



Employee Handbook

Employment Relationship

Policy No. 102

Effective Date: 04/2007

Review Date: 09/2021

This Employee Handbook is intended only as a helpful guide. Neither this Handbook nor any of its provisions are intended to bind DBH in any way beyond its sole obligation to pay wages earned and benefits vested through the employee's last day worked. No contract, whether express or implied, respecting the procedures, terms, conditions, or duration of employment is created by this Handbook or any of the guidelines contained herein. Employment at DBH is on an at-will basis, which means that your employment may be terminated by you or by DBH at any time, for any reason or for no reason, with or without notice, and without any procedure or formality. The at-will nature of your employment is not affected by any of the guidelines of this Handbook and cannot be modified by any oral promise from any supervisor or DBH representative or by any other writing unless duly executed by the employee and the CEO of DBH.

DBH reserves the right to change, replace, withdraw, or deviate from any of the guidelines contained in this Handbook without prior notice. Employees may be asked to sign separate agreements covering such matters as alternative dispute resolution or protecting confidential and proprietary information of DBH. If you have any questions or wish to have further information about any guideline in this Handbook, please contact the Human Resource Director.

Any exceptions to the policies contained in the Handbook must be approved by the Chief Executive Officer.

Employee Acknowledgement

Policy No. 103

Effective Date: 1/2007

Review Date: 09/2021

Employees are required to sign an acknowledgment form of receipt and understanding of the DBH Employee Handbook upon hire. The following language is included on this document:

I acknowledge receipt of a copy of DBH's Employee Handbook. I understand that the guidelines contained in the Handbook are not a contract and impose no legal obligation of any kind on DBH. I further acknowledge that my employment with DBH is at will and may be terminated by me or by DBH without prior notice, at any time, without any procedure or formality, for any reason or for no reason, and with DBH's sole obligation being payment of wages earned and benefits vested through the last day worked. I also understand that, should termination be the result of a reduction-in-force, DBH will select employees for termination based on DBH's present and future needs, as determined in the sole discretion of DBH, and any other factors DBH, in its discretion, finds relevant. DBH will implement the reduction in any manner that, in its judgment, best meets existing conditions.

I further acknowledge that all prior DBH guidelines and procedures, and understand that DBH may change, replace, withdraw, or deviate from any or all the guidelines contained in the Employee Handbook without prior notice. I further acknowledge my responsibility to read and follow any modifications or additions to the guidelines distributed to me for inclusion in my copy of the Employee Handbook without signing an additional acknowledgment of receipt of such additions or modifications. In the event of any conflict between this Acknowledgment and any other statements, oral or written, present or future, concerning the terms and conditions of employment, I understand and agree that the at-will relationship confirmed by this acknowledgment will control.

Equal Employment Opportunities

Policy No. 201

Effective Date: 4/2007

Review Date: 09/2021

DBH is an equal employment opportunity employer. DBH prohibits any discrimination based on race, gender, pregnancy, color, national origin, religion, age, disability, or any other status or characteristic protected by law. Discrimination is prohibited throughout all phases of your employment -- including being interviewed, hired, promoted, compensated, and provided benefits.

DBH forbids retaliation against anyone who reports prohibited discrimination. DBH's policy is to investigate any complaints of unlawful discrimination and to take any necessary corrective action, up to and including termination. It is also DBH's policy to ensure against and to take corrective action against any employees who harass, embarrass, or retaliate in any respect against anyone who has made a complaint regarding unlawful discrimination. Any complaints concerning unlawful discrimination or retaliation for having raised a complaint should be immediately directed to the Human Resource Director.

Employment Status and Categories

Policy No 202

Effective Date: 4/2007

Revision Date: 01/2024

Employment Status

Davis Behavioral Health, Inc. (DBH) classifies all employees as either exempt or non-exempt under the Fair Labor Standards Act (FLSA) and other State and Federal laws for payroll purposes.

Non-Exempt

Employees whose positions do not meet certain legal requirements necessary for exemption from the FLSA are classified as non-exempt. Non-exempt employees are paid overtime rates for all hours worked over 40 in a workweek. The workweek at DBH runs Friday through Thursday. Overtime pay is calculated at 1 ½ times the employee's base hourly rate. Non-exempt employees are paid for each hour worked.

DBH adheres to a strict policy of prohibiting off-the-clock work, as required by Federal and State employment law. Disciplinary action, up to and including termination of employment, may be initiated if an employee does not report work hours accurately on time records or if a manager or other employee instructs an employee to work off the clock. Any violations of this nature should be reported to the Human Resources Director immediately.

Employees are prohibited from working unauthorized overtime, as outlined in Policy 402 – Overtime.

Exempt

Employees whose positions meet the necessary legal requirements for exemption from the FLSA are classified as exempt. Such employees are exempt from the overtime provisions of the FLSA and do not receive overtime pay, even though they may work more than 40 hours in a workweek.

Exempt employees are paid on a salaried basis and are paid to do a job, regardless of hours worked. Exempt employees typically perform work that is executive, managerial, administrative, or professional in nature. DBH reserves the right, in its sole judgment, to determine whether an employee should be classified as exempt or non-exempt in accordance with the FLSA.

Introductory Status

Employees are placed on a 6-month introductory period at hire and any time employees move to a new position through promotion, transfer, adding a secondary position, and any other personnel action where an employee accepts a new position where new roles and responsibilities are assigned. These periods are used to assess whether an employee can perform the essential functions of the job at the expected level, within the specified timeframes, and are a good fit for the job. An employee's performance is monitored throughout the introductory period to provide coaching and training, address areas of concern, and evaluate performance, understanding of the position, professionalism, and overall fit on the team and at DBH. At any time during the introductory period, and not later than the end of the 6-month introductory period, the employee's direct supervisor will complete an "Employee Introductory Period Evaluation Form". This evaluation focuses on the employee's demonstrated performance on core competencies associated with the position. As a result of this review, the supervisor will communicate the appropriate action to take regarding the employee's employment status at DBH. Options include:

- Remove introductory period employment status.
- Extend introductory period employment status; or
 - Must be accompanied by a formal performance improvement plan.
- Terminate employment.
 - Appropriate separation paperwork must be submitted.

A copy of the Employee Probation Evaluation Form is provided to the Human Resources Department to be added to the employee's personnel file.

If it is determined later that an employee's removal of introductory period status was inappropriate due to the employee not meeting the minimum criteria associated with the essential job functions of their position, the introductory period may be reinstated.

While an employee is in the introductory period, the employee is not eligible for wage adjustments, including cost of living adjustments, or any bonuses.

Categories of Employment

DBH recognizes the following employment categories:

Regular Full-time

Regular full-time employees are those regularly scheduled to work at least 40 hours per week for all non-nursing positions and at least 36 hours per week for positions in a nursing capacity. Regular full-time employees may participate in the benefit programs for which eligibility requirements are satisfied. +

Part-time

Part-time employees are those who work less than 30 hours per week. Part-time employees are not eligible to participate in DBH's employee benefits plan and under the guidance and monitoring of their immediate supervisor must ensure that their average hours worked per week stays below 30 over each 12-month period starting with their effective date in their part-time position.

Introductory Full-time

This status is assigned to full-time employees during the employee's introductory period to clearly identify that the employee is working within this evaluation period.

Introductory Part-time

This status is assigned to part-time employees during the employee's introductory period to clearly identify that the employee is working within this evaluation period.

