consecutive), have completed at least 1,250 hours of service during the 12-month period immediately preceding the commencement of leave, and work at a worksite where at least 50 employees are employed by Vinfen in a 75-mile radius, are eligible for leave under the Family and Medical Leave Act (FMLA). An eligible employee may request an FMLA leave of up to 12 weeks in a 12-month period. The 12-month period is measured looking-forward from the date the employee first takes FMLA leave. This means that an employee will be entitled to 12 weeks of FMLA leave during the 12-month period that begins on the date FMLA is first taken and ends 12 months after that date. Leave under the FMLA will run concurrently with any available leave under MA-PFML, CT- FMLA, the MA Parental Leave law and any other applicable state or local leave law or policy, where the reason for the employee’s leave also qualifies under such law(s) and/or policies.

For purposes of this policy, 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 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”. The “serious health condition” of an employee that causes the employee to be unable to perform the functions of his or her position, including incapacity due to pregnancy, prenatal medical care, or childbirth.

An eligible employee may request a Federal FMLA leave for any of the following reasons:

1. The birth or adoption of a child or the placement of a foster child with the employee, or to care for the employee's child during the first 12 months after birth or placement.
2. To care for the “serious health condition” of an employee's spouse, child, or parent.
3. The “serious health condition” of an employee that causes the employee to be unable to perform the functions of his or her position, including incapacity due to pregnancy, prenatal medical care, or childbirth.

4. Any “qualifying exigency” arising out of the fact that the spouse, or a son, daughter, or parent of the employee is on active duty (or has been notified of a call or order to active duty) in the Armed Forces (including the National Guard or Reserves). A “qualifying exigency” includes: 1) short notice deployment (limited to seven calendar days from date notified of deployment); 2) military events and related activities; 3) childcare and school activities; 4) financial and legal arrangements; 5) counseling; 6) rest and recuperation (limited to five days of FMLA leave); 7) post-deployment activities; and 8) additional activities, only as mutually agreed to by the employee and Vinfen.

Where both spouses are employed by Vinfen, they together are entitled to a maximum of 12 weeks leave during a 12-month period for the birth, adoption, or placement of a foster child or to care for a parent with a serious health condition. Each spouse is entitled to their full leave entitlement for all other reasons for leave.

#### **Special provision for additional leave relating to an employee’s family member in the Armed Forces:**

A spouse, son, daughter, parent, or “next of kin” may request up to 26 workweeks of leave in a single 12-month period to care for a covered service member. A covered service member is: (a) 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 that may render the service member medically unfit to perform his or her duties for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list; or (b) a veteran who: (i) has a serious injury or illness incurred in the line of duty on active duty (or existed before the beginning of the member’s active duty and was aggravated by service in the line of duty on active duty) for which the veteran is undergoing medical treatment, recuperation, or therapy and (ii) was a member of the Armed Forces (including a member of the National Guard or Reserves) at any time during the period of 5 years preceding the date on which the veteran undergoes that medical treatment, recuperation, or therapy.

Note that during the 12-month period, an eligible employee shall be entitled to a combined total of 12 workweeks of leave for any FMLA-qualifying reasons during the 12-month period (except leave to care for an injured covered service-member). For purposes of leave to care for an injured service member only, the single 12-month period begins with the first day the employee takes leave and ends 12 months later.

#### ***Use of Leave (full time and intermittent)***

The leave may be taken in one block of up to twelve (12) weeks (or up to 26 weeks to care for a covered service member). Alternately, employees may take FMLA leave on an intermittent or reduced leave schedule (select days or hours, for example) when medically necessary to care for a seriously ill family member or a covered service member, because of the employee’s own serious health condition, or due to a qualifying exigency. ***Employees needing intermittent leave***

***for planned medical treatment must make reasonable efforts to schedule the leave so as not to unduly disrupt the Program's operations.***

Leave taken for the birth, adoption, or placement of a child (bonding) may not be taken on an intermittent basis.

### ***Notice and Designation of Leave***

Unless the need for an absence is not foreseeable (e.g., an emergency medical situation), the employee must give notice of the need for leave at least 30 days before the commencement of the leave. If an absence that qualifies for FMLA leave is not foreseeable, the employee must give notice of the need for such unforeseeable leave as soon as practicable under the facts and circumstances of the situation and generally must comply with Vinfen's normal call-in procedures for an absence or tardiness.

Employees do not have to share a medical diagnosis but must provide enough information to Vinfen so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing Vinfen that the employee is or will be unable to perform their job functions, that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform Vinfen if the need for leave is for a reason for which FMLA leave was previously taken or certified.

If leave is requested because of a serious health condition either of the employee or of a covered family member or covered service member, or due to a "qualifying exigency," then in addition to the Request for Leave Form, employees are expected to have the certification form provided to them by Vinfen completed. Vinfen can require a certification or periodic recertification supporting the need for leave. If Vinfen determines that the certification is incomplete, written notice will be provided indicating what additional information is required. Failure to submit the completed Request for Leave Form and required certification form in a timely manner may result in the delay or denial of the leave and may also result in corrective action, up to and including termination. Employees also may be required to provide periodic recertification supporting the need for leave.

Upon receipt of the completed form, absent extenuating circumstances, the employee will be notified within five (5) business days whether their leave has been designated as FMLA leave. If possible, Vinfen will also advise the employee of the amount of leave that will be counted against the employee's leave entitlement. If Vinfen's HR Department determine the leave is not FMLA-protected, they will notify the employee of this fact as well.

***An employee's failure to comply with Vinfen's FMLA leave procedures and administrative processes can be grounds for delaying or denying an employee's request for FMLA. Additionally, failure of an employee to comply with Vinfen's FMLA procedures may result in corrective action up to and including termination.***

### ***Vinfen's Responsibilities***

Once Vinfen becomes aware that an employee's need for leave is for a reason that may qualify

under the FMLA, Vinfen must notify the employee if they are eligible for FMLA leave and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, Vinfen must provide a reason for ineligibility. Vinfen must notify its employees if leave will be designated as FMLA leave, and if so, how much leave will be designated as FMLA leave.

### ***Returning to Work***

During an approved FMLA leave, the employee's position will be held open to the extent required by the FMLA. However, if a workforce reduction occurs while on leave of absence which results in the elimination of an employee's job, the employee will have no position to which they can return, and their employment will be terminated at the close of their leave of absence.

Upon returning from FMLA leave, most employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of FMLA leave will not result in the loss of any available employment benefit that accrued prior to the start of the leave.

Employees may choose, or an employer may require, use of accrued paid leave while taking FMLA leave. If an employee substitutes accrued paid leave for FMLA leave, the employee must comply with the employer's normal paid leave policies.

### ***Unlawful Acts and Enforcement***

FMLA makes it unlawful for any employer to: interfere with, restrain, or deny the exercise of any right provided under the FMLA; or 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. An employee may file a complaint with the US Department of Labor or may bring a private lawsuit against an employer. (DOL contact information is: 1-866-487-9243; TTY 1-877-889-5627; [www.wagehour.dol.gov](http://www.wagehour.dol.gov)). FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law which provides greater family or medical leave rights.

### **MA PARENTAL LEAVE (MA-PL)**

Employees must have been employed on a full-time basis for at least 3 months to be eligible for Massachusetts Parental Leave (MA-PL). Massachusetts law provides for up to 8 weeks of unpaid leave for the birth of each child, the adoption of each child under 18 years of age, or the adoption of each child under 23 years of age if the child is mentally or physically disabled.

