

Resource, Support
& Development Inc.

Personnel Handbook

This handbook supersedes and replaces all previous versions

March 2007

R.S.D., INC IS A PRIVATE NON-PROFIT CORPORATION. THIS PROJECT IS FUNDED, IN PART, UNDER A CONTRACT WITH THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES, BUT ANY STATEMENTS CONTAINED HEREIN DO NOT NECESSARILY REFLECT THE OPINION OF THE DEPARTMENT.

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The mission of R.S.D., INC. is to assist, support, and encourage each person w/special needs that we serve to make choices in their lives and expand their opportunities for growth and personal development.

WELCOME

RESOURCE, SUPPORT, & DEVELOPMENT, INC. (aka R.S.D., Inc.) is pleased to welcome you to our organization. This handbook has been prepared to help you get acquainted with us. It should answer many of your initial questions.

Our function is to furnish the finest quality services to our consumers as possible.

You play an important role in this process. All employees have the responsibility for quality service and productivity. No employer can guarantee that you will never be out of work; however, as long as our organization continues to provide good service and we are competitive, job security should be enhanced. People are employed because they have skills and abilities that are needed to provide services that the consumer needs. Unless these skills and abilities are properly used, quality, productivity, and job security diminish.

This handbook is presented as a matter of information only, and nothing contained in this handbook shall be construed as an agreement or contract of employment between R.S.D., Inc. and any one or all of its employees. While this handbook describes the current policies and benefits of R.S.D., Inc., these policies are not conditions of employment nor do they create any vested rights for R.S.D.'s employees.

If anything is not clear, please discuss your questions with your supervisor. You will be kept informed of any changes made to this handbook and to any R.S.D.'s policy.

We are proud of the reputation and success of R.S.D, Inc. It is our belief that these accomplishments are the results of dedication, hard work, and good communication.

We hope that you will find your association with R.S.D., Inc. rewarding.

WELCOME TO R.S.D., INC.

GOVERNING BOARD

R.S.D., Inc. shall be governed by a Board of Directors. The Board of Directors will employ a CEO to administer the corporation. He/she shall have authority and responsibility to manage R.S.D., Inc. in accordance with established Corporation, State, and pertinent Federal policies.

During temporary absences of the CEO, the person(s) holding the following position(s) will be responsible for the duties as designated.

- 1) The Business Manager will be responsible for decisions affecting the overall operation of the Corporation that require immediate attention and cannot wait until the return of the CEO. This includes decisions regarding leaves (bereavement leaves, emergency leaves, maternity leaves, unpaid leaves); approval of expenditures not requiring Board approval; staff compensation; budgetary issues; advances; client expenditures and accountability.
- 2) Each Manager will be responsible for his/her own programs and shall have the authority to make decisions regarding his/her consumers and staff in accordance with established corporation and State policies, as they relate to consumer abuse/neglect, violation of consumer's rights, consumer admissions, discharges, transfers, consumer emergencies, injuries hospitalizations, staff or consumer communicable diseases, emergency procedures in case of disaster, hiring and suspension/termination of staff, personnel problems, or other consumer/staff problems which affect the operations of the program. However, the Managers shall notify the Business Manager of all such decisions to ensure proper documentation is made.
- 3) All consumer or staff grievances, which need to be settled before the return of the CEO, will be directed to the President of the Board. This will include any grievances not settled at the Manager's level or those in which the Manager is directly involved.

In cases of extended absences by the CEO the Board of Directors may, at their own discretion, choose an individual to fill in as Acting Director until his/her return.

CODE OF ETHICS

The Code of Ethics embodies certain standards of conduct for employees of R.S.D., Inc. in professional relationships with those served, parents or guardians, colleagues, related agencies and professions, and with the community. In abiding by the Code it is understood that the employees view their obligations in as wide a context as the situation requires, while choosing courses of action consistent with the spirit and the intent of the Code

R.S.D., Inc.:

- recognizes that services to people with disabilities are based on humanitarian and democratic ideals.
- is dedicated to the principle of enabling people with disabilities to live normal and dignified lives within the limitations of their impairment.
- shall provide services which demand and require integrity, compassion, respect for individual differences, a commitment to service, a sense of dedication to the task, and a belief in the dignity and the worth of human beings.
- is devoted to the provision of living conditions consistent with the dignity of the individual; a quality of care consistent with the principles of humanity, understanding, and compassion; and programs designed to meet the needs of individuals with emphasis upon their achieving optimum growth and development.
- giving respect to the privacy of the persons served.
- giving preference to professional responsibility over personal interest.
- will use information gained in professional relationships in a responsible and confidential manner.
- recognize that its professional responsibility is to add ideas, understanding, knowledge, and practice to the services provided.
- supports the principle that the practice of professional service requires on-going education.
- will assist in providing protection against unethical or inappropriate practices.
- shall not discriminate because of race, color, religion, age, sex, disability, national ancestry, or sexual orientation, and will work to eliminate or prevent such discrimination in the rendering of service, work assignments, or employment practices.
- shall be accountable for statements made with respect to people w/disabilities.

CONFLICT OF INTEREST

R.S.D., Inc. shall expect Board members, all staff members, and/or any people we support to identify any possible conflicts of interest that may jeopardize the operations or financial operations of the corporation. No individual or group of individuals shall place themselves in a position of receiving remuneration or special favors from the corporation

CONDUCT AND CONFIDENTIALITY PROTOCOL

Purpose

In order to maintain a professional atmosphere with respectful and positive relationships among all staff and agencies, the following protocol will be adopted and practiced by all participating agencies.

Protocol

- All people you interact with in relation to this job, including other staff, colleagues, and consumers, will be treated with respect for their right to privacy whether it is someone within this corporation or people from other agencies or corporations.
- Information regarding other staff, colleagues, or consumers will remain confidential. Do not offer information to others unless they need to know. Do not offer opinions that have not been requested of you about others.
- Seeking out information that has nothing to do with your role and job responsibilities is not appropriate.
- Everything that goes on is not everyone's business. Before commenting, judging, criticizing or taking any action, determine if there is a valid reason for your involvement. Ask yourself why you are involved and if it affects your ability to do your own job.
- Don't form conclusions before clarifying an issue with any party involved. Assume that there is a rationale for other people's behavior. Talk directly to the person unless you think a problem would escalate. If you believe it would create more problems to handle the issue yourself, go to your immediate supervisor. After it is handled, do not repeat the circumstances to others.
- Do not allow people to give you information that does not concern you.
- Treat others as you want to be treated.
- If you have on-going conflicts that you have been unable to resolve with the individuals involved, then follow your corporation chain of command. Top management will contact the other parties, determine a course of action and find a resolution to the issue. All parties are then expected to let it go.
- Remember, just because you are interested in an issue it is not necessarily your responsibility, your business, or in your control. The intent of any action you take should be to facilitate understanding and to find resolution.

You are an employee of this agency. We have a contractual relationship with other agencies, and we interact with other agencies' personnel frequently. These personnel do not have authority to supervise you. Honoring these guidelines applies to all agency & interagency communications.

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of R.S.D., Inc. to give equal opportunity to all qualified persons without regard to race, color, religion, sex, marital status, handicap, national origin, or sexual orientation.

All employment decisions for recruitment, job assignment, advancement, compensation, and retention will be based on qualifications, skills, and abilities. All individuals will be treated equally in these and all other respects without regard to race, color, religion, sex, marital status, handicap, national origin, or sexual orientation.

R.S.D., Inc. will make reasonable accommodations for qualified individuals with known disabilities unless doing so would result in an undue hardship. This also governs all aspects of employment, including selection, job assignment, compensation, discipline, termination, and access to benefits and training.

Supervisory personnel as well as those responsible for hiring new employees must take all necessary action in the elimination of possible discrimination towards employees and applicants for employment with R.S.D., Inc. in all categories and levels of employment and employee relations.

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

PRIVACY AND THE RIGHT TO KNOW

R.S.D., Inc. recommends the following policies pertaining to privacy and the right to know.

- Every employee of R.S.D., Inc. has access to his/her file to learn what records are collected, maintained, and how they are used and disseminated. To see your file, you must schedule in advance with the Human Resource Director.
- Except as needed by our agency, each employee's records will not be released to another person without the employee's written consent.
- All employees may review his/her records and obtain copies of those records; however, all originals are property of R.S.D., Inc.
- All employees may request correction or amendment on his/her records in error or out-dated.
- Outside inquiries regarding records of employees must be requested in writing. Responses to inquiries will be limited to specific information that is requested.
- All releases to other than the employee will include date of release and the specific information released.