Transitional

Transitional employees are those hired to participate in DBH supported employment programs. Transitional employment helps consumers who have no work history or previous work failures to access job placement and gain beneficial work experience. These jobs are usually designed for individuals with one or more barriers to employment (i.e., criminal history, homeless, substance abuse, mental illness, etc.). The goal of transitional employment is to give individuals work experience so they can transition into other jobs that will enhance their self-sufficiency. Transitional employment positions are temporary in nature and last between six and twelve (12) months.

Temporary/Seasonal

Temporary employees are those hired for a specific task or for a specific length of time and are regularly scheduled to work at least 40 hours per week. Temporary full-time employees are not eligible for DBH's non-wage benefits, including paid vacation, sick, and holiday leave.

Independent Contractors

Individuals who have a formal independent contractor relationship with Davis Behavioral Health are not considered to be employees of the agency.

Change in Category of Employment

A change in employment category will have a direct impact on several factors including, but not limited to, eligibility in the DBH benefits package, accruals/forfeitures of paid leave balances, paid holidays, and other employment-related benefits and activities.

If a temporary employee is offered a regular full-time position and assumes that position without a lapse in employment, the length of service credit will begin on the date a regular full-time position is assumed.

Change from Full-time to Part-time

If an employee changes from full-time to part-time for any reason, coverage in DBH's benefits will terminate on the date outlined in the plan documents. In most cases, this coincides with the end of the month in which the change occurs. All accrued paid vacation is paid out on the pay period immediately following the change and all paid sick leave is forfeited at the end of the last pay period the employee worked in a full-time capacity.

Re-Employment

Individuals who obtain re-employment with DBH will be classified in one of the two following categories:

Re-hired Employees

Individuals who obtain re-employment with DBH will be classified as re-hired employees if they voluntarily terminate their employment or if they are laid off from employment and are re-employed more than 45 days after their termination date. Re-hired employees are considered new employees and will accumulate seniority and benefit eligibility from their most recent date of hire. All leave balances that were paid out or forfeited when a re-hired employee voluntarily resigned or was laid off, as defined above, are not reinstated.

Reinstated Employees

Individuals whose employment is terminated in connection with a layoff or reduction in force, and who return to employment within 45 days after their termination date are considered reinstated employees. The seniority and eligibility for paid time off a reinstated employee relates back to the reinstated employee's original date of hire. Eligibility for medical and other benefits of reinstated employees is determined in accordance with the governing provisions of the applicable medical or other benefit plan. Any accrued paid sick leave that was forfeited due to the layoff or reduction in force will be returned if the employee is reinstated within 45 days of their termination date. Accrued vacation leave that is paid out at the time of separation is not reinstated if that employee is reinstated within 45 days.

Personnel Information

Policy No 203

Effective Date: 4/2007

Revision Date: 09/2021

Employment Application

The employment application is an important phase of the hiring procedure and becomes a part of your employee record. All information submitted on the application form is subject to verification. DBH reserves the right of immediate dismissal upon discovering misrepresentations or omissions on an employee's application.

Personnel Data Changes/Updated Identification

Each employee is responsible to promptly notify DBH of any changes in the employee's personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, individuals to be contacted in the event of an emergency and other such status reports should always be accurate and current. If any personnel data has changed since originally provided to DBH, the employee is obligated to notify the Human Resource Director. Employees are also required to provide the Human Resources Department with an updated copy of their driver's license each time it is renewed.

Access to Personnel Files

DBH maintains a personnel file on each employee. The personnel file includes such information as the employee's job application, résumé, records of training, documentation of performance appraisals and salary increases, and other employment records.

Personnel files are the property of DBH and access to the information they contain is restricted. Generally, only HR staff, supervisors, and management personnel of DBH who have a specific business reason to review information in a personnel file can do so. Employees who wish to review their own file should contact the Human Resource Director. With reasonable advance notice, and without imposing undue inconvenience, employees may be permitted to review their own personnel files in DBH's offices and in the presence of an individual appointed by DBH to maintain the files.

Discipline

Policy No. 204

Effective Date: 4/2007

Review Date: 09/2021

DBH's supervisors and managers are responsible for the discipline of the people whom they supervise. When an employee's attendance or performance becomes unsatisfactory, or when an employee engages in inappropriate conduct, DBH may provide the employee with notice of the concern and an opportunity to improve. However, DBH retains its sole discretion to determine whether misconduct or degree of unsatisfactory performance warrants immediate termination without notice. DBH's supervisors and managers have several discipline options available, which may include, but are not limited to, performance improvement plans, correction action plans, verbal warnings, suspensions without pay, or discharge. Different versions or combinations of these or other forms of discipline may be used. However, there is no plan, policy, or procedure of "progressive discipline" which DBH is obligated to follow. Rather, any of the available forms of disciplinary options may be levied for any violation based upon DBH's discretion.

When an employee is subjected to discipline and feels that a mistake has been made, the employee may request review of the discipline by a higher level of DBH's management. Depending on the circumstances, DBH may, in its sole discretion, grant or deny the request for review. DBH has no obligation to permit review.

However, if review of the discipline is allowed, DBH will typically discuss the matter with the employee and/or the supervisor or manager concerned. An employee who does not request review of discipline within two working days after receiving notice of discipline is deemed to have accepted the discipline issued as appropriate.

The discipline guidelines in this policy are not a contract and do not alter the at-will status of employment, nor do these guidelines create a requirement that employees be disciplined or terminated only for adequate or just cause. DBH reserves its right to use its sole discretion in determining what discipline is appropriate and in resolving any challenges to discipline.

Related Documents

Employee Reprimand Form

Performance Appraisals

Policy No. 205

Effective Date: 4/2/2007

Revision Date: 09/2021

The job performance of each employee may be formally evaluated at least once every year. The appraisal is normally conducted by your immediate supervisor. Its purpose is to provide a formal opportunity for your supervisor to evaluate your work and give you feedback. It also gives you a chance to express any concerns you have about your work with DBH. As important as this written performance appraisal is, it is not meant to substitute for on-going discussion between your supervisor and you about your performance. In the absence of a formal, written performance evaluation, supervisors are expected to regularly monitor the performance of the employees that directly report to them to identify strengths as well as areas of concern and to actively engage in efforts to correct these troubled areas.

Salary increases are not directly related to performance evaluations if they are conducted.

If at any time you would like to review your performance with your supervisor, you are responsible for setting up a review with your supervisor. Records of performance appraisals are generally maintained as part of your personnel file. Receipt of a favorable performance appraisal does not modify the at-will status of your employment relationship with DBH.

DBH may apply for a variance from the Office of Licensing's requirement of annual performance evaluations, which would result in written evaluations not being completed during the variance period.

Introductory Period Evaluation Form

At any time during the introductory period, and not later than the end of the 6-month introductory period, the employee's direct supervisor will complete an "Employee Introductory Period Evaluation Form". This evaluation focuses on the employee's demonstrated performance on core competencies associated with the position. As a result of this review, the supervisor will communicate the appropriate action to take regarding the employee's employment status at DBH. Options include:

- Remove introductory period employment status.
- Extend introductory period employment status; or
 - Must be accompanied by a formal performance improvement plan.
- Terminate employment.
 - Appropriate separation paperwork must be submitted.

A copy of the Employee Probation Evaluation Form is provided to the Human Resources Department to be added to the employee's personnel file.