Where both spouses are employed by Vinfen, they together are entitled to a maximum of 8 weeks leave per child during a 12-month period.

### ***Required Notice of Leave and Intent to Return***

To be eligible for Parental Leave, an employee must provide in writing: (1) at least two weeks

advance notice, if practicable, of their departure date; and (2) a statement of intent to return to work at the conclusion of the leave. Notice must be provided using the Request for Leave Form found on the Benefits page of MyVinfen or at [bit.ly/vinfenleaverequest](http://bit.ly/vinfenleaverequest). If the employee is unable to complete the Request for Leave form, it must be completed by their supervisor on their behalf.

### ***Employee's Rights During MA Parental Leave***

During an approved MA Parental Leave, the employee's position will be held open to the extent required by the Massachusetts Parental Leave Act.

### ***Job Protection During FMLA and Parental Leaves of Absence***

During an approved FMLA or Parental leave, Vinfen will hold open the employee's position to the extent required by the applicable law.

### **MA PREGNANCY ACCOMMODATION LEAVE (MA-PAL)**

Massachusetts' Pregnant Workers' Fairness Act (MA-PWFA) is a state law that makes it unlawful for an employer to discriminate against an employee due to pregnancy or a condition related to pregnancy. It also requires employers to provide reasonable accommodations, including leaves of absence, when needed for an employee's pregnancy or condition related to pregnancy, unless doing so would impose an undue hardship on the employer.

Employees granted leave as an accommodation under the MA-PWFA generally will be reinstated to their original or similar position with equivalent pay and benefits.

### **CT PREGNANCY-RELATED DISABILITY ACCOMMODATION LEAVE (CT-PAL)**

Connecticut's Fair Employment Practices Act (CT-FEPA) is a state law that makes it unlawful for an employer to discriminate against an employee due to pregnancy or a condition related to pregnancy. It also requires employers to provide reasonable accommodations, including leaves of absence, when needed for an employee's pregnancy or condition related to pregnancy, unless doing so would impose an undue hardship on the employer.

If a pregnant employee reasonably believes that continuing to work in their present position may cause injury to the employee or the fetus, they may request a temporary transfer to another position.

Employees granted leave as an accommodation under the CT-FEPA generally will be reinstated to their original or similar position with equivalent pay and benefits.

### **MA DOMESTIC VIOLENCE LEAVE (MA-DV)**

In accordance with Massachusetts law, Vinfen provides up to fifteen (15) days of unpaid leave



per looking-forward twelve (12) month period to any Massachusetts employee who is the victim of domestic violence or the family member of a victim of domestic violence, as set forth in M.G.L. Chapter 149 § 52E. Accrued Sick, Personal, Vacation, and Holiday time may be used during an approved MA-DV leave. The leave is provided in order to allow the employee to seek relief that is directly related to domestic violence, such as medical attention, counseling or victim services, or to obtain legal assistance or attend court proceedings.

For purposes of this policy, “domestic violence” is defined as abusive behavior, including stalking, sexual assault, and kidnapping, by a current or former spouse, a person with whom a person shares a child, a person cohabiting with or who has cohabitated with the employee or family member, a relative, or a person with whom the employee or family member has had a dating or engagement relationship.

For purposes of this policy, a covered “family member” is defined as (1) persons who are married to one another; (2) persons in a substantive dating or engagement relationship and who reside together; (3) persons having a child in common regardless of whether they have ever married or resided together; (4) a parent, step-parent, child, step-child, sibling, grandparent or grandchild; or (5) persons in a guardianship relationship.

An employee is entitled to leave if the employee, or the “family member” of the employee as defined in the above paragraph, is the victim of domestic violence.

Alleged perpetrators of domestic violence are not entitled to leave under this policy.

### ***Notice and Designation of Leave***

Advance notice of the need for this leave must be submitted to the Human Resources Department (HR Department) unless the leave is necessitated by an imminent threat to the health or safety of the employee or the employee’s family member.

The employee must give notice of the need for unforeseeable leave as soon as practicable under the facts and circumstances of the situation and generally must comply with Vinfen’s normal call-in procedures for an absence or tardiness. If the employee cannot provide advance notice because of an imminent threat, the employee or the employee’s representative (such as a family member or the employee’s counselor, social worker, health care worker, clergy member, shelter worker or legal advocate) must provide notice to Human Resources within three (3) work days of taking the leave. This may be communicated via telephone, in person, in writing or by other reasonable means to communicate the notice.

Any employee seeking this leave must also provide documentation within 30 days of the last day of absence showing that the employee or the employee’s family member was the victim of domestic violence. Failure to provide the required documentation requested by Vinfen may result in a denial of the leave.

### ***Returning to Work***

Upon returning from Domestic Violence Leave, employees will be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms. Use of Domestic Violence Leave will not result in the loss of any available employment benefit that accrued prior to the start of the leave.

### ***Unlawful Acts and Enforcement***

Vinfen will not coerce, interfere with, restrain or deny the exercise of, or any attempt to exercise, any rights provided in this Domestic Violence Leave policy or make leave requested or taken hereunder contingent upon whether or not the victim maintains contact with the alleged abuser. Further, Vinfen will not discharge or in any other manner retaliate or discriminate against an employee for exercising his/her rights under this Leave policy.

### ***Recordkeeping***

Documentation will be retained by Vinfen only for as long as required for the HR Department to make a determination as to whether the employee is eligible for leave pursuant to this Leave policy. All information that is not a public record related to the employee's leave will be kept confidential by Vinfen except as requested by the employee, required by law or court order, or necessary to protect the safety of the employee or others employed at the workplace.

### ***New York Life Life Assistance Plan (LAP)***

We encourage our employees and their family members to utilize Vinfen's LAP offered through NYL for help in accessing various support services, such as legal, financial, mental health, and childcare when encountering a domestic violence incident. Employees can obtain more specific information, including login instructions, regarding the LAP on the HR/Benefits page of MyVinfen.

### **CT FAMILY VIOLENCE LEAVE (CT-FV)**

In accordance with Connecticut law, Vinfen provides up to twelve (12) days of unpaid leave per calendar year to any Connecticut employee who is the victim of family violence. Accrued Sick, Personal, Vacation, and Holiday time may be used during a CT-FV leave. Leave is provided in order to allow the employee to seek relief that is directly related to family violence: (1) to seek medical care or psychological or other counseling for physical or psychological injury or disability for the victim, (2) to obtain services from a victim services organization on behalf of the victim, (3) to relocate due to such family violence, or (4) to participate in any civil or criminal proceeding related to or resulting from such family violence. This leave also provides unpaid time off for employees who are subpoenaed to appear as witnesses in criminal cases or to participate in proceedings as a crime victim.

For purposes of this policy, "family violence" is defined as an incident resulting in physical harm, bodily injury or assault, or an act of threatened violence that constitutes fear of imminent physical

harm, bodily injury or assault between family or household members.

The employee must provide notice of the need for leave at least seven days in advance, or as soon as practicable.

### ***New York Life Life Assistance Plan (LAP)***

We encourage our employees and their family members to utilize Vinfen's LAP offered through NYL for help in accessing various support services, such as legal, financial, mental health, and childcare when encountering a domestic violence incident. Employees can obtain more specific information, including login instructions, regarding the LAP on the HR page of MyVinfen.

## **WORKERS' COMPENSATION TIME AWAY FROM WORK**

Vinfen provides a statutory workers' compensation insurance program. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or immediately if the employee is hospitalized. Employees may not use additional Vinfen benefit time while receiving Workers' Compensation payments.