EMPLOYMENT CATEGORIES

It is the intent of R.S.D., Inc. to clarify the definitions of employment classifications so that all employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time, and these classifications are subject to change at the discretion of management and the Board of Directors.

EXEMPT/NON-EXEMPT STATUS

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

PROBATIONARY EMPLOYEE

The probationary period is intended to give new, transferred, promoted, and rehired employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets both the employee's and the employer's expectations. We use this period to evaluate your capabilities, work habits, and overall performance. Either R.S.D., Inc. or the employee may end the employment relationship at-will at any time during the probationary period, with or without cause or advance notice.

Probationary employees do not have access to the internal grievance process.

The probationary period for all new, transferred, rehired, or promoted employees is 6 months. Any significant absence shall automatically extend a probationary period by the length of the absence. If R.S.D. determines that the designated probationary period does not allow sufficient time to thoroughly evaluate the employee's performance, the probationary period may be extended for a specified period, not to exceed an additional 90 days, to give the employee an opportunity to achieve a satisfactory performance.

During the probationary period new and rehired employees are eligible for those benefits required by law, such as worker's compensation, unemployment, and Social Security. Employees may be eligible for other benefits, subject to the conditions and eligibility requirements for each benefit program. Employees will be informed of the details of those benefit programs, as they become eligible.

EMPLOYMENT CATEGORIES (CONT.):

FULL-TIME EMPLOYEE

A full-time regular employee at R.S.D., Inc. is defined as one who works an annual average of at least 30 hours per week. After fulfilling specific eligibility requirements for each benefit program, a full-time employee is eligible for paid sick leave, paid vacation leave, and paid holidays each year. They may also participate in our group health insurance plan, our cafeteria plan, and our 403B retirement plan, after meeting specific eligibility requirements. Other benefits may also be available. Conditions and terms of each benefit are described fully under each benefit category.

PART-TIME EMPLOYEE

A part-time employee at R.S.D., Inc. is defined as one who works an annual average of less than 30 hours per week. After fulfilling specific eligibility requirements for each benefit program, a part-time employee is also eligible for paid sick leave, paid vacation leave, and paid holidays each year (on a pro-rated basis). Depending on the number of hours they regularly work per week, some part-time employees may also be able to participate in our group health insurance plan, our cafeteria plan, and our 403B retirement plan, after meeting specific eligibility requirements. Other benefits may also be available. Conditions and terms of each benefit for part-time employees are described fully under each benefit category.

TEMPORARY EMPLOYEE

A temporary employee is one who is employed, full time or part time, for a specific job assignment or limited duration or during certain periods of time. A temporary employee is not eligible for any organization benefits.

TIME REPORTING

All employees are required to complete time cards, as provided by R.S.D., Inc.. Time cards must be filled out accurately and completely, signed, and turned in to your supervisor at the end of each two-week pay period. Employees will not receive their paycheck until their time card is signed. Sometimes because of holidays, we may require you to turn your time card in early. We will try to let you know in advance of those times. Exempt employee's complete time cards only to document daily attendance and record sick leave, vacation leave or personal holidays that are used.

OVERTIME FOR NON-EXEMPT EMPLOYEES

All employees, except the Managers, Director of Training and Program Development, Residential Director/Coordinator, and CEO, are classified as non-exempt employees and are subject to the minimum wage and overtime provisions of the Fair Labor Standards Act. Non-exempt employees will receive regular pay for all hours worked up through 40 in a week and 1 ½ times the rate for any hours over 40.

The only exception is holidays, which are paid at 1 ½ times the regular rate for some employees, if worked. For the purposes of overtime compensation, only hours worked in excess of forty during a workweek will be paid at the overtime rate. For example, if there were a paid 8-hour holiday for that week, which the employee did not work, then those eight hours would be excluded when figuring overtime compensation.

All hours worked in excess of the regular schedule must be reported to the supervisor as soon as possible. Unless the CEO grants exceptions, employees need to work with their supervisor to reschedule those excess hours that same week, if possible.

PAYDAY & FINAL ADVANCES ON PAY

The pay period is biweekly, starts on Sunday and ends on Saturday. Payday is every other Friday. In compliance with Montana law (MCA 39-3-205, 10/1/97), when you voluntarily terminate (resign) your employment or are involuntarily terminated (released at will, for cause, or laid off) prior to pay day, your final pay will be issued on the next regularly scheduled payday, or fifteen days from the date of actual separation, whichever occurs first.

Advances on payroll will not be allowed, except in situations in which the employee will be on earned vacation or on an authorized paid leave, i.e. emergency leave, bereavement leave, etc. on the scheduled payday and is unable to pick up his/her check. Employees who request an advance must have approval from the Manager and must have their written request into the Central Office by Tuesday of the week before that payroll is done so that we can process the advance during the week we pay bills.

DEDUCTIONS

Each paycheck will have certain amounts deducted from the gross pay:

- Those required by law— withholding state and federal tax; Social Security contributions; Medicare contributions; and orders to withhold (garnishments).
- Optional deductions. Those authorized by the employee and approved by R.S.D.,

BREAKS/MEALS PERIOD

There is no federal or state law requiring employers to furnish employees with breaks. Breaks, when available, are considered a benefit to the employee and availability is dependent upon work demands. Each Area/Program Manager will decide whether employees in their programs get breaks. Breaks, when given, will be compensated.

Because of the nature of our work, employees at R.S.D., Inc. typically have to work during meal periods. If an employee occasionally wants to have lunch or a meal away from work, then he/she must request approval from the supervisor, and the time taken will be unpaid. The employee will then have to either come to work earlier in the morning that day or work later to make up the time.

MEETINGS/TRAINING/CONFERENCES

If a non-exempt employee is required to attend a meeting outside of his regular work schedule, he/she shall be paid for the time he/she spends at the meeting. However, the supervisor may ask the employee to reschedule that time in order to avoid overtime.

If a non-exempt employee is required or asked to attend a conference or training, and the time spent is outside his/her regular work schedule or more than his/her regularly scheduled hours, then he/she will be paid for those hours. If they work over 40 hours in one week, then they will be paid overtime at 1 ½ the regular rate. However, the supervisor may ask the employee to reschedule those hours the next week.

All requests for training have to be approved in advance by the Area/Program Manager.

BENEFITS

R.S.D., Inc. currently offers, but does not guarantee the following benefits to employees. Subject to federal laws, the corporation reserves the right to change or discontinue any part or all of the benefits: unemployment insurance; Social Security; worker's compensation; group health, dental and life insurance; option to participate in 403B retirement plan, Section 125 cafeteria flex plan, supplemental life, AFLAC disability/accident/intensive care; dependent care insurance coverage; and, educational scholarship program.

VACATION LEAVES

It is the policy of R.S.D., Inc. to grant annual vacations with pay to regular full-time and part-time employees in accordance with the guidelines established below.

- The established vacation year is the fiscal year, July 1 through June 30.
- Regular full-time and part-time employees will receive vacation leave as indicated below. New employees are eligible to use earned vacation after successful completion of their probationary period.
 - After first year of regular employment—2 weeks
 - After second year of regular employment--3 weeks
 - After third year and thereafter--4 weeks
- The number of hours earned for vacation per pay period is pro-rated, based on number of hours worked per week. It is determined by the employee's average regular weekly hours divided by 5. For example, if an employee is eligible for 4 weeks (160 hours/year) vacation and works 25 hours a week, he/she will earn 3.85 hours per pay period (25 divided by 40 = .625 X 160 hours = 100 hours divided by 26 pay periods).
- Temporary employees and substitute employees are not eligible for vacation benefits.
- If the employee terminates employment (either voluntarily or involuntarily) during his/her probationary period, he/she is not eligible for any vacation pay. If employee terminates after successfully completing the 6-month probation, he/she will receive vacation pay for any unused vacation accrued at the time of termination.
- The following process shall be used to take vacation:
 - a) Contact your supervisor. Supervisors and Managers have the discretion to approve/disapprove vacation requests. Supervisors are responsible to ensure adequate staffing levels. The Area Manager and/or supervisor will establish priority, based on the following: a) request date; b) workload; and c) seniority Date.
 - b) Amount of advance notice required for leaves will be at the discretion of the supervisor, as long as all employees are treated fairly.
 - c) A leave request form must be completed and signed by employee and supervisor, and then submitted to Central Office.
- Employees will not earn vacation during periods of unpaid absence of more than 3 days.
- The maximum number of days an employee working 40 hours a week can carry over on June 30 of each year is 20 days or 160 hours. For anyone working less than 40 hours a week, the maximum hours are pro-rated, based on hours worked per week. Effective June 30, 2006, any person who has accumulated more than 20 days will be paid their vacation hours up to 5 days over the 20. Anyone who still has more than 20 days after they are paid the excess days up to 5 will not earn any additional vacation hours until he/she is under 20 days.