Promotions and Transfers

Policy No. 206

Effective Date: 4/2007

Revision Date: 09/2021

While DBH reserves the right to hire or promote at its discretion to meet changing business conditions and staffing needs, DBH prefers to fill vacant positions from within. Employees who are qualified and interested in a posted position should contact the Human Resource Director, as outlined in all recruitment communications sent to staff.

Promotional decisions may be made based on the applicant's qualifications for the open position and on the recommendations of applicant's supervisors. Consideration may be given to such factors as seniority, past performance, creative ability, training, experience, cooperation, and initiative, among others. Employees currently on their initial probationary period, a formal corrective action or other disciplinary plan are ineligible for promotions and possibly transfers until terms and duration of the plan have been met successfully.

All positions at DBH are assigned starting wages and future earnings are based on that initial rate. Employees who choose to apply or transfer to a position at DBH that falls in a lower pay grade may be compensated at a lower wage that fits the established compensation system. Wages may be adjusted for employees who are reassigned to a position with a lower pay grade due to disciplinary action. Employees who are reassigned to a lower paying position at the discretion of management may not have their wages reduced due to the new assignment.

Supervisory Stipends

DBH employs a system of supervisory stipends that are paid in addition to base wages for most supervisory positions at the company to compensate for their increased responsibilities. Cost of living adjustments and other increases that are provided to employees are calculated using the base wages and do not include the approved stipends. If an employee leaves a position for which they receive the approved stipend, this will be removed or modified based on the new position the employee occupies.

Related Documents

Personnel Action Form

Personnel Action Form – Secondary Position/Supplemental Pay

Employment of Family Members

Policy No. 207

Effective Date: 4/2007

Revision Date: 10/2021

Davis Behavioral Health believes that close relationships within the work environment often gives rise to claims of favoritism, ill feelings, and suspicion by fellow workers. To avoid these concerns, no employee may hire or supervise, directly or indirectly, individuals in the following close relationships:

- Aunt
- Brother
- Brother-in-law
- Co-habitant
- Daughter
- Daughter-in-law
- Father
- Father-in-law
- First Cousin
- Husband
- Mother
- Mother-in-law
- Nephew
- Niece
- Sister
- Sister-in-law
- Son
- Son-in-law
- Uncle
- Wife

No prospective employee who has a close relationship with another employee at DBH will be hired without approval from the Executive Leadership Team (ELT).

Employees are required to disclose any relationship or circumstance which may be subject to this policy. A "Close Relationship Disclosure Form" must be submitted to the Human Resources Department to be stored in the employee's personnel file. This form is in the Approved Human Resources Form section on the DBH intranet page. Failure to comply with the required disclosure may constitute grounds for disciplinary action, up to and including termination of employment.

Related Documents

Close Relationship Disclosure Form

Problem and Complaint Procedure

Policy No. 208

Effective Date: 4/2/2007

Review Date: 4/16/2024

It is DBH's desire to provide pleasant working conditions and to make the work a rewarding experience. Employees are encouraged to communicate all questions, complaints, and suggestions to their immediate supervisor. If the matter cannot be resolved with the employee's supervisor, the employee is urged to communicate within the organized chain of command for their specific position and to report the matter to the Human Resource Director if these efforts are unsuccessful.

Role of Human Resources Department

The Human Resources Department is the appropriate first point of contact for any concerns related to harassment or other serious violations of policy. In addition, the HR team may participate in any conversation employees have with their chain of command to offer an unbiased ear, if requested. The HR team is also a resource for supervisors who are the recipient of complaints or other communications they receive from their employees to guide them on appropriate next steps and resolutions. If information that is shared with the HR team is more appropriate to be addressed by the employee's supervisory team, the employee will be redirected in that manner.

Anonymous Harassment or Serious Violation of Policy Complaints

For employees who wish to submit an *anonymous* complaint related to harassment or serious violation(s) of DBH policies, the "Anonymous Harassment or Policy Violation Complaint Form" (located on the DBH intranet site) can be completed and sent via inter-office mail to the Human Resources Director. It is important to understand that anonymous complaints do not allow for the full interactive process to occur, limiting the effectiveness of any investigation or potential outcomes. The investigation process for allegations made anonymously or not may lead to employees speculating who made the complaint due to the details contained on this form used in the investigation.

DBH policy strictly prohibits retaliation in any form against anyone who reports unlawful harassment (DBH Employee Handbook Policy No. 501).

Standards of Employee Conduct

Policy No. 208

Effective Date: 4/2/2007

Review Date: 10/2021

It is expected that employees will conduct themselves in accordance with high standards of fairness to each other and to DBH. Observing reasonable standards of conduct allows us to work together harmoniously and enables DBH to maintain efficient operations. It is important that all employees adhere to a consistent set of guidelines relative to, but not limited to, attendance at work, punctuality, and work performance. Failure to observe principles of good social and business practice is contrary to the best interest of all concerned.

Therefore, employees not complying with the expected standards of conduct may be subject to disciplinary action, which may include involuntary termination with or without prior notice. Listed here are some of the major offenses to our conduct standards. The list is not all-inclusive. Any act contrary to prudent conduct on DBH premises is prohibited. These standards are not intended to alter the at-will status of your employment with DBH. Either you or DBH may terminate the employment relationship at any time with or without cause and with or without prior notice. DBH reserves the right to terminate any employment relationship without resorting to any formal or informal disciplinary procedure.

Personal Conduct

The following are examples of inappropriate personal conduct which may result in immediate discipline up to and including termination:

- Appearing on company premises while under the influence of narcotics, marijuana, alcohol, or any illegal drug.
- Fighting or engaging in horseplay on company premises.
- Acting in such a manner or using language at work that is abusive, threatening or demeaning.
- Stealing or willfully damaging employee or company property.
- Removing or transferring company property without written authorization from the responsible manager.
- Falsifying oral or written information.
- Making entries on another employee's timecard without supervisory approval.
- Possessing or appearing to possess or use firearms, explosive materials, or any dangerous weapon while on company premises.
- Possessing, selling, or using alcoholic beverages or controlled substances on company premises.
- Using company telephones unreasonably for personal matters.
- Conducting personal business or work related to a secondary employment relationship during work hours.
- Gambling of any kind on the premises.

Job Conduct

The following are examples of inappropriate conduct which may result in immediate discipline up to and including termination:

- Discourteous, unprofessional, or rude conduct towards any co-worker, client, client's family members or direct support relationships, other treatment professionals, or community partners or suppliers that would affect the company's goodwill.
- Failing to perform work assignments or disobeying any direction given by your direct manager.
- Failing to meet acceptable quality and quantity work standards, including meeting established productivity standards and documentation standards, and other essential job functions.
- Being absent without approval from work (this includes, but is not limited to, failure to return from leave of absence or paid time off when scheduled without notification), walking off the job or interfering with another

employee's work. All absences from work must be communicated to your immediate supervisor no later than the start of your assigned shift or standard start time.

Safety

The following are examples of inappropriate conduct which may result in immediate discipline up to and including termination:

- Performing an unsafe act on company premises, including parking lots, in a company vehicle or while engaged in company-sponsored/paid activities.
- Failing to use safety devices provided or to adhere to safety regulation procedures, including using vehicles, equipment, machines, or materials without approval.
- Using any company motor vehicles unsafely, including performing unsafe practices on a cellular phone (i.e., texting, emailing, etc.) while driving.
- Failing to report any accident no matter how minor, to management, within approved timeframes.