Employees who sustain work-related injuries or illnesses should inform their supervisor immediately. No matter how minor an on-the-job injury may appear, it is important that employees report it at once to be eligible to qualify for workers' compensation coverage as quickly as possible.

An employee who suffers a work-related injury may be eligible for FMLA, MA-PFML, CT-FMLA, or other leave laws and/or policy(s) depending on the nature of the injury and the employee's length of employment and hours worked at Vinfen. An employee who is unable to work due to a work-related injury and who is collecting workers' compensation benefits will have his/her time under FMLA, MA-PFML, CT-FMLA, or other leave laws and/or policy(s) run concurrently with the length of time that he/she is absent due to a Worker's Compensation leave. NYL and/or Vinfen will send the employee the notification of his/her rights and responsibilities under the FMLA and will designate the eligible employee's time out of work as approved FMLA or other leave laws and/or policy(s). Any employee with a work-related injury must follow Vinfen's policies and procedure relating to the reporting of an injury and seeking immediate medical attention.

## **MA SMALL NECESSITIES LEAVE (MA-SN)**

In addition to any FMLA or other statutory leave for which employees may be eligible, under Massachusetts law all employees may take up to twenty-four (24) hours of unpaid leave over any twelve-month period for any of the following reasons:

1. To participate in school (defined as a primary or secondary school, a Head Start program, or a licensed children's day care facility) activities directly related to the

- educational advancement of a son or daughter, such as parent-teacher conferences or interviewing for a new school;
2. To accompany a son or daughter to routine medical or dental appointments, such as check-ups or vaccinations; or
  3. To accompany a relative of at least 60 years of age related by blood or marriage to routine medical or dental appointments or appointments for other professional services related to that relative, such as interviewing at nursing or group homes.

### *Notice*

Unless the need for an absence is not foreseeable (e.g., an emergency medical situation), a request for Small Necessities Leave must be submitted using the Request for Leave Form found on the Benefits page of MyVinfen or at [bit.ly/vinfenleaverequest](http://bit.ly/vinfenleaverequest). If the employee is unable to complete the Request for Leave form, it must be completed by their supervisor on their behalf. A request for Small Necessities Leave must be supported by appropriate documentation at least seven (7) days before the commencement of the leave. The request for Small Necessities Leave is subject to the advance, written approval of the appropriate supervisor and the HR Department. All leave must be taken in whole hour increments.

### **MILITARY LEAVE**

The Uniformed Services Employment and Reemployment Rights Act protects the job rights of any employee who voluntarily or involuntarily leaves his/ her position to undertake military service. Any employee eligible to be reemployed will be reemployed to the job and benefits they would have attained if they had not been absent due to military service, or in some cases, a comparable job. Generally, military leave may not exceed a cumulative period of 5 years.

### *Eligibility for Military Leave*

Any employee who leaves their job to serve in the uniformed services will be eligible for reemployment provided that:

1. They ensure that Vinfen receives advance written or verbal notice of their service;
2. They have taken five years or less of cumulative leave due to service in the uniformed services while employed by Vinfen (with certain limited exceptions, military leave from employment may not exceed a cumulative period of five (5) years);
3. They return to work or apply for reemployment in a timely manner after the conclusion of their military service; and
4. They have not been separated from military service with a disqualifying discharge or under other than honorable conditions.

### *Notice and Reporting Obligations*

Employees on a leave for 30 days or less of military or reserve service or for taking an examination to determine fitness for service must report to Vinfen for work upon the first calendar workday following completion of service and the expiration of eight hours for safe travel home, unless otherwise impossible or unreasonable because of circumstances outside the employee's control.

Those employees who are on leave for 31 days or more, but for less than 181 days, must provide the HR Department with written notification of their intent to return to work within 14 days following completion of the service. For service over 180 days, employees must submit such written notification not later than 90 days after completion of service. The employee's supervisor will then notify the employee of the date and time the employee should report back to work.

## **PERSONAL LEAVE**

On rare occasions an employee may have a personal emergency, educational opportunity, or other personal circumstances that require them to request absence from work for a period of time in excess of their accrued Vacation and Personal Time. ***Managers may not approve extended unpaid time off for more than one week beyond the duration of an employee's accrued Vacation and Personal Time. If an employee requests time off in excess of this limit, they must apply for a Personal Leave of Absence, not to exceed four (4) weeks.*** If an employee has accrued but unused Vacation, Personal, or Holiday Time, he or she must use it during the Personal Leave if such leave is granted.

Granting a Personal Leave of Absence is within the sole discretion of Vinfen and will only be granted if it serves to increase the likelihood of continued employment. Factors that must be considered in approving a Personal Leave of Absence include, but are not limited to, the following: (1) the length of leave requested, (2) the needs of the employee's program or department, (3) whether or not a replacement employee will be needed and is available without recourse to the payment of overtime, (4) the employee's length of service, and (5) the employee's performance. Employees may be requested to provide documentation in support of such requests and must supply in order for the leave to be approved. Such a leave must be unanimously approved by the employee's manager, the director of service or department head, and the Senior VP of Human Resources or Director of Employee Relations.

Vinfen may request documentation to support an employee's request for Personal Leave at its discretion. If applicable, time taken under an approved Personal Leave may be counted against the employee's entitlement to leave under FMLA, MA-PFML, CT-FMLA, or other leave laws and/or policy(s).

Upon return from Personal Leave, the employee will resume their former job or be offered a comparable job if one is available. If the employee fails to return at the end of their leave, they will be considered to have voluntarily resigned his/her employment effective the earlier of their scheduled return date or the date of notice.

If business necessity dictates, Vinfen reserves the right to require an employee to return early from an approved Personal Leave. If an employee is unable to return when required, employment may be separated.

## **ADMINISTRATIVE LEAVE**

When the nature of Vinfen's business requires the temporary suspension or closure of a program

or segment of its business, Vinfen will place the affected employees on Administrative Leave in order to assure their continuity of service.

On rare occasions and at the sole discretion of Vinfen, an employee may be placed on paid or unpaid Administrative Leave. Paid Administrative Leave requires the approval of the employee's immediate supervisor, Director of Service or Department Head, and the Senior Vice President of Human Resources.

**Effective Date: December, 2009      Revision Date: November, 2023**

**RR. TB SCREENINGS, HEPATITIS B INOCULATIONS, AND FLU VACCINATIONS**

***Tuberculosis (TB) Screenings***

To protect our staff and clients and to remain compliant with OSHA and Massachusetts and Connecticut Department of Public Health recommendations and requirements, Vinfen requires TB screening for employees, interns and volunteers prior to employment and strongly recommends employees obtain Hepatitis B inoculations. Additional funding source regulations (i.e., MRC funding) may require more frequent testing for TB. Employees working in those programs will be required to follow those regulations.

***Acceptable Tuberculosis (TB) Mantoux (PPD) Skin Test Documentation***

On an employee’s first day of employment, he or she must present documentation of your negative TB Mantoux (PPD) skin test status in order to attend New Employee Orientation (NEO) and begin work at Vinfen.

If an employee presents documentation that is expired or that does not meet the requirements described below, he or she will be not be able to start his or her new job. The new employee will be asked to obtain negative TB test status documents and reschedule his or her New Employee Orientation (NEO).