HOLIDAYS

It is the policy of R.S.D., Inc. to designate and observe certain days each year as holidays. Eligible employees will be given a day off with pay for each holiday observed.

- A schedule of holidays to be observed during each calendar year will be developed and sent out by the CEO prior to the beginning of the fiscal year.
- Temporary employees, substitute employees, and employees on unpaid leaves of absence are not eligible to receive holiday pay.
- All employees who work 20 or more hours per week on a regular basis receive paid holidays. The holiday is the day designated by R.S.D., Inc.
- The number of hours paid for a holiday is determined by the employee's average regular weekly hours divided by 5. These hours will be paid at regular rate if the employee does not work that day.
- All non-exempt employees who work on the holiday will be paid time and a half for the number of hours he/she works on that day.
- In order to be eligible for personal holidays, an employee must have completed one year of service by July 1 of that year.
- To receive holiday pay, an eligible employee must be at work, or on an authorized paid absence, on the work days immediately preceding and immediately following the day on which the holiday is observed. If an employee is absent on one or both of these days because of an illness or injury, the agency reserves the right to verify the reason for the absence before approving holiday pay.

SICK LEAVE

- Sick leave may be given only for illness or accident to employee or family member requiring the presence of the employee.
- Regular, but not temporary, staff members will be allowed sick leave with full pay at the rate of 6 days per year. Part-time employees will earn sick leave on the same basis as full-time employees, pro-rated on the basis of total hours scheduled per week.
- Upon termination/resignation of employment, any employee who has passed his initial probationary period will be paid for 1/2 of his total accrued sick leave—only if he/she gives the required notice of resignation (as per Policy 112-Termination). If notice is not given as per Policy 112, one day of accrued sick leave will be subtracted for each day deficient of the required notice.
- Probationary employees will not be paid for accrued sick leave.
- You are not required to fill out a leave request for sick leave, unless you are requesting a paid or unpaid leave under the Family Medical Leave Act. (See Other Leaves)
- Sick leave hours can be used as they are earned.
- R.S.D., Inc. may require certification from an employee's health care provider of an employee's need for sick leave, both before the leave begins and on a periodic basis thereafter.

FAMILY MEDICAL LEAVE

Our corporation shall also offer medical leaves to eligible employees as indicated below, in accordance with the Family and Medical Leave Act of 1993. All employees shall be informed of their rights during orientation, and notices shall be posted in the main office and each area office.

Which businesses must be in compliance with FMLA? Effective August 5, 1993, the FMLA requires employers with 50 or more employees to provide eligible employees up to 12 weeks of job-protected leave in a 12-month period for a serious health condition of employee or immediate family member. For our agency the 12 month period will be our fiscal year from July 1 to June 30 of each year.

Who is eligible for FMLA? The FMLA defines eligible employees as employees who: 1) have worked for the corporation at least 12 months; 2) have worked for the corporation for at least 1250 hours in the previous 12 months; and 3) work at or report to a worksite which has 50 or more employees or is within 75 miles of worksites that together have a total of 50 or more employees.

Under what conditions can an employee receive FMLA? 1) to care for a child upon birth or upon placement for adoption or foster care; 2) to care for a parent, spouse, or child with a serious health condition or serious injury, including work-related accidents.

What is a serious health condition? Any period of incapacity or treatment connected with inpatient care (i.e. and overnight stays) in a hospital, hospice, or residential medical care facility, and any period of on incapacity or subsequent treatment in connection with such inpatient care; OR, continuing treatment by a health care provider that includes any period of incapacity (i.e. inability to work, attend school, or perform other regular daily activities) due to the following:

- A health condition (including treatment of or recovery from) lasting more than three consecutive days, and any subsequent treatment or period of incapacity relating to the same condition that also includes: treatment 2 or more time by or under the supervision of a health care provider, ore one treatment by a health care provider with a continuing regimen of treatment (excluding those limited to taking over-the-counter drugs).
- Pregnancy or prenatal care. A visit to the health care provider is not necessary for each absence.
- A chronic serious health condition which continues over an extended period of time, requires periodic visits to a health care provider, and may involve occasional episodes of incapacity (i.e. asthma, diabetes). A visit to a health care provider is not necessary for each absence.
- A permanent or long-term condition for which treatment may not be effective (i.e. Alzheimer's, a severe stroke, terminal cancer). Only supervision by a health care provider is required, rather than active treatment.
- Any absences to receive multiple treatments for restorative surgery or for a condition which would likely result in a period of incapacity of more than three days if not treated (i.e. chemotherapy or radiation treatments for cancer).
- A serious injury, including work-related accident.

*Common colds, flu, earaches, minor ulcers, headaches (except migraine), routine dental problems, and periodontal disease generally do not qualify for FMLA leave; however, if the illness extends past the three days; becomes chronic, or if complications arise, then we may consider granting FMLA leave – if we receive verification from the doctor.

FAMILY MEDICAL LEAVE (CONT.):

Is the leave paid or unpaid? Employee on a sick leave or family care leave of absence under FMLA shall be required to utilize accrued personal or sick leave, prior to unpaid leave (up to 12 weeks). Utilization of vacation leave is at the discretion of the employee for an employee illness or injury; if FMLA leave is to care for an immediate family member the employee will be required to use vacation hours in addition to sick and personal hours prior to unpaid leave. Paid sick or personal time (vacation leave, if used) counts toward the 12 weeks of FMLA. The only exception is when the employee is being paid worker's compensation benefits for a work-related injury and is on FMLA at the same time. If employees are receiving wage loss benefits from Worker's Compensation and are on FMLA concurrently, FMLA does not allow employees paid vacation, sick, or personal holidays.

What happens to employee's health insurance benefits during FMLA? RSD is required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance is provided before the leave is taken and on the same terms as if the employee continued to work. While RSD is NOT required by law to continue paying the premium for the employee's health insurance during FMLA leave, RSD currently does pay it. However, this is subject to change at any time. Benefits for any voluntary plans—dependent coverage, voluntary life, AFLAC, Healthy Solutions—are the responsibility of the employee, and the employee will be billed for those premiums. Employees will be liable for all benefit premiums, including employee insurance converge, if they are off work longer than the 12 weeks allowed by policy and are on unpaid leave.

What happens to an employee's job position after he/she returns from a leave under FMLA? Upon return from FMLA leave (unless longer than 12 weeks required by law), an employee must be restored to their original job, or to an equivalent job. It does not have to be the same job, but should feature equivalent pay, benefits, hours, schedule, and general environment. Certain key management staff may be denied reinstatement when necessary to prevent "substantial grievous injury" to the corporation's operations.

What kind of notice is required by the employee for FMLA? Employees who need to take time off to care for a serious health condition for themselves or for a spouse, parent, or child ordinarily must provide the corporation at least 30 days notice of the need for leave, if the need for leave is foreseeable. They must provide verbal notice to the supervisor the reason for the medical leave, when they anticipate it will start, and what the expected duration of the leave is. If the employee's need is not foreseeable, the employee should give as much notice as is practicable. The supervisor/manager must notify the HR Director immediately.

What are the requirements once RSD is notified of the need for a medical leave?

Once the supervisor/manager notifies the HR Director of the need for a medical leave for an employee, we will notify the employee in writing of his/her rights under the FMLA. The 12-week period will begin on the date RSD provides notification of FMLA. Leaves required because of injuries received at work may also be applied to the 12 weeks of FMLA.

Employees who need leave for their own or family member's serious health condition must provide medical certification of the serious health condition. The corporation also may require a second or third opinion (at the employer's expense) and periodic re-certifications of the serious health condition. When the leave is a result of the employee's health condition, a fitness for duty report to return to work is required. The corporation may deny leave to employees who do not provide medical certification.

FAMILY MEDICAL LEAVE (CONT.):

The FMLA does not affect any federal or state law prohibiting discrimination or supersede any state or local law or collective bargaining agreement, which provides greater family, or medical leave rights. It is illegal for the corporation to interfere with, restrain, or deny the exercise of any right provided by the FMLA, or to discharge or discriminate against any person for opposing any practice made unlawful by the FMLA. The time an employee is off on FMLA cannot be considered for any disciplinary action for excessive absences.