Honesty

Dishonesty in your dealings with DBH, its officers, representatives or co-workers, community partners or other system partners is grounds for termination. Because dishonesty is a broad category, it covers a wide range of behavior. Some specific examples of dishonesty include:

- Falsifying hours in your time sheet, including recording hours for any non-work activities.
- Software piracy or the use of unlicensed software.
- Accessing a file server, internet, or other repository of company information without a legitimate business purpose.
- Submitting altered or falsified receipts for reimbursement from the travel reimbursement fund.
- Not adhering to company policies.

Miscellaneous

Engaging in any other behavior that is unethical, dishonest, immoral, reckless, damaging, or disruptive to the conduct of business which may include, but not be limited to, the following may also result in immediate discipline up to and including termination:

- Repeating the same type of unsatisfactory employee performance or conduct that has resulted in a warning, including, but not limited to a performance improvement plan, corrective action plan, or other formal and informal work-related improvement efforts monitored by your immediate supervisor and/or management.
- Inability to proficiently utilize required systems and/or equipment related to performing essential functions of the job.
- Endangering employees because of known safety violations.
- Disclosing confidential client or business information.
- Engaging in willful, reckless, or grossly negligent conduct that results in damage to company property or personal property on company premises.
- Possessing, using, selling or being under the influence of intoxicants or any other non-prescribed mind-altering substances while on company property or while engaged in company-sponsored/paid activities.
- Performing any immoral, indecent, or other generally unacceptable act on company premises.
- Displaying other intolerable conduct deemed to be equally as serious as the above.
- Any other act that may be deemed to be equally as serious as those outlined in this policy.

Employees Receiving Services at DBH

Policy No. 209

Effective Date: 09/2021

Review Date: 02/2023

Eligibility for Employment

Individuals who are interested in obtaining employment at DBH **cannot** be actively receiving services at DBH except for medication management services.

Certain positions require a specified timeframe to pass after being engaged in active treatment before being eligible to apply for employment at DBH. These timeframes are defined below:

Certified Peer Support Specialist (CPSS)/Family Peer Support Specialist (FPSS)

- A minimum of 12 months after receiving any service at DBH other than medication management.
- Preference is for individuals seeking employment as a peer support specialist to be out of active treatment for 24 months.

Receiving Services at DBH (Employees, Spouses, and/or Dependents)

Employees who have identified a need to receive behavioral health services themselves or for their spouse or one of their dependents should follow the steps below:

Therapy

Connect with the Live Well Employee Assistance Program (EAP) or your insurance carrier to find an “in-network” provider.

- While it is clearly understood that many of DBH’s clinicians are “in-network” for many insurance carriers, employees, their spouses, and minor children need to seek services ***outside of DBH***. The complications and complexities associated with these dual relationships can create awkward boundaries and uncomfortable situations that can be avoided if employees and their family members receive services from another provider group.
- Adult children seeking services at DBH should contact the Utilization Management Coordinator to discuss their situation. Under no circumstance should an employee initiate the intake process for themselves, their spouse, or their dependents without first contacting the utilization management coordinator so he can work to identify potential options and provide the best possible answers to you.

Medication Services

Since the Live Well EAP does not cover medication services, employees should contact their insurance carrier to find an “in-network” provider.

- Again, it is understood that DBH’s medical providers are “in-network” on many insurance panels held by DBH employees. It is also known that it may be more difficult to obtain medical services from an outside provider due to the shortage of psychiatrists and psychiatric nurse practitioners/APRNs in the area, thus making it more likely that DBH prescribers may need to be considered.
- If you have exhausted all other options for insured or unfunded scenarios, please contact the Utilization Management Coordinator to discuss your specific situation. Please do not begin the intake process for yourself, your spouse, or your dependents without first contacting David so he can work to identify potential options and provide the best possible answer to you.

If an employee is currently engaged in active treatment with a DBH provider (therapy or medication management),

Cost of Services

The following table outlines the cost of services (per service) if an employee, their spouse, or their minor children receive medication services at DBH:

Service	Insurance Type		
	High Deductible	Traditional	Unfunded
Medical Evaluation	\$175.00	Co-pay + deductible until annual deductible is reached.	\$175.00
Med. Management	\$60.00	Co-pay + deductible until annual deductible is reached.	\$60.00

Update Financials

It is the responsibility of any employee who is currently receiving services at DBH themselves, or have spouses or minor children actively in treatment, to meet with an intake worker to ensure that their financial information is accurate at all times while they are engaged in services.

Concerns

DBH is aware that this practice may pose a hardship to some employees. If you have concerns about how this will affect you, the DBH Utilization Management Committee may review your specific case and may be able to assist. Please contact the Utilization Management Coordinator if you would like your specific situation reviewed to identify any assistance that may be available to you.

Related Documents

Employees Seeking Services at DBH Flowchart
SelectHealth Live Well Information

Confidentiality and Loyalty

Policy No. 210

Effective Date: 12/2014

Review Date: 10/2021

Confidentiality

Each employee is responsible for safeguarding confidential information obtained in connection with his or her employment. Employees may be required to sign a confidentiality agreement and/or non-compete agreement as a condition of employment or continued employment with DBH. From time to time, these agreements may be altered and DBH may ask that all existing employees cooperate in the execution of these agreements.

In the course of your employment, you may receive or be exposed to information regarding DBH, co-workers, clients, suppliers, vendors, margins, sales profits, business plans, financial information, and other information which DBH considers proprietary and/or confidential. You are required to maintain strict confidentiality with respect to information pertaining to DBH's business and operations and any such information regarding its clients. Such information should not be discussed with anyone other than DBH's employees with a legitimate need to know.

Under no circumstance may an employee access their own medical record, that of a family member, or any client at DBH for which there is not a work requirement to do so. Doing so will result in a breach of confidentiality and require an investigation from the Corporate Compliance Officer and may result in discipline up to and including termination of employment.

Employees may not remove or make copies of any DBH records, reports, or documents without prior management approval. Inappropriate disclosure of proprietary and/or confidential information or removal of records may result in disciplinary action up to and including dismissal, whether the employee personally benefits from the disclosure of such information.

Loyalty

Employees have an obligation to conduct business within guidelines that prohibit actual or potential conflicts of interest. This policy establishes only the framework within which DBH wishes the business to operate. The purpose of these guidelines is to provide general direction so that employees can seek further clarification on issues related to the subject of acceptable standards of operation. Contact the Human Resources Director for more information or questions about conflicts of interest and refer to the DBH Conflict of Interest Policy in this handbook (Policy No. 213). It is the duty of the employee to notify DBH if conflicts of interest occur.

Use of Communication Instruments & Facilities

Policy No. 211

Effective Date: 04/2007

Review Date: 02/2023

Personal Use of Computers and Facilities

DBH equipment and resources such as computers, printers, phones, copy machines, the Internet and other equipment are provided for legitimate business-related uses. The use of DBH equipment or resources for projects which result in personal gain, wages or pay is prohibited and may result in disciplinary action. This equipment may only be used for personal purposes or community service with your supervisor's permission. DBH's equipment and resources may not be used for personal reasons during the employee's regular working hours. You may use a personal computer after hours for personal purposes (i.e., papers for school, keeping a personal journal, etc.) if you have made prior arrangements for the use of a computer. Such activities are not compensated for as they occur outside of the employee's regular work schedule and are not work related.