<b>Health Status</b>	<b>Procedure</b>	<b>Documentation Required</b>	<b>Expiration</b>
Negative PPD/Skin Test	TB Mantoux (PPD) Skin Test	Results of a negative TB Mantoux (PPD) Skin Test	Less than one year before NEO date
Positive PPD/Skin Test	Health Care Provider (HCP) visit	Letter from Physician stating the employee has been treated for Latent Tuberculosis Infection (LTBI) and is medically cleared to work	Less than 30 days before NEO date
History of positive PPD/Skin Test	Health Care Provider (HCP) visit	Letter from Physician stating employee is medically cleared to work	Less than 30 days before NEO date
History of positive PPD/skin test	Health Care Provider (HCP) chest x-ray	Letter from Physician indicating a negative chest x-ray and stating that employee is medically cleared to work	Less than One year before NEO date

Pregnant with a history of positive PPD/Skin test	Health Care Provider (HCP) visit	Letter from Physician stating employee is free of symptoms and is under a doctor's care	Less than 30 days before NEO date
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***MRC-Funded Programs TB Screening Procedure***

Employees working in these programs will complete a pre-hire physical; TB test upon hire, and TB screening every two years. The Human Resources Department tracks and maintains records for these employees.

***Hepatitis B Inoculations***

Any employee requesting Hepatitis B vaccinations should be referred to their primary care physician (PCP). Vinfen will reimburse the three co-pays for these procedures upon submission of the paid receipts by the employee using an Accounts Payable Voucher. A list of contracted medical sites is available through HR.

***Flu Vaccinations***

Vinfen cares about the health of both our staff and the persons we serve and understands that the annual influenza vaccination is an effective method of preventing influenza virus infection and its potentially serious complications. In support of this, Vinfen offers annual flu clinics regionally each fall where staff may conveniently obtain their vaccination.

***Vinfen DPH Licensed Behavioral Health Clinics-Specific Policy and Procedure***

As a condition of licensure, the Massachusetts Department of Public Health (DPH) regulations require all licensed healthcare facilities to: offer free-of-charge, annual influenza vaccine to all personnel; document receipt of influenza vaccine administered within and outside the facility or document the declination of immunization; and report information to DPH, documenting compliance with the vaccination requirement, in accordance with reporting and data collection guidelines of the Commissioner.

To that end, each year the Vinfen Behavioral Health Division (MA BH Division) with help of the Human Resources Department will collect from each employee the documentation referred to the preceding paragraph. This documentation will be stored in the medical record portion of the employee's personnel record. Finally, the VP of the MA BH Division or their designee will report the required information of this compliance as required.

**Effective Date: November, 2010    Revision Date: October, 2022**



## **SS. LIFE ASSISTANCE PROGRAM (LAP)**

Vinfen is committed to the health and wellness of our employees, and to helping employees and their family members who may be confronting personal problems or life stresses that can interfere with their well-being or job performance. For more information on the LAP, contact the Human Resources Department, visit the Human Resources page on MyVinfen, or call Cigna LAP at **1-800-538-3543**.

All employees and their family members and any other individual residing in the home of the employee on a regular or long-term basis is covered by this policy. Full-time students living away at school are covered if they would otherwise be living in the home.

The Vinfen LAP program is completely voluntary, and no employee will have his/her job security or career opportunities jeopardized by seeking or not seeking services through the LAP. Any disciplinary action taken is based solely on job performance. Participation in the LAP will not result in special privileges and/or exemptions from Vinfen's standard personnel policies and practices or job performance requirements.

Employee interaction with the LAP is confidential.

**Effective Date: January, 2009**

**Revision Date: April, 2016**

**Reviewed Date: June, 2022**

## **TT. DISASTER RELIEF FUND**

Vinfen has established a fund to provide assistance for any employee who is legally responsible for the lease or mortgage of their primary residence in the event they become dislocated due to a disaster such as fire or flood at that residence. Vinfen will provide a grant of up to \$2,400 net of taxes to cover move in costs (first, last, security deposit, etc.) for a new residence.

### ***Procedure – Obtaining Housing Assistance Grant***

To be considered for disaster relief, the employee must provide the following information to Human Resources: The Disaster Relief Fund Form, proof of disaster (such as a police report or newspaper article), proof of residence with the employee's name and affected address (such as a lease, mortgage, or driver's license), and a copy of the employee's new lease. The Human Resources Department will coordinate the determination of the need, eligibility, and qualifications for assistance. The Human Resources Department will be responsible for the overall implementation of the Disaster Relief Fund.

If approved, the grant will be sent directly to the leasing company for the new residence. This grant is not a loan, thus the employee has no repayment obligations to the company for the grant amount. This disbursement is considered income to the employee and is subject to tax.

### ***Procedure – Obtaining Employee Contributions***

Vinfen may also establish a fund for voluntary contributions and donations to be made by individual Vinfen employees to benefit the affected employee. In order to receive funds, the employee must provide written consent that Vinfen may share information regarding the employee and the natural disaster with Vinfen employees for the purposes of collecting contributions. Vinfen will disburse the funds collected to the employee. The fund disbursement is considered income and is taxable to the receiving employee and tax is taken out at time of award.

Please note: Employee contributions to the Disaster Relief Fund are donations to the organization and tax deductible for the employee who makes a donation. An acknowledgement will be sent to donors by the Development Office.

**Effective Date: May, 2009**

**Revision Date: June, 2022**

## UU. RECOGNITION AWARDS

Vinfen's employee recognition award system, including individual awards and service awards, have been established to celebrate the work of our employees. They do this by recognizing and rewarding outstanding employee work performance, achievement and the completion of key service milestones. Vinfen All Star Awards and Service Awards are two formal programs to recognize employee contributions

### **Vinfen All Star Award**

The All Star Award is a \$50 gift (debit) card that has been established to reward and recognize individual work performance and achievement. Any regular full or part-time employee or relief staff may qualify for an All Star Award if s/he has engaged in conduct that exemplifies work performance or achievement that is "above and beyond" what might reasonably be expected of an employee. *No more than two All Star Awards may be issued to an employee in any given fiscal year and all awards are subject to tax withholdings and deductions.*

Supervisors should reach out to their Human Resources Manager with requests for All Star cards and certificates. Supervisors are asked to take a photo of the employee receiving the card and send the photo and a short write up to [allstars@vinfen.org](mailto:allstars@vinfen.org) so that the employee may be recognized on MyVinfen and/or in the Transformation Times employee newsletter.

### **Service Awards**

In the month following the month in which an employee achieves a service milestone (5, 10, 15, 20, 25, 30 years and so on), the Human Resources Department arranges for that employee to receive written recognition and a service award gift check (\$25 for five years' service, plus \$25 more for each additional five years of service to a maximum of \$150 for 30 years of service). Questions regarding service awards should be directed to the HR Project Coordinator.

**Effective Date: February, 2010      Revision Date: August, 2019**  
**Reviewed Date: June, 2022**

## **VV. STAFF SUPERVISION**

Work of all Vinfen staff is assigned, directed, and reviewed by supervisors. Each employee will ordinarily have only one supervisor to whom he/she must report. Supervisors are responsible for providing regular supervision to the staff that is relevant to the staff's specific job responsibilities.

Supervisors are expected to keep current in all technical aspects of their area of responsibility and expertise and must be able to communicate with and motivate their staff. Vinfen expects supervisors to:

- Treat each employee as an individual;
- Give recognition for good performance and assistance to correct mistakes or areas of weakness;
- Mentor and develop staff for internal promotions or chances of advancement;
- Be fair and impartial in all dealings with employees;
- Be persons of integrity and who model professionalism; and
- Develop a staff capable of working as a team to provide high quality services.