PARENTAL LEAVE

Parental leave, often called “maternity” or “paternity” leave, is defined as time off from work for female and male employees who are physically able to work but who choose to remain home and care for newborn, newly adopted, or recently placed foster children. Parental leave will be granted to those employees who do not qualify for leave under the Family Medical Leave Act. Federal regulations do not mandate that an employer provide parental leave for employees who are not covered by FMLA. However, per Montana Code 49-2-310 the corporation shall grant the employee a reasonable leave of absence for the temporary disabilities associated with childbirth, delivery and related medical conditions.

- Six calendar weeks after the birth of a child shall be considered a reasonable period of recovery from a temporary disability resulting from childbirth.
- An employee shall not be required to obtain medical certification of temporary disability for the initial six calendar weeks of leave following the birth of a child. If the employee requests leave due to a pregnancy related medical disability prior to childbirth or exceeds six calendar weeks after childbirth, the employee shall obtain medical certification that the additional leave is necessary. Leave for a pregnancy disability before and after childbirth shall be treated in the same manner as employees with other temporary medical disabilities.
- The employee must notify the employer at least 30 days prior to the approximate leave date, unless an emergency or under doctors orders. The notification must include the anticipated length and types of leave the employee plans to take.
- Nothing in this policy prohibits an employee from voluntarily returning to work sooner than six calendar weeks after the birth of a child, except where the employee is determined to be medically unfit to perform her job in accordance with this policy. Medical verification that an employee is able to return to work is required.

PATERNITY LEAVE

A male employee may request parental leave up to five (5) days following the birth, adoption, or recent placement of a foster child. The employee must notify the employer at least 30 days prior to the approximate leave date, unless an emergency and advance notice cannot be given. The leave may be extended past the five days in emergency or unusual situations by approval of Manager and CEO.

PREGNANCY DISABILITY LEAVE

Pregnancy disability leave is a leave necessary due to a physical disability that results from pregnancy, childbirth, or related medical conditions other than normal pregnancy, and will be treated in the same manner as other medical disabilities. Pregnancy disability leave will be granted case by case based upon the ability of the employee to perform her job consistent with the same leave and benefits granted to non-pregnant employees with temporary medical disabilities, subject to the following conditions:

- Notification from the employee that he/she needs to take a Pregnancy Disability Leave is required. The notification must include the anticipated length and the type of leave the employee plans to take.
- Medical certification, stating that the employee is unable to perform her job duties due to a pregnancy related medical condition prior to or after childbirth, is required.
- Medical certification shall also be required for the employees release to return to work.

*Employees will be required to use all accrued leave time first for parental leave, paternity leave, or pregnancy disability leave, then leave will be without pay. If leave is needed during the pregnancy under the Pregnancy Disability Leave, that time will be applied to the six weeks of Parental Leave.

OTHER LEAVES WITH PAY

Under some circumstances the corporation may consider giving paid emergency leave and/or bereavement leave to eligible employees. The duration and types of situations under which leaves may be given are based on guidelines established by the CEO. The Manager is responsible for requesting the leave on behalf of the employee. Both probationary and non-probationary employees may be eligible for bereavement leave, but employees may not have emergency leave until they have been employed one year. Paid leave includes, but is not necessarily limited to, the following:

- Sickness, injury, or major surgery resulting in temporary disability of the employee or a member of his immediate family (emergency leave);
- Death, funeral, or estate settlements in the employee's immediate family, i.e. spouse, parents, grandparents, grandchildren, siblings, and dependents (bereavement leave).
- Disaster affecting employee and family, such as fire, flood, etc. (emergency leave)

OTHER LEAVES

Leave for Work-Related Injuries: Employees who are injured at work are covered by RSD's worker's compensation insurance through State Fund. RSD will require employees to use sick leave hours, if available, for the waiting period of four days or thirty-two hours. If an employee does not have sick leave, they can opt to use vacation leave, but are not required to. While an employee is off work for a work-related injury and receiving worker's compensation benefits, they have the option of getting paid for any accrued vacation hours during that period also – unless the employee goes on Family Medical Leave during that same period. Then he/she cannot use vacation leave. Employees also cannot get paid worker's compensation benefits and sick leave concurrently. If an employee is on light duty and calls in to use sick leave, they must report to the supervisor if the time off is related to their work injury. The employee should then record that on the time card. Employees will need to have a doctor's release in order to initially return to work and for each subsequent time they call in thereafter to use sick time for their injury.

OTHER LEAVES (CONT.):

Jury Duty: Employees who are required to serve jury duty or testify as a subpoenaed witness will be allowed to keep their jury duty check and still be paid their regular hours up to one week. If jury duty lasts longer than one week, then the employee will have to use accrued vacation or personal holidays or take it without pay.

Military Duty: A military leave of absence will be granted if an employee enlists, is inducted, or is recalled to active duty in the Armed Forces of the United States for a period of up to four years (plus any involuntary extension for not more than one year). Employees who perform and return from military service in the Armed Forces, the military Reserves, or the National Guard will retain such rights with respect to reinstatement, seniority, vacation, layoffs, compensation, and length of service pay increases as required by applicable federal or state law. Employees returning from a military leave must also comply with all of the reinstatement requirements specified by federal law. The employee will be required to use any accrued vacation leave or personal holidays first, if eligible; all subsequent days of the leave will be unpaid.

Other Unpaid Leaves: If advance notice is given and relief staff can be obtained, other unpaid leaves may be granted for critical personal matters, such as marriage of self, friends, or immediate family; children's school activities, etc.

OTHER REQUIREMENTS/CONDITIONS FOR LEAVES

- When possible, requests for all paid and unpaid vacation leave, military leaves, personal leaves, jury duty (when possible), and leaves covered under the Family Medical Leave Act should be submitted in writing to the Manager 30 days prior to commencement of the leave period, or as soon as practicable. Advance notice is not required for short-term illnesses not covered under the FMLA, emergency leave, or bereavement leave. The CEO will make the final decision for all leaves, except paid personal holidays, sick and vacation leaves, which shall be approved by the Manager. All employees on approved leave are expected to report any change of status in their need for a leave or their intention to return to work to the Manager.
- The corporation will continue to provide health insurance and other benefits to employees only for approved paid leaves and sick/family medical leaves covered by the Family Medical Leave Act, but this is subject to change at any time.
- Benefits that accrue according to length of service, such as paid vacation and sick days, do not accrue during any periods of unpaid leave longer than 3 consecutive days.
- Holiday pay shall not be given to employees during unpaid leaves of absences.
- Employees who are unable to report for work because of arrest and incarceration will be placed on a special personal leave of absence. If the employee is unable to secure bail, the leave of absence will continue until final disposition of the charges. If the employee is freed on bail, a decision whether to allow the resumption of active employment pending disposition of the charges will be made by the CEO. She/he will determine whether reinstatement would be consistent with corporation's needs and requirements.
- If an employee fails to return to work at the conclusion of an approved leave of absence, including an extension of such leave, the employee will be considered to have voluntarily terminated employment.

OTHER REQUIREMENTS/CONDITIONS FOR LEAVES (CONT.):

- Employees are prohibited from falsifying the reason for an absence. The corporation may require an employee to submit to a medical exam to verify a claimed sickness or injury. If this exam should establish that the employee is not actually suffering from an illness or injury, the employee will be subject to disciplinary action, up to and including termination.
- If employees request vacation or sick leave on their time card, and they do not have enough accrued time to cover it, they will have to take the unearned portion without pay. However, managers/supervisors can require them to use vacation or sick according to above policy and should verify that employees have enough time prior to submission to Central Office. Accounting personnel are not allowed to alter time cards or transfer hours on time cards from vacation leave to sick leave or vice versa.

GROUP HEALTH INSURANCE

A group health plan is available to all employees who work 20 or more hours a week on a regular basis and meet eligibility requirements, as indicated in the group policy. The plan currently includes major medical, dental, and life insurance. Effective February 1, 2006, upon eligibility for insurance (at the end of six months), employees have the option of enrolling in the group health and dental plans or waiving coverage and receiving an increase in their hourly wage. Employees may elect to carry dependent coverage on spouse and/or children through payroll deduction. The amount R.S.D., Inc. pays for coverage and the type of benefits offered is subject to change based on funding.

Supplemental life insurance and disability insurance—at an additional cost to the employee—is also currently available.

Upon termination of employment with us, the employee may also continue his/her coverage if specific criteria are met. For more specific details, refer to your group policy.