Outside Software and Games

All outside software (including shareware or other software brought in across the Internet) must be pre-approved by your immediate manager and must be work-related. Verification must be made that outside software is virus free before it can be installed on any company computer. Under no conditions will DBH condone the use of unlicensed or pirated software for any reason or at any time. Any employee that is found to have unauthorized software on their computer will face disciplinary action up to and including immediate termination. All requests for software and other applications must be reviewed by the DBH information technology support team to ensure that all precautions are made to protect DBH's network.

Personal Telephone Use

Every employee should limit personal calls made from or received at DBH as much as possible. Unnecessary personal telephone calls during working hours are not only disruptive to your productivity, but in many cases are also disruptive to the people around you. If a personal call cannot be avoided, it should be as brief as possible. This includes calls made during your lunch break, as it is important not to tie up the phone lines for personal reasons. DBH employees are prohibited from receiving personal long distance calls on any toll-free lines owned and managed by DBH. Long distance calls for personal reasons should never be made unless approved by management and should be reimbursed to the DBH. Abuse of this policy can result in disciplinary action.

Monitoring of Communication Instruments and Facilities

DBH may provide employees with use of electronic and other information systems such as the telephone system, cellular telephone, computer system, e-mail, the Internet, voice mail, and other ("Communication Systems"). DBH's Communication Systems are intended for your use as a DBH employee for business-related purposes. However, DBH's confidentiality and business interests require DBH to reserve the right to access and, when appropriate, disclose information created or sent on, or deleted from its Communication Systems. You should therefore refrain from using DBH's Communication Systems for personal communications which you consider confidential.

With respect to the use of voicemail, email, and the Internet, DBH employees are prohibited from using unauthorized codes, passwords, or other means to gain access to voice mail boxes or e-mail of others. All Communication Systems must be used in a professional and appropriate manner and with courtesy.

Communicating on these Communication Systems should be treated the same as distribution of a written document. Rude, inappropriate, or offensive messages with racial, sexual, religious, or other harassing contents are strictly prohibited.

Assigned Equipment

DBH is committed to providing the necessary equipment for employees to perform the essential functions of their job. In addition, certain equipment is provided to various employee groups to assist in performing these responsibilities more efficiently. Equipment includes, but is not limited to the following items:

- Employee ID/Access Card
- Office Key(s)
- Cell Phone
- Desktop Computer
- Laptop
- Chromebook
- Tablet

Employees will complete and sign an Employee Equipment Agreement when equipment is provided to them. This information will be updated if/when equipment is replaced or upgraded.

The serial number and/or inventory tag for each piece of equipment provided will be recorded.

If any assigned equipment is damaged, lost, or stolen, employees are responsible to notify her/his/their immediate supervisor, the Human Resources Department (hr@dbhutah.org), and IT (servicedesk@dbhutah.org).

Expenses and Financial Responsibilities

DBH incurs the initial expense for equipment that is provided to employees and operates under the good faith understanding that employees will use the equipment appropriately and considerately to avoid unnecessary damage and disrepair. When possible, DBH will explore replacement options if equipment is damaged (excluding normal wear and tear), lost, or stolen. Employees may be responsible for repair and replacement expenses if a free option is not available.

ID Badges/Access Cards

DBH will provide employees with an ID Badge/Access Card upon hire, when an employee moves to a new position, or if an ID badge is damaged through normal wear and tear or the access card feature of the badge ceases to function as intended. Office keys will be provided for your work location(s) by the Office Manager. Employees are responsible for the cost of a new ID badge and/or office keys if lost or stolen.

Resignation/Termination

It is expected that upon separation from DBH, employees will return all assigned equipment in good working order to their immediate supervisor. If employees fail to return the assigned equipment, or if it is damaged (excluding normal wear and tear), the expense to repair or replace the equipment will be deducted from the employee's final paycheck. It is also required at separation that the employee provided DBH will have all necessary information to reset the assigned equipment to factory settings, including, but not limited to access PIN/code, equipment ID (i.e., Apple ID), and associated password.

Replacement Costs

The approved replacement cost for specific items is outlined below. When an employee is issued equipment that is not noted below, the replacement cost of that item will be documented in a new Employee Equipment Agreement when it is provided to the employee.

- Employee ID/Door Access Card - \$10
- Office Keys - \$10
- Cell Phone - \$200
- Laptop - \$750
- Chromebook - \$200
- Table - \$150

Related Documents

Employee Equipment Agreement

Use of Cellular Phones and Other Wireless Equipment

Policy No. 212

Effective Date: 04/2007

Review Date: 10/2021

Use While Operating a Motor Vehicle

The use of a cellular phone or other wireless device while driving may present a hazard to the driver, other employees, and the public. All employees must take care to ensure the safe operation of company vehicles and the operation of private vehicles during work hours and while conducting business. DBH encourages the safe use of cellular phones and other wireless devices by employees who use such devices to conduct business for DBH.

Employees must follow all federal, state, and local rules and regulations concerning the use of cellular phones and other wireless devices while driving.

Employees should remember that while driving their primary responsibility is driving and obeying the rules of the road. Employees will need to take extra caution when using cellular phones while driving. It is strongly recommended that the employee safely pull off the road and come to a complete stop before using a cellular phone or other wireless device while driving.

Company-provided Cell Phones

Employees who are issued a company-paid cellular phone or receive a stipend for using their personal cellular phone to conduct DBH business are required to publish the number for business use. Specific details about DBH-issued cell phones are found in the Cell Phones policy on the DBH intranet site.

Violation of this policy may subject an employee to disciplinary action up to and including termination.

Related Documents

[Cell Phone Policy](#)

Conflicts of Interest/Secondary Employment

Policy No. 213

Effective Date: 04/2007

Review Date: 10/2021

To preserve the common corporate interest in a continued, efficient, and profitable operation and to protect DBH and its employees' reputation for integrity, a statement of policy is needed to:

- Clearly define the rights and responsibilities of DBH's employees in their direct or indirect business relationships with outside individuals, companies, and organizations; and
- Establish an effective procedure for disclosure of transactions or situations in which there may be actual or potential conflicts with DBH's interests.

Definitions

Conflict of Interest

DBH defines a conflict of interest as any situation in which financial, professional, or personal interests, including the interests of immediate family members, may compromise one's professional judgment or professional or business obligations.

Conflicts of Interest can occur in one of three ways:

1. Dual Employment
 - a. Conflicts of interest can occur when DBH employees and/or subcontractors are also employed by the State of Utah or by another of DBH's representatives.
2. Related-Party Transactions
 - a. Conflicts of interest occur when DBH makes payments to a related party using money obtained from DHS/DSAMH through this contract. Conflicts of interest also occur when transactions, which affect the performance of this Contract, are made between DBH and a related party, whether payments are involved.
3. Independent Judgment Impaired
 - a. Conflicts of interest occur when DBH's employees or subcontractors participate in any transaction on DBH's behalf and have a significant relationship of shared interest with another party to the transaction, which could affect a representative's ability or willingness to exercise independent judgment, and which may affect the performance of the Contract.