Supervisors must ensure that the policies established in this Manual are implemented, including:

- Train, coach, and evaluate employees in job duties;
- Keep employees informed regarding work assignments, work progress, and opportunities for advancement;
- Make recommendations regarding salary increases, promotions, transfers, and coaching and positive corrective counseling;
- Schedule work hours, vacations, lunch, and breaks;
- Approve requests for benefit time off; and controlling absenteeism and tardiness;
- Protect the safety and health of employees and maintaining neat, orderly work areas; and
- Ensure that operating policies and procedures are followed.

### **PROCEDURE**

1. Employee performance is always being monitored. All staff should receive regular supervision in the form of meetings with their immediate supervisor at intervals appropriate to their position, job responsibilities, and needs.
2. As a general guideline for all employees, effective supervision requires an environment in which:
  - A. A time is set at regular intervals in advance for the meeting;
  - B. All other work for both the supervisor and the employee is set aside;
  - C. Privacy is maintained;
  - D. Interruptions are kept to a minimum;
  - E. Respectful dialogue is used;
  - F. Preparation for each meeting is done by both the supervisor and the employee; and
  - G. The competency areas upon which the employee is evaluated are consistently addressed.

3. Supervision includes establishing objectives to promote personal and professional growth, improve the quality of work, strengthen teamwork, and increase the employee's job satisfaction. It may also include providing defined expectations for behavior/performance change(s), specific support to be provided by the supervisor, additional training (if warranted), and possible consequences if expected performance standards are not met.
4. Feedback regarding staff performance should be routinely provided in supervision sessions and if necessary, may result in a supervisor identifying specific performance objectives and remedial plans which may be documented as appropriate.
5. Feedback should be provided in a supportive and timely way to praise employees for work well done or to identify areas that fall short of expectations so that they have an opportunity to improve their job performance.
6. It is the supervisor's responsibility to develop an action plan with the employee to address performance deficits or skill development needs. The plan must include specific steps that the supervisor and employee will take to improve the employee's performance as well as timelines for each step in the action plan. Supervisors should reach out to their HR Manager for support in the process as needed.
7. Performance issues should be discussed privately with each employee. Small-group supervision may be used for informational, educational, and team-building purposes.
8. When possible, licensed professionals should receive supervision from a member of their own discipline. When this is not possible, the Program Director should alert the Director of Service to secure approval to make any necessary accommodations.
9. A written performance appraisal will be completed each year for every employee having at least six (6) months service. Completed performance appraisals are to be delivered to the Human Resources Department in accordance with communicated timelines which will vary based on specific job duties.
10. Supervisors should partner with their HR Manager throughout the progressive discipline process. **Under no circumstance, may a final written warning, performance improvement plan, suspension, or termination documents be finalized or issued without the review and approval of the Director of Employee Relations or the Vice President of Human Resources.** Corrective Action Plans and Final Written Warnings must be copied and forwarded to the HR Department for inclusion in the employee's personnel file.
11. It is the expectation that if an employee transfers from one department to another, the current supervisor should discuss the performance of the transferring employee with the newly assigned supervisor. In this way, the new manager may be made aware of areas of growth or concern for the transferring employee.

**Effective Date: January, 2003      Revision Date: July, 2020**  
**Reviewed Date: June, 2022**

## WW. TRAINING, PROFESSIONAL DEVELOPMENT, AND TUITION ASSISTANCE

Vinfen supports learning and development for all employees through the in-person, online, and remote courses and professional development programs offered through its Training and Human Resources Departments. All Vinfen training resources and professional development program information can be found on Sharepoint Training Department pages found here: <https://vinfenorg.sharepoint.com/sites/TrainingDepartment>. This includes a link to and information about Relias, Vinfen's learning management system.

### Required Trainings and Certifications

The Training Department provides New Employee Orientation (NEO), a series of Divisional courses called New Employee Training (NET), and required certification training. Additionally, some courses may be required of subsets of employees depending on program, division, funding source, and role. Finally, Vinfen requires that all employees complete an Annual Refresher.

### Supplemental Training and CEUs

In addition to required training, Vinfen offers additional courses through Relias. Courses on Relias are on demand and include a huge variety of topics including supervisory skills and technical training. Hundreds of Relias courses qualify for CEU's in many areas of professional licensure.

### Outside Training

Employees may participate in training programs outside of Vinfen if the program is related to their job and the participation is authorized in advance by the immediate supervisor. Unauthorized attendance at any training program will not be reimbursed and the time spent at such unauthorized training will not be counted as work time.

### Expectations of Employees and Managers Regarding Training

Training is essential to the work we do at Vinfen. Furthermore, our funders demand that are staff is properly trained and holds current certifications relating to the safety of the people we serve.

***It is the responsibility of employees and managers to ensure that all employees complete required classes in a timely fashion.*** Employees who without acceptable cause excuse who fail for complete trainings within required timelines may be subject to corrective action up to and including termination.

Managers and employees both have access to Relias, Vinfen's learning management system and are able to use the system to register for classes, check on upcoming classes, etc. Additionally, beginning in fall 2022, all employees will be able to see the expiration of their required certifications within the time and attendance system.

Additionally, despite the format of a training, employee learners are required to be on time to trainings and to remain free of any unnecessary distraction. In no instance, may an employee take

a course on their phone or while driving.

## **Training Department Procedures in Both CT and MA**

### ***Course Registration***

All course enrollment and individual employee transcripts are contained within our Learning Management System (LMS) Employees receive notification through Relias about courses required, courses completed, courses overdue and certification status. *Employees are required to open, review, and act on emails they receive from the Relias system.*

### ***Canceling and Rescheduling a Course Registration***

It is the responsibility of every employee to maintain a calendar of trainings they are required to attend. Employees are required to attend both in person and online classes on time.

In the event an employee is unable to attend the class for which they are registered, he or she should cancel within Relias at least 24 hours prior to the start of the course. For late cancellations with 24-hours of the training time, the employee or his manager must contact the Training Administrator at [TrainingEnrollment@vinfen.org](mailto:TrainingEnrollment@vinfen.org) or [cttrainingenrollment@vinfen.org](mailto:cttrainingenrollment@vinfen.org) in CT.

Employees must work with their managers to reschedule the missed class as soon as possible. Employees who no show for classes without an acceptable excuse may be subject to corrective action.

## **Professional Development Programs**

Vinfen offers a large number of programs and resources that allow employees to grow with Vinfen. Below please find basic information about a few of these programs. Please visit the Sharepoint site mentioned above for details including eligibility and the application process.

### **1. Professional Development Fund (PDF)**

The Professional Development Fund (PDF) is Vinfen's primary career development tool intended to assist employees in fulfilling the educational requirements of their current position or those of a future promotional opportunity at Vinfen. The PDF is administered by the Benefits Department. Employees pursuing a degree or certificate that is directly related to their job at Vinfen may apply to receive up to \$800 per course, with a maximum benefit of \$1,600 per semester for two courses.

### **2. Board of Director's Scholarship**

Due to the generosity of Vinfen's Board of Directors, one employee is recognized annually for outstanding achievement with a onetime scholarship, which has averaged approximately \$3,000 to \$5,000. The Board Scholarship process is administered by the Human Resources.

### **3. Massachusetts Department of Developmental Services (DDS) Direct Support Certificate**

This certificate program is funded by DDS and pays full tuition, while Vinfen reimburses the employee for the costs of required textbooks. Most community colleges in MA sponsor the direct support certificate. Interested employees may contact their local community college for specific information on courses offered and other requirements,

### **4. Massachusetts Tuition Remission**

This program covers full tuition for employees pursuing undergraduate degrees at a Massachusetts community college or state-funded college or university through a partnership with the Massachusetts Council of Human Service Providers. Employees are responsible for any additional fees and books.