SECTION 125 CAFETERIA PLAN

An employee benefit option called Section 125 Flexible Spending is currently available for employees who meet specific eligibility requirements. This benefit plan enables participants to pay for certain medical and dependent day care expenses with before-tax dollars. Gross pay is actually reduced and taxes are reduced accordingly resulting in greater take-home pay without any sacrifice in current benefits. Examples of expenses that may be included are medical and dental expenses (up to the limit established by R.S.D., Inc.); medical insurance premium paid by the employee for dependent coverage through R.S.D., Inc.'s group health insurance plan; life insurance premium (up to the limit established by the plan); disability premiums; and dependent child care expenses. The maximum amount employees can currently claim for medical expenses is \$3500; and the amount is subject to change from year to year by management. To be eligible for the flex plan, employees must be a regular employee who works 20 or more hours per week. Employees are eligible to participate in the flex plan on the first of the month following 180 days of employment.

403B RETIREMENT PLAN

R.S.D., Inc. currently participates in a 403B annuity plan with TIAA-CREF. There are two parts to this plan—the Defined Contribution Plan (Group Retirement Annuity) and the Tax Deferred Annuity Plan (Group Supplemental Retirement Annuity). Each one has different requirements and terms.

The Defined Contribution Plan (GRA) is the employer plan for all eligible employees. RSD, Inc. makes contributions to this plan for each eligible employee who participates in the plan and matches with at least a 1% employee contribution. **To be eligible you must have started work for us as a regular part-time or full-time employee at least one year, and you must be at least 21 years old by the enrollment date.**

The Tax Deferred Annuity Plan (GSRA) is the employee plan for all employees. Employees who are not eligible yet to participate in the Employer Plan or to receive employer contributions can still sign up to contribute their own money to this plan immediately after starting employment. All employees' contributions will be made through tax-deferred salary reduction.

For more detailed information, refer to the Summary Plan or contact the Central Office.

STAFF INCENTIVES

BONUSES

As funding allows RSD, Inc. will offer bonuses to employees based on the following criteria.

Christmas Bonus: Christmas bonuses may be given to regular employees, based on criteria established by the Board of Directors. At the discretion of the Board, Christmas bonuses may also be given to some temporary and/or long-term relief employees. All bonuses will be paid by check and will be administered through payroll. The amount given, if any, will depend on the status of the budget, as recommended by the CEO and approved by the Board.

Other Bonuses: At the discretion of the Board and depending on the availability of funds, other bonuses may also be given to employees during the year. The amount given to eligible employees will vary, depending on the status of the funding. Criteria, number of bonuses, if any, and eligibility will be approved by the Board. The bonuses will be paid by check and administered through payroll

DDCPT CERTIFICATION

Those employees who pass the DDCPT training curriculum will receive a bonus, as follows:

- Those who pass the test within 30 days after they finish the course will receive a \$100.00 bonus.
- Those who pass the test within 60 days after they finish the course will receive a \$50.00 bonus.

No bonus will be given to those employees who pass the test after the 60-day time period. No bonus will be given to those employees who take the course a second time and then pass the test.

SAFETY AWARD PROGRAM

To reward employees who strive to keep our workplace safe and keep accident claims down, we will give cash safety awards to those employees who have no work-related accidents or illnesses.

However, it is management's and Board's discretion to change, eliminate, or expand the program from year to year, depending on the corporation's financial situation and the results of the program.

The following procedures will be followed to administer safety awards:

- A cash award (minimum of \$25 after taxes are withheld) will be awarded to each eligible employee who has no accidents during a six-month period, starting October 1 of each year.
- Awards will be given twice a year--once in April (for the period October through March and once in October for the period April thru September).
- An eligible employee is one who is considered a regular employee, who has worked for us for at least 6 months, and who has passed probation.
- Those accidents that are caused directly as a result of an individual's behavior (such as an attack on staff), or those accidents, which are caused by negligence by the corporation and not negligence by the staff (such as failure to correct a defect in equipment) will not be counted when determining who is eligible for an award—even if the worker's compensation carrier decides to pay the claim. Negligence by staff is defined as not following the approved behavior management plan, emergency procedure, or corporation policy, as written. The CEO will make the decision for awards, in consultation with the Safety Committee, as needed.
- Every two years, each staff that has no accidents for the previous two years (based on the criteria above) will receive an award. The size of the award will increase for every two years a staff goes without accidents.
- Appeal Procedure: If an employee feels they were unjustly denied a safety award, he/she can submit a written appeal to the Safety Committee Chairperson and CEO. The Safety Committee will review the appeal and make a recommendation to the CEO.

SERVICE AWARDS

Special cash awards will be given to employees for every five years of service to the corporation (years do not have to be consecutive). All awards will be administered through payroll with appropriate taxes withheld. Amounts given will be as indicated below; however, they are subject to change or elimination at the discretion of the Board of Directors.

5 years	\$ 250
10 years	\$ 500
15 years	\$ 750
20 years	\$1000
25 years	\$1250
30 years	\$1500
35 years	\$1750

EDUCATIONAL SCHOLARSHIPS

Effective July 1, 2006 RSD, Inc. will be offering educational scholarships to employees who have worked at least 20/hours/week on a regular basis for at least one year. The total amount of scholarship funds to be distributed each year will be determined by the Board of Directors at the end of each calendar year. The CEO will determine the amount to be given each semester, depending on the number of applicants and the amount of funding allocated for the year. The amount may vary from semester to semester or year to year. If not all scholarships are given out in a given semester, then the CEO may choose to give out additional scholarships the following semesters of that same fiscal year. Scholarships will be available under two different programs, each with eligibility requirements. Employees are eligible to apply for scholarships in either or both programs in a given year; however, applicants may receive only one scholarship per semester (up to the maximum allowed per year).

- 1) RSD will offer up to five scholarships to eligible employees who register for a minimum of six credits/semester in an accredited college, university, or technical school, including accredited on-line colleges (with a maximum of two scholarships per year to each applicant, unless not all funds are distributed the previous semesters).
 - Classes do not need to be related to their field of work in their current job with RSD, Inc. but we prefer that the employee is working toward a degree or certification.
 - The scholarship can be used for either tuition or books, but the checks for the classes will be issued directly to the college/school for the amount approved for the semester – after the employee has provided documentation of the enrolled classes.
 - Once the semester has ended, the employee must provide documentation that the classes have been completed with a minimum of 2.5 GPA, prior to approval of funding for additional classes.
 - Employees must continue working 20/hrs/wk on a regular basis while attending classes.
 - If there are more than five applicants in a given semester and all allocated funds were distributed the previous semesters, then a panel composed of one Board member, one administrative staff/manager, CEO, and one direct support professional staff will prioritize applications. Selection will be based on several criteria, including longevity, type of classes requested, number of classes previously funded by RSD, references, and job status.

EDUCATIONAL SCHOLARSHIPS (CONT):

- If several staff from the same program enrolls for a class that occurs during the same time, it will be up to the discretion of the Manager/CEO to decide who can take the class, using the same criteria as above.
 - All courses and/or classes must also be approved by your Manager if the classes occur during your shift.
 - Applications must be received by June 30 for fall semester, November 30 for spring semester and March 31 for summer semester.
- 2) RSD will also offer up to ten scholarships each year (up to a maximum amount per class and a maximum of two classes per year per employee) to be eligible employees who enroll for individual classes, such as Night Owls, computer classes, adult education, etc. If any of the classes cost less than the maximum amount, then the CEO may elect to offer more than ten scholarships.
- These classes need to be in a related field, improve skills needed for the jobs, or help in advancement within our corporation.
 - These classes will be approved each year on a first-come, first-served basis, and application for funds is open until all scholarships are given out for the fiscal year.
 - The scholarship can be used for either tuition or books, but the checks for the classes will be issued directly to the college/school for the amount approved for the semester – after the employee has provided documentation of the enrolled classes.
 - Employees must continue working 20/hrs/wk on a regular basis while attending classes.

NOTE: This policy is subject to interpretation by the CEO and Board of Directors and may be changed, modified, or discontinued at their discretion.

WORK RULES

ATTENDANCE

It is the policy of R.S.D., Inc. to require employees to report for work punctually as scheduled and to work all scheduled hours. Excessive tardiness and poor attendance disrupt workflow and service to the consumers and will not be tolerated.