Statement of Policy

It is the policy of DBH to recognize and respect the rights of its employees to engage in outside financial, business or other activities which they may deem proper and desirable PROVIDED that: (1) such outside activities are legal; (2) such activities do not impair or interfere with the conscientious performance of DBH duties; (3) such activities do not involve the misuse of DBH's influence, facilities or other resources; and (4) such activities do not discredit the good name and reputation of DBH. Accordingly, for all business relationships with outside individuals and organizations and for all personal business undertakings, all DBH employees should:

- Act in accordance with the law, established DBH standards and their own good consciences.
- Consider the rights, interests, and responsibilities of DBH, its subsidiaries, outside individuals and organizations and themselves.
- Protect professional reputations and the interests of DBH against actual or potential conflicting interests with outside parties.

Not hold investments or any other direct or indirect financial interest in the business of a supplier or client of DBH, or in any enterprise to which financing accommodations are, or may be extended by DBH. (Investments are not intended to include ownership of securities in a publicly owned company if the investment by the employee or his/her immediate family is less than 1% of the outstanding stock of such company, except with respect to employees in a position to influence or affect the business relationship between the company and such publicly owned company). Investments in non-public, competing companies are prohibited.

Avoid any attempt to preempt or usurp a corporate opportunity as, for example, to purchase or sell land or intellectual property rights in which DBH has or may have an interest.

Avoid any interest in or relationship with an outside organization or individual having business dealings with DBH if this interest or relationship might tend to impair the ability of the employee to serve the best interests of DBH.

Avoid doing business with a relative (or a company with which a relative is associated) on behalf of DBH unless the facts are disclosed, and authorized approval is received in advance.

Not accept any loan, gift or favor from a supplier or client or other source that has business relations with DBH. However, employees may accept gifts or favors of nominal value or casual entertainment that meet all standards of ethical business conduct.

Not have a counseling practice in addition to their DBH employment to which clients may be referred from DBH.

Disclosure

This policy requires all DBH employees and subcontractors to submit a Conflict of Interest/Secondary Employment Disclosure Statement to the DBH Human Resources Department stating all existing, potential, and contemplated conflicts of interest that arise. This is to be submitted upon hire, on an annual basis, and when a conflict of interest arises (and prior to undertaking any activity that may raise potential conflict of interest).

The Human Resources Director and Corporate Compliance Officer will review all disclosure statements for potential conflicts of interest. Factors being considered during this review include, but are not limited to, the following criteria:

- Whether the DBH employee or subcontractor or immediate family member is a party to, or may directly or indirectly benefit from, a proposed agreement or transaction involving DBH.
- Whether the DBH employee's or subcontractor's desire for, or expectation of, direct or indirect external economic advantage could distort a DBH activity.
- Whether the DBH employee or subcontractor or immediate family member is engaging in an activity, business, or transaction in which DBH is likely to engage.
- Whether the DBH employee's or subcontractor's outside activities may conflict with the rights of, or their obligations to, DBH or DBH's clients.
- Whether there is an appearance of a conflict of interest.

Secondary Employment

DBH employees may hold outside jobs if they meet the performance standards of their job with DBH. All employees will be judged by the same performance standards and will be subject to DBH's scheduling demands, regardless of any existing outside work requirements. Any outside employment shall be disclosed to the Human Resources Department on the Conflict of Interest/Secondary Employment Disclosure Statement. Like the guidelines established for reporting potential conflicts of interest, secondary employment is to be reported upon hire and when a conflict of interest arises (and prior to undertaking any activity that may raise potential conflict of interest).

If DBH determines that an employee's outside work interferes with performance or the ability to meet the requirements of DBH as they are modified from time to time, the employee may be asked to terminate the outside employment if he or she wishes to remain with DBH.

Outside employment that constitutes a conflict of interest is prohibited. Employees may not receive any income or material gain from individuals outside DBH for materials produced or services rendered while performing their jobs.

[Related Documents](#)

[Conflict of Interest Disclosure Statement](#)

Criminal Background Screenings and Other Employment Qualification Applications

Policy No. 214

Effective Date: 04/2007

Review Date: 04/2024

Criminal Background Screenings

The Department of Health and Human Services, Office of Background Processing requires¹ all persons associated with DBH to submit information to successfully process a criminal background screening. Employment at DBH is contingent upon successfully passing the initial background screening completed during the onboarding process and always maintaining a clear screening while employed.

The Human Resources Department or designated staff will initiate this action during the new employee onboarding process, which may include notification of appropriate DBH supervisors. DBH supervisors shall ensure their staff properly complete the forms and provide necessary documentation to the Human Resources Department in a timely manner.

Employees cannot have “direct access” to children or vulnerable adults or work unsupervised until the criminal background screening has cleared, meaning that an employee must remain under uninterrupted visual and auditory surveillance of another employee who has successfully passed the background screening during the processing period.

Automatic Denials

An employee’s background screening will be automatically denied if that person has been convicted of an offense, whether a felony, misdemeanor, or infraction, that is:

- Identified as sexual offense, domestic violence, lewdness, assault, or battery.
- A violation of any pornography law, including sexual exploitation of a minor.
- Prostitution.
- Offenses against a person.
- Sexual exploitation of children.
- Offenses against the family.
- Aggravated arson.
- Aggravated burglary.
- Aggravated robbery.
- A conviction committed outside of Utah that would be equivalent to those listed.

An individual whose background screening application is denied due to the offenses listed above cannot appeal the decision.

Automatic Denial Exception for Certified Peer Support Specialists

Utah Code 26B-2-120 (5b) removes the automatic denial for background screening for individuals working in a peer support specialist role. The background screening application for an individual with convictions that would automatically deny the application for individuals working in a different role will be sent to the Comprehensive Review Committee (CRC) for review. The CRC will request additional information that the individual must submit within 15 days of notification.

Requests for Additional Information/Comprehensive Review Committee

When DHHS required additional information to process the criminal background screening application, a letter is sent to the employee notifying them that additional criminal background screening information is needed, and that the employee is not cleared under licensing standards to have direct access to children or vulnerable adults. The letter also includes a detailed description of what is needed and clearly states that the employee has **15 calendar days of the date of the letter** to submit the requested information to DHHS. If serious hardship exists that make the 15-day period

¹ Utah Code 26B-2-210

challenging, the employee must contact DHHS (cbsunit@utah.gov) to request the extension. If an extension is granted, the employee must provide evidence thereof to the DBH HR department (hr@dbhutah.org).

In addition to the requested documentation, the employee may also submit the following to be reviewed:

- Original police reports.
- Investigatory and charging documents.
- Proof of any compliance with court orders.
- Any evidence of rehabilitation, counseling, psychiatric treatment received, or additional academic or vocational schooling completed.
- Personal statements.
- Reference letters specific to the potential risk of harm.
- Any other information that specifically addresses the criteria established in Subsection 62A-2-12-120(6)(b).

During the review process, an employee may continue to work under uninterrupted direct supervision – audio and visual – of another employee who has successfully passed the criminal background screening.

Consequences

If an employee does not submit the requested information by the established deadline or extension deadline, employment at DBH will be **terminated**.

Background Screening Denials

An individual whose background screening has been denied “shall have no further supervised or unsupervised direct access to clients”, meaning that employment at DBH will be terminated.

Appeals

In specific situations, the denial communication from the Office of Background Processing may contain information pertaining to the option for an employee to appeal the determination on whether the Office of Background Processing followed the rules and statutes associated with the established screening process. If an employee who has been denied chooses to appeal the decision, DBH will operate within the approved rules, regulations, and guidelines to allow the appeal. During the appeal process, an employee may continue to work under uninterrupted direct supervision – audio and visual – of another employee who has successfully passed the criminal background screening until there is a disposition made regarding the appeal.