**Effective Date: June, 2010**

**Revision June, 2022**



## **XX. WORKPLACE VIOLENCE PREVENTION AND RESPONSE**

Vinfen is committed to establishing a culture of dignity and respect for all in a workplace that is safe and free from potential hazards. To help provide a safe workplace and to reduce the potential risk of violence, Vinfen has established a “zero tolerance” policy for actions that include, but are not limited to, physical assault or battery, or both; property damage; intimidation or threats communicated by any means; or other disruptive or aggressive behavior that causes a reasonable person to be in fear of his or her own safety or that of a co-worker.

Workplace violence is broadly interpreted and can take many different forms including written and verbal communication, intimidation, harassment, direct or indirect verbal threats of violence or bodily harm, non-verbal actions such as threatening gestures, and physical intimidation and actions (e.g. hitting, pushing, shoving, kicking, unwanted touching). It also includes such actions as arson, sabotage, vandalism, theft, and stalking. Further, incidents of workplace violence may occur between many different people or groups. For example, such incidents may take place between co-workers; between staff and clients; between staff and acquaintances, partners, or spouses; and between staff and members of the general public.

Employees who use work time or work facilities to commit or threaten an act of violence will be subject to disciplinary action up to and including termination. Retaliation of any kind for reporting a threat or act of violence is prohibited, and proof of such retaliation will result in termination.

All threats and incidents will be taken seriously and must be immediately reported as set forth in this Policy.

### Threats: In any event threatening safety

- Staff should move themselves and/or others to a safe place.
- Staff are required to report any threat to their supervisor immediately.
- Supervisors notified of a threat shall provide guidance and support to staff including, if appropriate, consulting with management or the General Counsel regarding law enforcement contact and follow up.
- Staff may contact law enforcement, however Vinfen prefers, and staff are strongly encouraged to seek consultation from their supervisor.
- Staff, or the supervisor, should feel free to engage senior operations or administrative leadership, as needed.
- Staff shall report the incident to the appropriate State agency as required by law, regulation, or policy.

### Acts of Violence: In any act of violence

- Staff should move themselves and/or others to a safe place.
- Staff should access emergency services and/or medical care as needed for themselves and/or others.
- Staff are required to report the act of violence to their supervisor immediately. Additionally, staff, or their supervisor, shall notify their Human Resources Manager or the Director of Employee Relations.

- Supervisors notified of an act of violence shall provide guidance and support to staff including, if appropriate, consulting with management or the General Counsel regarding law enforcement contact and follow up.
- Staff may contact law enforcement, however Vinfen prefers, and staff are strongly encouraged to seek consultation from their supervisor.
- In circumstances involving persons served, supervisors must complete a Vinfen incident report as specified in Program Operations Policy and Procedure Manual.
- Staff, or the supervisor, should feel free to engage senior operations or administrative leadership, as needed.
- Staff shall report the incident to the appropriate State agency as required by law, regulation, or policy.

Resources available to staff who have been threatened with or experienced violence include: their supervisor, who will provide direction on actions to ensure their safety and to help access additional support; clinical support and crisis staff teams; the Office of the General Counsel for assistance in dealing with law enforcement and/or the judicial system; Human Resources professionals for support and guidance; and the company's Life Assistance Program (LAP), for which contact information can be found on Benefits page of SharePoint found here: <https://vinfenorg.sharepoint.com/sites/HRDepartment/SitePages/Benefits.aspx>. More specific information is located in Vinfen's current Workplace Safety and Violence Prevention and Crisis Response Program and Plan that may be found on the policies and procedures page found here: <https://vinfenorg.sharepoint.com/sites/PoliciesandProcedures/SitePages/Additional-Information.aspx>.

**Effective Date: October, 2007**

**Revision Date: June, 2022**

## YY. WORK PERFORMANCE AND STANDARDS AND CORRECTIVE ACTION

### POLICY

Vinfen strives to address employee performance or conduct issues in a fair and equitable manner. When a supervisor (alone or in consultation with other members of management who have worked with the employee) determines that coaching, counseling, and/or additional training will help an employee in correcting a performance, conduct, or behavior issue, the supervisor will work with the employee to provide the individual with notice of the problem and an opportunity to improve. It is at Vinfen's discretion to determine whether a form of counseling or corrective action short of termination is appropriate. This judgment often depends on an employee's work history and the performance issue.

When misconduct or performance issues are not severe and management determines that corrective action is likely to correct the performance problem, conduct, or behavior, corrective action short of termination may be implemented, including informal or formal supervision and implementation of a plan for improvement and/or formal corrective action. Supervisors are required to partner with Human Resources during the corrective action process and should contact their area HR Manager as soon as concerns arise. **Under no circumstances may a final written warning, performance improvement plan, or termination be issued without review by the Director of Employee Relations or Senior Vice President of Human Resources.**

Vinfen will independently determine the level of corrective action (e.g., supervision, oral warning, written warning, final warning, etc.) in each situation or, alternatively, whether immediate termination is warranted. For example, when the issue is a performance problem that Vinfen believes can be addressed with the employee by coaching and assistance, the supervisor will meet with the employee to discuss the situation, outline areas for improvement, and provide a set of objectives for the employee to complete. Communication between the employee and supervisor is critical to maximizing the employee's chance for success.

Conduct that is dishonest, unethical, or illegal will not be tolerated. The "Standards" section below is a non-exclusive list of the types of conduct that are unacceptable at Vinfen. Violations of these or other conduct of a similar nature, including deliberate misrepresentation, fraud, and gross wastefulness may result in immediate termination. If a supervisor finds that an employee has behaved in a way that may warrant immediate termination, the supervisor should place the employee on immediate suspension from duties and immediately inform both their supervisor and their area HR Manager so that they can help evaluate whether corrective action or dismissal is required as well as perform the administrative steps needed for a suspension. **Under no circumstances should an employee be involuntarily terminated without the approval of the Director of Employee Relations or Senior Vice President of Human Resources.**

### Standards

- Any act of dishonesty, including theft or misappropriation of Vinfen time, money, owned, or leased assets, as well as the funds or property of persons served.
- Any act which calls into question an employee's integrity, including but not limited to: breach

of confidentiality; falsification or omission of material facts in Vinfen records and documents, including an employment application or time keeping record; significant verbal or written misrepresentation to a manager; failure to disclose a conflict of interest including family relationships; and significant verbal or written misrepresentation during the course of an internal investigation.