- Unauthorized or excessive absences or tardiness will result in disciplinary action, up to and including termination. Tardiness or early leaving without the supervisor's approval more than three times in a three-month period are grounds for discipline.
- If the necessity of being absent for any reason can be anticipated, the employee shall inform the supervisor or Area Manager in advance. Such notification should include a reason for the absence and an indication of when the employee can be expected to report for work. If the employee is unexpectedly absent due to illness, or other emergency, the supervisor or Area Manager shall be notified as soon as possible, but no later than one hour after scheduled time to begin work. If an employee fails to notify his supervisor by the end of the designated hour, the supervisor may call the home of the employee. This is to be understood as an action of concern about the employee's welfare--in the event of an emergency.
- Nonexempt employees will not receive compensation for time missed because of tardiness or early leaving if the time missed exceeds fifteen minutes after starting time or before quitting time.
- Employees must report to their supervisor after being late or absent, give an explanation of the circumstances surrounding their tardiness or absence, and certify that they are fit to return to work, if applicable. The supervisor should record the information in the employee's file.
- Employees (non-probationary) who are absent from work for three consecutive days without giving proper notice to the supervisor will be considered as having voluntarily quit. At that time, the corporation will formally note the termination and advise the employee of the action by letter.

GRIEVANCE PROCEDURE (Only for employees who have completed the probationary period)

It is the policy of RSD, Inc. that employees should have an opportunity, when appropriate and practical, to present their work-related complaints and to appeal management decisions through a formal grievance procedure. Our corporation will attempt to resolve promptly all grievances that are appropriate for handling under this policy. Examples of actions that may be causes of grievances appropriate under this policy include:

- a) A belief that corporation policies, practices, rules, regulations, or procedures have been applied inconsistently to an employee;
- b) Treatment considered unfair by an employee, such as coercions, reprisal, harassment (including sexual harassment), or intimidation;
- c) Alleged discrimination because of race, color, sex, age, religion, ethnic or national origin, marital status, membership in a particular organization, sexual orientation, or disability;
- d) Improper or unfair administration of employee benefits or conditions of employment, such as scheduling, vacations, fringe benefits, promotions, retirement, holidays, evaluations, salary, or seniority.

GRIEVANCE PROCEDURE (CONT.):

The employee shall have the right to be represented by counsel or have any additional people he/she deems necessary at any step of the procedure.

Failure of the employer to communicate the decision of a grievance at any step of this procedure within the time limit shall permit the employee to submit an appeal at the next step of the procedure. However, time limits, as specified, may be extended by mutual agreement in writing.

Whenever time for investigation or resolving grievances is necessary during the work day, the employee shall be permitted release time with pay.

STEPS FOR FILING A GRIEVANCE

Employees are required to follow the procedure listed below when filing a grievance:

- Step 1: An employee with a grievance must first approach his/her immediate supervisor within five calendar days to try to resolve the problem informally.
- Step 2: If the matter is not resolved to the grievant's satisfaction by the immediate supervisor, the grievance may be submitted in writing to the Manager* of the program(s) within ten calendar days following the act or condition that is the basis for the grievance. Within ten working days after the receipt of the grievance, the Manager shall submit his/her decision in writing to the grievant, together with supporting reasons.
- Step 3: If the grievance is not resolved satisfactorily at Step 2, the grievance may be submitted to the CEO** within ten working days of receipt of the Step 2 decision. The grievance shall be in writing and shall include a copy of the original appeal and the Step 2 decision. Within ten working days after receipt of the grievance, the CEO shall schedule a hearing on the grievance. The grievant and Area/Program Manager shall be provided at least two working days notice of the hearing. The CEO may elect to have a third party or another management team member of her choice participate in the hearing. Within ten working days after the hearing, the CEO shall communicate her decision in writing to the Parties, including the grievant.
- Step 4: If the grievance is not resolved satisfactorily at Step 3, the grievance may be submitted within ten working days to the Board Grievance Committee. The grievance shall be in writing and shall include a copy of the original grievance and the decisions at Step 2 and Step 3. Within ten working days after receipt, the Board Grievance Committee shall hold a hearing. The grievant, Manager, and CEO shall be provided at least two working days notice of said hearing. Within ten working days after the hearing, the Board Grievance Committee shall communicate its decision in writing to the Parties present at the hearing, including supporting reasons.
- Step 5: If the grievant is not satisfied with the decision of the Board Grievance Committee, then the grievant has the option to obtain outside legal counsel.
- * If the grievance is with the Manager of the program(s), and the Manager does not resolve the problem to the grievant's satisfaction at Step 1, then the grievant shall submit the grievance in writing to that Manager within ten calendar days of the informal meeting.
 - ** If the grievance is with the CEO of the Corporation, and the CEO does not resolve the problem to the grievant's satisfaction at Step 1, then the grievant shall submit the grievance to the CEO in writing within ten calendar days of the informal meeting.

STEPS FOR FILING A GRIEVANCE (CONT.):

The “Open Door” policy, providing for a review by management personnel, is a safeguard against any possible inequitable treatment. All employees may, therefore, be assured that every effort will be made to resolve problems to their satisfaction. Under no circumstances will an employee be penalized for presenting his complaints to his supervisor or to members of management, as long as he/she follows the steps as indicated above. However, it is not considered proper use if an employee raises complaints in bad faith or solely for the purposes of delay or harassment or repeatedly raises disputes without merit. The corporation may, at its discretion, refuse to proceed with any dispute it determines is improper under this policy.

Implementation of the dispute resolution procedure by an employee does not limit the right of the corporation to proceed with any disciplinary action that is not in retaliation for the use of the dispute resolution procedure.

Information concerning an employee grievance should be confidential. Supervisors and members of management or the Board who investigate a complaint may discuss it only with those individuals who have a need to know about it or who are needed to supply necessary background information or advice.

DISCIPLINE

Discipline is at the discretion of the company and shall be decided on a case by case basis. If you disagree with any disciplinary action, you are required to follow the internal grievance procedure.

RESIGNATION NOTICES

R.S.D., Inc. requires that employees in the following positions give at least one month’s notice (two pay periods): CEO, Business Manager, Accounting Assistants, Executive Secretary, Human Resource Director, Director of Training and Program Development, Area/Program Managers, Residential Coordinator, and Group Home/Supported Living Managers. For all other employees we require at least two week's notice. For those who do not give the required notice, one day of earned sick leave pay will be subtracted for each day that it is deficient.

USE OF CONSUMER FUNDS

At no time shall staff ask or require consumers to pay for staff’s meals outside the facilities, staff’s personal items, or staff’s tickets for recreational outings, such as movies, fair, circus, bowling, etc., even if the consumer offers to do so.

Costs for staff to take consumers to recreational events will be paid from the corporation supply accounts, as approved by management. Costs for meals or treats purchased in the community will also be paid from the corporation supply accounts, as approved by management. For information on limitations of meals/treats, talk to your supervisor/manager.

THEFT

Stealing from the corporation, consumers, or other employees will not be tolerated at R.S.D., Inc. Corporation materials may not be removed from the facilities without management approval. Stealing may be grounds for immediate termination and possible criminal charges against you.

STAFF TRAVEL/USE OF VEHICLES/TRANSPORTATION OF CONSUMERS

This policy affects all employees whose job classifications require them to drive corporation vehicles or their own personal vehicle for work.

- Persons authorized to do business for our agency are expected to use corporation vehicles when available. Employees may be requested to use his/her own vehicle when a corporation vehicle is not available. If an employee has reason to believe that his/her own vehicle is not in safe, good operating condition, then he/she shall not transport any consumers in their vehicles.
- All employees whose job position requires them to drive or transport consumers in either corporation vehicles or their own vehicles must follow all Montana driving laws. Employees must either be insured or be insurable under Montana laws. Regular or continued employment in those particular positions will be contingent upon verification of insurability.
- Prior to driving corporation vehicles or transporting individuals in either corporation vehicles or one's personal car, new employees must submit their current Montana driver's license to the Central Office. At that time the corporation will request a record check with Motor Vehicle Department. Driving status of employees required to drive will be reviewed either by the corporation or insurance company randomly throughout the year.
- Employees are responsible for keeping their information up to date, including reporting any changes in his/her driving record to the CEO within 5 days of the change. Failure to report changes may result in disciplinary action. The following are the general guidelines used by the corporation, according to insurance company requirements, to determine whether or not an employee becomes ineligible to drive corporation vehicles or transport consumers and whether he/she can continue employment with us.
 - 1) A driver who is convicted of any one of the following "serious violations" committed in the last three years:
 - DWUI/DWI – Drugs or alcohol
 - Hit and run
 - Failure to report an accident
 - Negligent homicide using a motor vehicle
 - Driving while license is suspended or revoked
 - Using a motor vehicle for the commission of a felony
 - Operating a motor vehicle for the commission of a felony
 - Permitting an unlicensed person to drive
 - Reckless driving
 - Speed contest
 - Illegal passing of a school bus
 - 2) A driver with more than two "serious violations" committed between three and eight years ago.
 - 3) A driver with any combination of accidents and other moving violations, which total three during the previous three years.
 - 4) A driver with an international or foreign driver's license.
 - 5) A driver licensed less than three years regardless of age.