Reapplication

In accordance with Office of Background Processing rules and regulations, after an application is denied, that individual cannot reapply for employment and/or initiate a new background screening application for 6 months after the denial date.

Medicaid Enrollment and Requests from Other Agencies

If an employee receives a request for additional information from Medicaid or any other agency related to a delay in the processing of the application, it is their responsibility to submit all requested information and/or documentation within **15 calendar days of the date of the letter**. If serious hardship exists that make the 15-day period challenging, the employee must contact the DBH HR Department (hr@dbhutah.org) to request the extension.

Consequences

If an employee does not submit the requested information by the established deadline or extension deadline, employment at DBH will be **terminated**.

Credited Service

Policy No. 215

Effective Date: 04/2007

Review Date: 10/2021

Credited service is used to determine:

- Eligibility for accrual rates for Vacation and Sick Leave (refer to Policy 303 – Vacation Benefits)
- Calculation of service recognized for service awards.
- Calculation of service for retirement gift.

Credited service is calculated from the original date of hire. The original hire date for employees returning to work at DBH under the terms of re-hire or reinstatement is defined in Policy 202 – Employment Status and Categories.

One month of service is accrued for each calendar month you work as an active employee. Absences resulting from leaves for military service or approved medical leave will not be considered a break-in service and will count toward credited service.

Change in Status

When an employee has a change in status without a break-in-service, from part-time or temporary employment to regular full-time, the date of employment of the part-time or temporary position will be used as the basis for the credited service.

Credited Service for Employee Benefits

The service requirements for all benefit plans are defined by the individual plan documents. Whereas the original date of employment is used as the basis for determining credited service for vacation and sick leave benefits, the day an employee becomes eligible for benefit participation will serve as the start date for credited service for retirement and other benefits.

Years of Service Award

Employees are eligible to receive a Years of Service Recognition award at the completion of each 5-year service period. All employees will receive a certificate honoring their years of service at Davis Behavioral Health, Inc. Employees who have maintained a regularly week work schedule during the 5-year period may also be eligible to receive an accompanying monetary gift based on their credited years of service at DBH and average hour per pay period during the 5-year period. The net amount of the years of service gift is outlined below:

Credited Years of Service	Years of Service Recognition Monetary Gift				
	Full-time	60-79 Hours	40-59 Hours	20-39	Less than 20 Hours
5 Years	\$250.00	\$187.50	\$125.00	\$62.50	No Monetary Gift
10 Years	\$500.00	\$375.00	\$250.00	\$125.00	
15 Years	\$750.00	\$562.50	\$375.00	\$187.50	
20 Years	\$1,000.00	\$750.00	\$500.00	\$250.00	
25 Years	\$1,250.00	\$937.50	\$625.00	\$312.50	
30 Years	\$1,500.00	\$1,125.00	\$750.00	\$375.00	
35 Years	\$1,500.00	\$1,125.00	\$750.00	\$375.00	

Retirement Gift

When an employee meets eligibility requirements and decides to retire from Davis Behavioral Health, the employee will receive a monetary gift based on their credited years of service at DBH. The net amount of the gift is outlined below:

Credited Years of Service	Net Retirement Gift
Less than 10	N/A
11 – 15	\$250.00
16 – 20	\$500.00
21 – 25	\$750.00
26 – 30	\$1,000.00
More than 30	\$2,000.00

Work Schedules

Policy No. 300

Effective Date: 03/2011

Review Date: 05/2023

Work schedules at Davis Behavioral Health are established to meet the needs of our consumers and the agency. Program Supervisors, with the approval of Program Directors, determine the specific schedules for their assigned departments and have the authority to ask employees to work a different shift and/or in a different location on a short-term or permanent basis to meet the departments' needs.

Standard Work Week

The standard work week for timekeeping purposes is 12:00 am on Friday until 12:00 am midnight on the following Friday.

Standard Work Schedules

Davis Behavioral Health defines a standard work schedule as five (5) 8-hour shifts per week for regular full-time staff and five (5) 6 to 8-hour shifts per week for 75% full-time staff. Schedules for regular full-time and 75% full-time employees should not exceed five (5) days in a standard work week.

Shift Differential

Non-exempt employees who work at the Crisis Recovery Unit (CRU) and Davis County Receiving Center are eligible to received shift differential pay as outlined below:

Shift	Start Time	End Time	Differential
Non-exempt Staff (Excluding Nurses)			
Weekday			
Swing	3:00 pm 4:00 pm	11:00 pm 12:00 am	2%
Graveyard	11:00 pm 12:00 am	7:00 am 8:00 am	15%
Weekend*			
Day	7:00 am 8:00 am	3:00 pm 4:00 pm	15%
Swing	3:00 pm 4:00 pm	11:00 pm 12:00 am	15%
Graveyard	12:00 am Saturday	12:00 am Monday	15%

Nurses			
Graveyard	5:00 pm	5:00 am	15%
Weekend*	12:00 am Saturday	12:00 am Monday	15%

Clinicians			
Swing & Graveyard	3:00 pm 11:00 pm	11:00 pm 7:00 am	\$5.00 per hour
Weekend (All shifts)	12:00 am Saturday	12:00 am Monday	\$5.00 per hour

*Weekend shift differentials **are not** in addition to approved weekday differentials.

Shift differentials are automatically added to the hourly wages for non-exempt employees for all hours worked during the defined periods. If an employee working in the CRU and RC is assigned a shift that overlaps different shifts, differentials are only applicable if 75% or more of that shift falls into differential-eligible shift.

Alternative Work Schedules

Davis Behavioral Health may accommodate alternative work schedules (AWS) for its employees. DBH has determined that the following alternative work schedules may be available for its employees depending on programming and client needs:

Schedule	Hours						Comments
	Day 1	Day 2	Day 3	Day 4	Day 5	Total	
4 x 10 hours	10	10	10	10	--	40	
4 x 9 hours; 1 x 4 hours	9	9	9	9	4	40	
3 x 12/13 hours	12/13	12/13	12/13			36/39	Nursing Only

Individual employees may be permitted, with the consent of their supervisor and the approval of appropriate management, to work alternative schedules. Approval of alternative work schedules for individual employees will be based upon sound business judgment, consideration of the employee's job performance, special needs, employee's attendance and timeliness, and any disciplinary issues. Certain positions may not be eligible for an alternative work schedule due to program needs or the job duties assigned to the position.

Employee requests to work an alternative work schedule other than the three (3) schedules outlined above must be approved by members of the Executive Leadership Team (ELT).

Employees interested in working an alternative work schedule must complete an "Alternative Work Schedule Request Form" and submit it to their immediate supervisor. This form is located on the DBH intranet page under Approved Human Resources Forms. The form will then be submitted to the Program Director for review and approval. All approved alternative work schedule requests will go through a 90-day trial period after which the schedule will be reviewed, and a decision made whether to continue the alternative schedule. No alternative work schedule will be implemented and that results in an employee working less than the positions budgeted hours.

Employees on probation at DBH are not eligible to work an alternative work schedule until the probationary period is successfully completed.

Alternative work schedules are not an entitlement or right at Davis Behavioral Health and may be modified to meet company needs.