- Abusing or otherwise mistreating persons served.
- Engaging in illegal or unprofessional conduct.
- Damaging, defacing, abusing, sabotaging, or destroying Vinfen’s property, or the property of persons served or employees.
- Possession of weapons, (whether licensed or not) is prohibited by Vinfen employees while working. Weapons are prohibited on all Vinfen premises, vehicles, or at Company sponsored events.
- Any act that may create a dangerous situation for employees or persons served, including threatening or assaulting another individual, fighting, or attempting to cause bodily harm, disregarding property or safety standards, or unsafe transport.
- Violating the Vinfen Code of Professional Conduct.
- Allowing unauthorized use of your user access card, I.D., codes, passwords, time and attendance log-in/out, or keys.
- Neglecting to perform your job duties or leaving persons served unattended in dangerous or unsafe situations.
- Using or possessing any alcoholic beverages or recreational drugs such as marijuana while at work or reporting to work while under the influence and in a condition unfit for work.
- Using, distributing, manufacturing, or possessing illegal drugs while at work or reporting to work while under the influence of the same or another substance that renders one in a condition unfit for work.
- Smoking and the use of e-cigarettes, vaping devices, and smokeless tobacco in areas that have been designated as “non-smoking” areas.
- Unexcused unavailability for work or failure to report all absences to your Manager in accordance with Vinfen’s policy.
- Failing to adhere to attendance, time keeping or overtime, including excessive absenteeism and/or tardiness.
- Refusing to perform a job assignment or reasonable request of a supervisor, or unprofessional discourteous conduct toward customers, guests, or vendors. Using unprofessional or threatening language will not be tolerated.
- Committing an act of intimidation or violence on a co-worker.
- Sleeping on the job, unless specifically permitted in your Position Description.
- Engaging in unlawful harassment, discrimination, or other unsafe conduct disruptive to supervisors, co-workers, persons served, guests, or vendors.
- Failing to comply with established Vinfen safety rules or policies.
- Failing to comply with established Vinfen policy, procedures, and guidelines established in any Vinfen policies and procedures, handbooks, manuals, or documents.
- Gambling on Vinfen premises.

- Failing to avoid any situation in which personal interests may conflict with the interests or persons served. Employees must reject kickbacks or rebates, reciprocating, accepting or soliciting gifts, loans, entertainment or other things of value from vendors, persons served or their family member.
- Committing an act of gross fraudulent, abusive, or unethical conduct. This includes failure to inform your supervisor of your knowledge of such conduct by others.
- Failing to perform essential job functions with or without accommodations required by law. Essential job functions are listed as Job Duties and Responsibilities in each employee's Position Description.
- Failure to comply with any of Vinfen's policies, whether found in this manual or in any of Vinfen's policy manuals, such as the Program Operations, Finance, Information Technology, and Safety & Maintenance Policies and Procedures Manuals.

### **Corrective Action**

Failure to abide by these standards may result in disciplinary action, up to and including termination. Corrective action may be applied before a decision to involuntarily terminate an employee; however, certain conduct may be grounds for immediate involuntary termination. Vinfen will determine in its sole discretion what, if any, corrective action or termination is appropriate in each situation.

Corrective Actions will remain on an employee's record throughout their employment with Vinfen. For purposes of gainshare and similar programs, the lookback for exclusion will generally be six months from the date designated in the award memo.

**Effective Date: January, 2009      Revision Date: June, 2022**

## **ZZ. COMPLAINT RESOLUTION**

Employees are encouraged to bring work-related complaints to the attention of management. Management should strive to respond to complaints in a timely manner. Management is prohibited from retaliating or otherwise adversely treating an employee who has come forth with a good faith, *reasonable complaint*. Information concerning employee complaints should be handled in confidence and shared only on a need-to-know basis.

Time spent by employees during normally scheduled work time in discussions with management aimed at problem resolution will be considered hours worked for pay purposes.

To be considered a “reasonable complaint,” the complaint should contain a specific allegation by an employee that established benefits, policies, procedures, or entitlements/protections provided by federal, state, or local law are *not being properly or fairly applied*. Employee complaints about their discipline, suspension, or termination as well as concerns about unfair treatment or their manager’s conduct should be directed to their Human Resources Manager or the Director of Employee Relations.

### ***Procedure – Resolving Employee Complaints***

The procedure below provides a guideline that supervisors should follow in resolving an employee Complaint covered by this policy. It should be adjusted as necessary to handle a Complaint appropriately, and supervisors should contact their supervisor or their Human Resource Manager if they have any questions about resolving an employee Complaint and especially if there is a conflict of interest because the supervisor is involved in the employee’s Complaint.

Supervisors will give prompt and serious attention to an employee who has a reasonable Complaint about work-related subjects other than termination. Vinfen expects that employees will first attempt to resolve a Complaint with their supervisor, Program Director, or Department Head. The Program Director or Department Head should conduct any necessary investigation and attempt to resolve the issue. Upon completion of any necessary investigation, the Program Director or Department Head will notify the employee of the resolution of the issue.

If the employee feels that the Complaint was not addressed adequately by their Program Director or Department Head, the employee may request in writing that the matter be explored by the Director of Employee Relations. The Director of Employee Relations or her designee may decide to explore the matter further or may support the decision made by the Program Director or Department Head. If the Director of Employee Relations feels that a meeting is necessary, he/she may call a meeting with the employee and/or the Program Director or Department Head. Decisions made by the Director of Employee Relations should be conveyed to the complaining employee in writing.

If the employee feels that his/her Complaint still has not been addressed, the employee may request that the Senior Vice President, Human Resources look at the matter. Such a request must be in writing. The Senior Vice President may choose to review the matter or may choose to support the decisions made earlier. The Senior Vice President’s decision is final and should be conveyed to

the complaining employee in writing.

*Please note that supervisors must immediately bring any Complaints relating to possible unlawful discrimination or harassment or serious violations of Vinfen's Code of Professional Ethics or Code of Professional Conduct Toward Persons Served and Employee to the attention of Human Resources Department.*

Please note that all reasonable complaints will be reviewed as promptly as possible; however, due to the need to conduct follow up interviews and review, such reviews may take some time. *Reviews that involve outside entities such as state agencies are outside of the control of Vinfen and may take an extended period of time.*

**Effective Date: January, 2000      Revision Date: June, 2022**

## AAA. END OF EMPLOYMENT

### POLICY

All employees of Vinfen are employees-at-will. This means that Vinfen or the employee may choose to terminate the employment relationship for any reason, with or without cause, or with or without notice, at any time. Typically, Vinfen will terminate employment because of an employee's resignation, retirement, dismissal, or death, or because of a reduction in workforce.

Unless otherwise specified by an individual agreement signed by the President of Vinfen, an individual is no longer eligible for company benefits once employment terminates, subject to applicable laws (such as an individual's ability to extend medical benefits under COBRA). The exception being medical, dental and vision insurance coverage which ceases at the end of the month in which employment terminates.

An employee's termination date is normally the last day worked. However, Vinfen may designate any other date after the last date worked as the effective date of the employee's termination, as appropriate under the circumstances. Vinfen's designation of the employee's termination date other than the last day actually worked is in Vinfen's sole discretion and determination. Additionally, if an employee on leave of absence fails to return to work on his/her scheduled return date or notifies Vinfen that he/she will not return from FMLA or other approved leave of absence, such employee will be considered to have voluntarily resigned his/her employment, effective the earlier of his/her scheduled return date or the date of notice that he/she will not be returning to work.

*When an employee gives notice of his/her resignation or is given notice of his/her involuntary termination, the employee becomes ineligible to use Vacation or Personal Time benefits as of the date of the notice, regardless of whether Vacation or Personal Time was scheduled in advance. Any deviation to this policy must be approved by the Vice President of Human Resources. Upon termination of employment, unused accrued Vacation Time will be paid to the employee by check issued in the pay period of the voluntary termination or on the date of involuntary termination, provided six full months of continuous service have been completed.*

An employee who participates in the company-sponsored group health and dental plans and who terminates from employment may have the right to continue their healthcare benefits upon termination of employment under our COBRA policy. Affected employees will be provided with applicable notification and election forms by the Human Resources Department or Vinfen's contracted COBRA administrator.