STAFF TRAVEL/USE OF VEHICLES/TRANSPORTATION OF CONSUMERS
(CONT.):

- 6) State law may require drivers to be re-licensed within a certain time frame of their move to the state. Any driver who is not licensed in the state where they reside within the required time is an unacceptable driver.
- The corporation secures non-owned auto insurance for staff that transports consumers in his/her own vehicle; however, our insurance is secondary and covers only the corporation's excess liabilities above and beyond individual liability. Staff is still responsible to have insurance for their individual liability as required by Montana law.
 - In some situations our worker's compensation insurance may preclude non-owned auto and/or individual liability for injuries sustained in accidents occurring during the working hours.
 - Employees who use their own car for travel for corporation business will be reimbursed at the prevailing State rate. The mileage rate is established at a rate high enough to compensate you for the excess use incurred. If the State rate should change in the middle of the fiscal year, the new rate will not be effective until July 1 of the new fiscal year.
 - In order to be reimbursed for travel, employees must turn in a reimbursement request, using the corporation travel voucher and include the following information:
 - 1) Dates of travel
 - 2) Destination(s)
 - 3) Purpose of trip
 - 4) Time departed and time returned (necessary only for overnight, out-of-town travel)*
- 5) Number of miles traveled, including odometer reading
- *This information must be included to determine the number of meals, which are reimbursable. Currently, meals are reimbursed only for overnight travel, not travel in which you return home the same day.

In addition to mileage reimbursement, employees who are asked to stay overnight for conferences, business, etc. will also be reimbursed for their motel room and meals. A receipt must be turned in for the motel room. If at all possible, employees should stay in motels, which honor State rates. No receipts are required for meals; however, employees must be sure to complete time and date departed and returned on the travel sheet. Meals will be reimbursed at State rates, based on those recorded times.

HARASSMENT IN THE WORK ENVIRONMENT

It is the policy of the corporation to promote a productive environment and not to tolerate verbal or physical conduct by any employee which harasses, disrupts, or interferes with another's work performance or which creates an intimidating, offensive, or hostile environment.

1. Employees are expected to act in a positive manner and contribute to a productive work environment that is free from harassing or disruptive activity. No form of harassment will be tolerated, and special attention is called to the prohibition of sexual harassment.
2. Each supervisor has a responsibility to maintain the work place free of any form of sexual harassment. No supervisor is to threaten or insinuate, either explicitly or implicitly, that an employee's refusal or willingness to submit to sexual advances will affect the employee's terms or conditions of employment.
3. Other sexually harassing or offensive conduct in the work place, whether committed by supervisors, nonsupervisory employees, or nonemployees, is also prohibited. Such conduct includes, but is not limited to: sexual flirtations, touching, advances, or propositions; verbal abuse of a sexual nature graphic or suggestive comments about an individual's dress or body; sexually degrading words to describe an individual; and the display in the work place of sexually suggestive objects or pictures, including, nude photographs.
4. Any employee who believes that a supervisor's or another employee's actions or words constitute unwelcome harassment has a responsibility to report or complain about the situation as soon as possible. Such report or complaint should be made to the employee's supervisor, or to the Manager, or to the CEO, if the complaint involves the supervisor.
5. Complaints of harassment are to be handled and investigated under the corporation's grievance policy, unless special procedures are deemed appropriate. Regardless, all complaints are to be investigated promptly and in as impartial and confidential a manner as possible. Employees are required to cooperate in any investigation. A timely resolution of each complaint is to be reached and communicated to the parties involved. Retaliation against any employee for filing a complaint or participating in an investigation is strictly prohibited.
6. Any employee who believes that a non-employee's actions or words constitute unwelcome harassment has a responsibility to report or complain about the situation as soon as possible. Such reports or complaints should be made to the employee's supervisor, or to the Manager, or to the CEO. Complaints of harassment by non-employees are to be handled on a case-by-case basis.
7. Any employee, supervisor, or manager who is found to have engaged in harassment of another employee will be subject to appropriate disciplinary action, depending on the circumstances, up to and including termination. Additionally, supervisors who knowingly condone or fail to report incidents of harassment that they have observed or become aware may themselves be subject to disciplinary action.

WORK PLACE VIOLENCE

The safety and security of R.S.D., Inc.'s consumers, employees, and visitors is very important. Threats, threatening behavior, or acts of violence against employees, consumers, or visitors by anyone on RSD's property will not be tolerated. The following information is provided to employees to enhance workplace safety and to reduce the potential for disruption and violence to occur. Note: The information below is included as general guidance, with the full knowledge that a perpetrator may in all probability be unpredictable and should be handled with extreme caution. See Policy #122 Workplace Violence for additional information on how to respond to disruptive threatening, or violent behavior.

What Is Disruptive, Threatening, or Violent Behavior? Although no list could detail all the behaviors that RSD will not tolerate, the following is a non-exclusive list of examples of prohibited activity:

- Physical harassment with or without weapons, such as assault, blocking, physical interference with normal work, or any behavior that a reasonable person would interpret as being potentially violent (throwing things, fist-shaking, pounding on objects, destroying property; or specific threats to inflict physical harm.
- Threatening behavior, such as moving closer to another person(s) in an aggressive manner; or general oral or written threats to people or property (“You better watch your back” or “I’ll get you”), as well as implicit threats (“You’ll be sorry” or “This isn’t over”).
- Any conduct creating an intimidating, hostile or offensive work environment. Some of the examples listed above may overlap with behavior prohibited in Policy #120, Productive Work Environment. You do not need to decide which policy you believe has been violated to make a report, because the same procedure should be used for both.

Workplace Safety Procedure For Filing Complaints or Reporting Violent (or potential violent) Behaviors: If you have witnessed, received, or have been told that another person has witnessed or received threats, please call your supervisor or the Manager of the programs in your area immediately. If not available, call the CEO. Even without an actual threat, employees should also report any behavior which they regard as threatening or violent, when that behavior is job related or might be carried out at one of RSD's facilities, or is connected to RSD in some way. Employees are responsible for making this call, regardless of the relationship between the person who initiated the threat or threatening behavior and person(s) who were threatened or were the focus of the threatening behavior. The identity of anyone who reports a violent act or threat of a violent act will be kept confidential. All employees who apply for or obtain a protective or restraining order which lists RSD property as being protected areas, must provide to the Manager and CEO a copy of the petition and declarations used to seek the order, a copy of any temporary protective or restraining order which is granted, and a copy of any protective or restraining order which is made permanent.

Consequences For Violent Behavior (Or Threats Of Violence: Any person who makes substantial threats, exhibits threatening behavior, or engages in violent acts on RSD property shall be REMOVED from the premises as quickly as safety permits, and shall remain off RSD premises until and investigation is completed. Violation of this policy will lead to disciplinary action which may include suspension, reassignment of job duties, termination, arrest, and/or prosecution.

DRUG FREE WORKPLACE

As per Executive Order 12564, "Drug Free Federal Workplace" 5 U.S.C. 7301, 41 U.S.C. 701 et.seq., the 1997 Montana Code Annotated 39-2-206-211, and our agency's Code of Ethics (Policy #3), it is the policy of R.S.D., Inc. to maintain a work place that is free from the effects of drug and alcohol abuse.

Standards of Conduct:

- 1) Employees are prohibited from the illegal use, sale, dispensation, distribution, possession, or manufacture of illegal drugs, controlled substances, narcotics, or alcoholic beverages on R.S.D., Inc.'s property or in situations where there is exposure to the people we provide support/services to.
- 2) R.S.D., Inc. will not hire, subject to state, federal, or local law restrictions, alcoholics or drug abusers whose current use of such substances prevent them from performing their jobs or who would constitute a direct threat to the property or safety of others.
- 3) Employees who are convicted of any criminal drug violation occurring in the workplace must report the conviction to the CEO within five days.