### **Voluntary Resignation or Retirement**

Because employment at Vinfen is "at-will", employees can terminate their employment with Vinfen at any time. Vinfen requests that employees provide their supervisor or their HR Manager with written notice (e-mail or paper note) of their intent to resign at least two (2) full calendar weeks before their last day of work. In the absence of written notice, the employee's supervisor should acknowledge a verbal resignation by writing a memo to the employee with copy to the HR



Manager documenting the employee's decision to resign. However, Vinfen in its sole discretion may accelerate a resigning or retiring employee's last day of work depending on the business needs of the Company.

Supervisors of voluntarily terminating staff are required to submit all paper work related to an employee's resignation no later than the date time sheets are due for the period covered by the employee's last day of work. Failure to do so prevents the issuance of final checks and COBRA information within required time periods.

Vinfen does not have a mandatory retirement age, and managers should not encourage employees to retire. Retirement benefits are processed by the Director of Benefits. Questions regarding retirement should be directed to the HR Manager and/or the Director of Benefits.

It is the responsibility of the terminating employee's supervisor to make sure his/her HR Manager is given the following information immediately upon being given notice of the employee's need to end his or her employment with Vinfen:

- the employee's full name or payroll file#,
- home cost center #,
- effective date of resignation or expected last day of work, and
- reason for resigning if applicable

### **Job Elimination - Reduction in Work Force**

Upon receiving notice that one or more jobs must be eliminated, the Director of Service/Department Director/Vice President will notify the Vice President of Human Resources of the work-force reduction, and together they will develop and implement a reduction plan. Employees who will be affected by a staff reduction or job elimination will be notified as soon as practicable. Employees whose jobs have been eliminated will be paid through their last day worked.

Program Directors/Department Heads that need to eliminate a position are required to consult Human Resources before taking action. Every reasonable effort will be made to transfer qualified employees to another program and/or comparable position and/or assist employees in their pursuit of other employment within Vinfen.

When more than one employee holds the job(s) that must be eliminated, Vinfen will determine the applicable factors to be applied in determining which individuals will be selected for lay off. Some factors, which are assessed by the Company in its sole discretion, that may be considered are comparative skill levels, training, experience, job performance, employment history, and seniority of employees in determining which employees will be terminated. Employees who are offered a comparable job within Vinfen (a job at the same pay, performing substantially similar work and located within 10 miles of their previous work location) will be expected to accept such an offer. Failure to accept such a position will be considered a voluntary resignation that could jeopardize his/her unemployment insurance benefits.

Employees whose jobs have been eliminated may be eligible for re-employment consideration as openings occur for which they are qualified and for which they apply.

## **Suspension**

In emergency situations in which an employee jeopardizes the safety or welfare of clients, other employees, or others, the supervisor may suspend that employee from duties until the supervisor, other appropriate management employees, or government investigators make a determination regarding the incident. If, in such emergency situations, a suspension is needed prior to consulting with Human Resources, the supervisor must contact Human Resources as soon as possible thereafter so that all necessary paperwork can be completed and follow up arranged.

In non-emergency situations, where a supervisor observes serious misconduct on the part of an employee or has good reason to believe an employee is involved in serious misconduct, the supervisor must reach out to Human Resources to jointly review the employee's actions to determine an appropriate response, which may include disciplinary action up to suspension or termination. In all instances, Suspension PAFs must be approved by the Manager of Employee Relations of the Vice President of Human Resources in order to ensure proper coordination of investigations, administrative matters, and in order to ensure proper coordination of investigations, administrative matters, and subsequent corrective action if needed.

Please note that while Vinfen will attempt to conduct all internal investigations as promptly as possible that it cannot control the timeline of external investigations performed by outside parties. Additionally, the need to interview multiple parties also may delay the completion of internal investigations. Suspended employees should reach out to their HR Manager with any questions during suspension.

Employees who are suspended are required to participate in the investigatory process including in person interviews. While suspended, employees should be reachable by telephone and/or personal email so that the investigation is not hindered.

Supervisors may not summarily terminate an employee without the authorization of the Manager of Employee Relations or SVP of Human Resources.

Suspension is normally unpaid; however, suspended employees may use Benefit Time (Vacation or Personal Days; NOT sick days) while on suspension. An employee's HR Manager will provide a suspended employee with a letter outlining the reason for suspension as well as the employee's rights and responsibilities during suspension.

An employee may be disciplined based on the investigation results, whether relating to the allegations being investigated or other misconduct discovered during the investigation. If no disciplinary action is taken against the employee as a result of the investigation, the employee will be reinstated to active employment and, if a regular full or part-time employee, will have any Benefit Time used while on suspension reinstated. If the results of the investigation result in disciplinary action, whether relating to the allegations being investigated or other misconduct discovered during the investigation, but the severity of the employee's conduct does not warrant

termination, the employee will be reinstated to active employment, but will not have any Benefit Time used while on suspension reinstated.

While the employee is on suspension, Vinfen will continue to pay its portion of the premium for the employee's medical, dental and/or vision insurance coverage, provided that the employee makes timely payments of his/her contribution portion for the medical, dental, and/or vision coverage. Like employees not on suspension, failure to pay employee premium contributions may result in loss of coverage.

### **Dismissal – Involuntary Termination**

Dismissal is an involuntary end to employment. It is used if Vinfen determines that it is in its best interest to end the employment relationship because the relationship does not appear to be working out satisfactorily, the employee fails to perform his/her job satisfactorily, or if the employee engages in misconduct, neglect or violates policy or standards of behavior.

Termination for misconduct or for non-performance of duties is an extremely serious action. Vinfen requires supervisors to discuss the issue with other management members and to obtain authorization from the Manager of Employee Relations or SVP of Human Resources before terminating any employee.

If Vinfen determines that the employee should be involuntarily terminated, the effective date of the termination should be the date the decision is made. Wherever possible, the employee should receive a verbal explanation of the reasons for his/her termination as well as a corrective action form documenting the decision and the reason for the decision. The employee should sign the document acknowledging receipt or alternatively the issuing manager or HR Manager should note the fact that the employee received the document but declined to sign. A copy of the document and all support information must be sent to Human Resources at 950 Cambridge Street to be included in the employee's Personnel File.

Prior to a dismissal, both the Human Resources and Payroll Departments must be notified of the planned dismissal in order to prepare the departing employee's final pay check and to impart information regarding options for the continuation of health plan coverage and unemployment insurance if applicable. Notification includes a Personnel Action (PAF) Form, together with a Corrective Action Form explaining the circumstances of the employee's termination and final time card, submitted to the Human Resources Department. Massachusetts law requires Vinfen to give involuntarily terminated employees their final paycheck, including all unused earned & accrued vacation on their termination date. Terminated employees will also be given any final expense reimbursement upon termination or as quickly as feasible after receipt of any outstanding receipt submissions. Supervisors must plan accordingly and work with their HR Manager to ensure employees receive all monies and documentation in a timely manner.

Employees who are dismissed should be provided an opportunity to retrieve their personal belongings. If the employee appears hostile or otherwise dangerous, however, supervisors should take appropriate security measures to protect the staff and the people we serve.

## **Death**

When an employee dies, the supervisor or designee must notify the Human Resources Department which, in turn, will assist program staff as much as possible and work with members of the employee's family in processing final payroll and any related benefits, including life insurance claims.

## **Return of Company Property Upon End of Employment**

When an employee's employment ends, regardless of the reason, the supervisor (or designee) is responsible to ensure that any property issued to the employee during employment (e.g., iPhone, laptop, keys, ID card) is returned. Under no circumstances should the employee's final paycheck be withheld until the property is returned.

**Effective Date: July, 2008**

**Revision Date: August, 2019**

**Reviewed Date: June, 2022**