Rehabilitation/Employee Assistance:

Employees who are experiencing work-related or personal problems resulting from drug, narcotic, or alcohol abuse or dependency may request, or be required to seek, counseling or treatment. Employees who meet the eligibility requirements may be granted a leave of absence under the Family Medical Leave Act to undertake rehabilitation treatment. An employee seeking assistance for drug or alcohol dependency may be afforded coverage under our health insurance plan. An Employee Assistance Program is also available through our health insurance carrier. For more information call 1-800-999-1077, or for crisis counseling, call 1-800-833-3031. Employees need to review their benefit booklet to determine the extent of coverage or call the Administrative Assistant. The employee will not be permitted to return to work until certification is presented to the Manager and CEO that the employee is capable of performing his job. Failure to cooperate with an agreed-upon treatment plan may result in discipline, up to and including termination. Participation in a treatment program does not insulate an employee from the imposition of discipline for violations of this or other corporation policies, or for continued substandard performance.

Sanctions:

The following sanctions shall apply to employees violating the company's standards of conduct for maintaining a drug-free workplace:

- 1) Employees who violate our company's standards, as indicated above, are subject to disciplinary action up to and including termination. Violations include, but are not limited to, possessing illegal or non-prescribed drugs and narcotics or alcoholic beverages at work; being under the influence of those substances while working; using them while working; or dispensing, distributing, or illegally manufacturing or selling them on corporation property or at work sites;
- 2) In addition to the corporation sanctions indicated above, the manufacture, distribution, possession or use of dangerous drugs (other than pursuant to a valid prescription or otherwise authorized by law) is illegal under state and federal law, and is subject to various criminal sanctions, including fines of up to \$50,000 and prison sentences of up to life in prison and in some cases there are mandatory minimum prison sentences.

TREATMENT PROGRAMS:

The following are some, but not necessarily all, of the treatment programs that are available:

- Billings: **Addiction & Mental Health Services**
710 Grand Avenue
Billings, MT (259-7723)
- Brogan Brice E., CCDC**
838 Lewis Avenue
Billings, MT (252-0465)
- Mental Health Center**
201 North 25th St
Billings, MT (254-1314)
- Rimrock Foundation**
1231 North 29th
Billings, MT (248-3175)
- Hardin: **Mental Health Center**
809 Custer
Hardin, MT (665-8730)
- Red Lodge: **Mental Health Center**
5 East 9th
Red Lodge, MT (446-2500)
- Lewistown: **Mental Health Center**
212 Wendell Avenue
Lewistown, MT (538-7483)
- Great Falls: **Benefits Addiction Medicine Center**
500 15th Avenue South,
Great Falls, MT (455-2367)

EDUCATION/AWARENESS PROGRAM:

R.S.D., Inc. will, whenever possible, use Deaconess Health Center or local community agencies to provide continuing awareness programs to employees about the harmful effects of drug and alcohol abuse. We will also make information available to all new and current employees about the health and safety risks of using controlled substances and alcohol. Additionally, all supervisors and appropriate management staff will receive training in detection of alcohol/drug use, according to 49 CFR, part 382.603.

SMOKING

It is the policy of R.S.D., Inc. to comply with all applicable federal, state, and local regulations regarding smoking in the work place and to provide a work environment that promotes productivity and the well-being of its employees.

- 1) The corporation recognizes that smoking in the work place can adversely affect employees and consumers. Accordingly, smoking is restricted at all of its facilities and in corporation vehicles.
- 2) Smoking is prohibited inside all corporation facilities unless a facility has an enclosed smoking area with a separate ventilation system that exhausts directly outside. The CEO must approve this system. The CEO or his designated representatives (Area Managers) are responsible for implementing, monitoring, and enforcing smoking regulations. The smoking policy applies to employees and consumers in both the day facilities and residential facilities.
- 3) Employees are expected to exercise common courtesy and to respect the needs and sensitivities of co-workers and consumers in regard to the smoking policy. Smokers also have a special obligation to keep smoking areas litter-free. Complaints about smoking issues should be resolved at the lowest level possible, but may be processed through the corporation's grievance procedure.
- 4) The corporation does not discriminate against individuals on the basis of their use of legal products, such as tobacco, if the use occurs during nonworking time and off the corporation's premises.
- 5) Information regarding the effects of smoking and the availability of smoking cessation programs can be obtained from Deaconess Health Care or your local health providers.

CHILDREN/PETS/FRIENDS AT WORK

Because of the liability of someone getting hurt in the facilities, staff is not allowed to have their children, pets, and/or friends at work with them during their work shift. However, exceptions will be made if the visits are brief (under one-half hour); if the children or friends are volunteering; or if they have been invited by one of the consumers to visit them. Additionally, visitors are also not allowed to bring their pets into the facilities.

If arrangements are made by staff to bring animals in (for rec. outing), then extra caution must be taken by staff to assure the animals are attended.

Consumers are allowed to have pets at their home ONLY IF they are responsible enough to take care of the animal, they do not violate house rules, AND they do not violate the rights of other clients living in the home, i.e. if someone is allergic to animals. Individual cases will be handled through the IP Team.

HYGIENE/APPEARANCE

All employees shall maintain personal cleanliness and grooming habits that reflect a professional image for both the employee and the corporation.

USE OF CORPORATION EQUIPMENT AND TELEPHONES

The telephone and other corporation-owned equipment are furnished for the efficient operation of the business. Local personal telephone calls, personal faxes, and personal e-mail communications are permitted, but shall be kept to a minimum. No personal long distance calls/faxes or personal use of facility computers/resources or the Internet shall be made and charged to the corporation, except in emergencies. In those cases the employee must reimburse the corporation upon receipt of the bill. Surfing the Internet, (except for corporation business), or personal use of computers in our facilities is limited to after business hours. We maintain the right to monitor all E-mail and Internet searches on facility computers.

An employee may be held financially responsible for any breakage or damage to corporation property or equipment, if we find, through investigation, that there has been negligence by the employee or disregard for the policies and property of R.S.D., Inc.

All company equipment is to be used for legitimate purposes. Fraudulent, harassing, threatening, discriminatory, sexually explicit or obscene messages and/or materials are not to be transmitted, printed, requested, or stored. Chain letter, solicitations, and other forms of mass mailings are not permitted.

SAFETY/HEALTH

R.S.D., Inc. is committed to ensuring a safe working environment for our employees. Our goal is to comply with the OSHA Act of 1970. This Act requires that employers provide a safe, healthful working environment and that employees comply with occupational safety and health standards and all applicable rules, regulations, and orders contained within the Act. In order to achieve these goals, employees shall receive training on the use of equipment, proper and safe operating procedures, site/task specific job functions, hazardous communications, HIV, infection control, and communicable diseases.

Each area has a safety representative with whom employees can discuss safety issues. Local safety meetings and/or training should be conducted regularly. In addition, the local safety representatives attend quarterly meetings with other corporate representatives from the other areas to discuss safety concerns, attend training, etc.

All employees are responsible for exercising maximum care and good judgment and shall comply with established procedures in operating safety and preventing accidents. Unsafe conditions, equipment, or practices shall be reported to the safety representative or supervisor immediately and documented in the safety log. Each employee is expected to abide by all safety rules and procedures, attend training, and wear any and all personal protective equipment required and provided by RS.D Inc.

Employees must report any accidents or injuries that occur during his scheduled work shift to his/her supervisor as soon as possible, but no later than 30 days of its occurrence. The employee must also submit a First Report of Injury or Occupational Disease to the Central Office so that we can submit a report to our insurance carrier. The supervisor is also responsible to complete a report of the accident/injury to submit with the employee's report. The forms may be requested from the supervisor or Central Office.

MEDICAL CERTIFICATION

Within 45 days of employment, all regular employees involved in direct support services, (excluding LPN's and RN's with current licenses), shall become certified to assist and/or supervise people in our services with the self-administration of medications. All LPN's and RN's, whether hired specifically as a nurse for the corporation, or not, must provide proof of licensure on an annual or bi-annual basis, as required by law. All new employees must take test within 30 days of hire date. If they do not pass test the first time, the Director of Training & Program Development will be informed by the employee or Manager as soon as possible, and he will provide technical assistance to the employee. The employee has three attempts until the 45th day to pass the test. If compliance is not reached by the 45th day of employment, the employer has the discretion (depending on the position and responsibilities) of either terminating the employee or demoting the employee from "regular" employee wage status to "substitute" employee wage status.

All employees must become recertified at least two weeks before their two-year recertification date. Current employees who fail to become recertified after three attempts will be subject to disciplinary action up to and including termination.

An employee who is not medically certified or whose certification has expired will not administer medications. Violations of this policy will result in disciplinary action up to and including termination.