Termination of Alternative Work Schedule

Alternative work schedules are subject to periodic review and may be subject to termination based on business needs and my performance. If possible, DBH will provide 30 days' notice in advance of ending or changing an arrangement, business needs permitting. In some instances, a resumption of the original work schedule may no longer be possible.

Lunch and Break Periods

Lunch

Program supervisors may require employees to take a non-compensated lunch period. When required, lunch periods should be between 30 minutes and one (1) hour in length. Lunch periods extending beyond one hour should be approved beforehand by the employee's immediate supervisor.

Breaks

Employees may take a 15-minute compensated break for every four (4) hours worked. Breaks cannot be used at the beginning or end of an employee's shift or accumulated to accommodate a shorter workday or longer lunch period.

Related Documents

Alternative Work Schedule Request Form

Attendance and Punctuality

Policy No. 301

Effective Date: 01/2013

Review Date: 02/2024

Excessive absenteeism causes problems in providing an adequate qualified workforce to meet DBH's workload. If you find it necessary to be absent from work, you must notify your supervisor as far in advance as possible, and under no circumstances later than the scheduled beginning of your work shift. If you are absent on consecutive days, you must call in each day of your absence to enable your supervisor to adjust the work schedule of your department.

Physician's Statement/Doctor's Note

A note from a medical provider may be required by the end of the third consecutive day/shift an employee is absent from work due to illness. If requested, this note must be given to the employee's immediate supervisor and a copy sent to the Human Resources Department via email (hr@dbh.utah.gov), fax 801.983.4781, or DBH inter-office mail to be added to the employee's personnel file. To ensure that these documents are received, please restrict submitting these documents through one of these approved methods.

A physician's statement/doctor's note serves to verify that an employee was ill or caring for an immediate family member who was ill, including the specific date and time of the medical examination and any recommendations. The written statement does not obligate DBH to approve the related recommendation(s) and does not alter the employee's responsibility to perform the essential function of her/his/their position or the at-will nature of employment.

When a recommendation is made by the treatment team that prepared the physician's statement/doctor's note that may impact the performance of essential job functions, extended absences from work – beyond seven (7) days or scheduled shifts, or may result in an undue burden for DBH or any of its employees, the employee should communicate with the Human Resources Director and their immediate supervisor to discuss medical leave or a reasonable accommodation.

FMLA/ADA Leave

It is strongly recommended that an employee explore medical leave under the Family and Medical Leave Act (FMLA) – if the employee qualifies – or request a reasonable accommodation, including an unpaid leave of absence, under the Americans with Disabilities Act (ADA) if the employee will be absent for more than seven (7) days or scheduled shifts. Employees should contact the Human Resources Director any time FMLA or ADA is being considered or requested to allow DBH to participate in the interactive process and ensure that the correct processes are followed, and necessary documentation is completed.

Job Abandonment

If an employee is absent for two consecutive days without notifying her/his/their supervisor, the employee will be deemed to have voluntarily terminated employment with DBH.

Paid Holidays

Policy No. 302

Effective Date: 04/2013

Review Date: 06/2023

Davis Behavioral Health provides eligible employees up to eleven paid holidays during the calendar year. The maximum paid holiday benefit is 8 hours per holiday. The current paid holidays are:

- New Year's Day
- Martin Luther King Jr. Day (3rd Monday in January)
- Presidents' Day (3rd Monday in February)
- Memorial Day (Last Monday in May)
- Juneteenth
- Independence Day
- Pioneer Day
- Labor Day (1st Monday in September)
- Veterans' Day (November 11)
- Thanksgiving (4th Thursday in November)
- Day After Thanksgiving
- Christmas Day

Part-time employees who are not eligible to participate in the DBH benefits package are not eligible for holiday pay.

Eligible non-exempt employees must work both their scheduled shifts before and after a holiday to receive holiday pay. This requirement may be met using accrued vacation or sick leave for approved time off; however, the employee must return to work at the end of the approved absence to be eligible for holiday pay that falls during the pay period in which the holiday falls.

Paid holiday hours will not be counted as hours worked when calculating overtime compensation for non-exempt employees. Overtime will be paid only when the number of hours worked exceeds 40 hours in a work week.

Working on Holidays

Employees working in residential, day treatment, crisis, and other departments at DBH may be required to work on a scheduled company holiday to provide continuous care for clients. Employees who meet the paid holiday benefit eligibility requirements outlined above and are scheduled to work on a paid holiday may submit an advance request for leave, but this does not guarantee leave will be granted. For employees required to work on company holidays compensation for the worked holiday is defined below:

Full-time and Part-time Non-exempt Employees

All employees required to work on a scheduled holiday will be compensated at **double pay** for all hours worked on the calendar day of the holiday, beginning at 12:00 am at the beginning of the holiday and terminating at 12:00 am at the end of the 24-hour period. In the instance when an employee's shift overlaps the start time and end time of a holiday, all hours worked outside of the 24-hour holiday will be compensated at the employee's regular pay rate. Employees required to work on a schedule holiday will also receive holiday pay at their standard base rate on the observed holiday. Holiday pay hours are pre-populated in the DBH timesheet system for eligible employees.

Employees required to work on any company holiday who receive the holiday pay premium **will not** receive an additional paid day off later for that holiday.

In the scenario where a paid holiday is observed on a day other than the actual holiday, employees who are required to work independent shifts on **both** days will receive double pay for the day in which the employee works the longest shift. They **will not** receive double pay for both the observed and actual holiday. When an employee's shift overlaps an observed and actual holiday, the employee will receive double pay for the entire shift.

Full-time Non-Exempt Employees

Non-exempt full-time employees who are required to work on a holiday will receive up to eight (8) hours of holiday pay as the holiday pay benefit. If an employee is required to work on a holiday, she/he/they will be compensated as outlined above.

Full-Time Exempt Employees:

No change in the rate of pay for the worked holiday.

If required to work on a holiday, may "flex" the worked holiday to a different day and receive an additional paid day off.

Voluntarily Working on Holiday

There is no incentive holiday pay for employees who voluntarily decided to work on a holiday. If opting to work on a holiday, you may do so with supervisor permission. If approved, it is the responsibility of the employee to coordinate with their direct supervisor to ensure that the essential job functions of their position can be completed when DBH is closed to regular business in most departments. Employees must "flex" the worked holiday to a different day. Full-time, exempt employees who are not regularly scheduled to work on a day where a holiday falls may flex the paid holiday benefit to another day.

Rescheduled/flexed holiday leave must be used during the calendar year in which the holidays falls. All rescheduling of holiday leave should be communicated to supervisors at the employee's earliest convenience. It falls to the employee's supervisor to monitor and track the use of rescheduled/flexed holiday pay.

Company-Approved Bonus Time Off

If the DBH Executive Leadership Team (ELT) approves additional paid holidays employees will receive bonus time off as defined below:

- Full-time
 - Eight (8) hours of bonus time off
- Part-time
 - Four (4) hour minimum or the pro-rated hours to match regularly scheduled hours for the days effected up to a maximum of eight (8) hours.

Employees who are compensated on a piece rate/per service basis will receive pro-rated hours to match regularly scheduled hours for the days effected with no minimum and a maximum of eight (8) hours per day. Employees who are not regularly scheduled on the effected days are not eligible for the additional bonus time off and associated compensation.

Bonus time off is not considered "holiday pay" and employees who are required to work on the days assigned as bonus time off are not eligible for holiday pay as described above. If you are required to work on these days and your supervisor implements a modified schedule where employees work shortened shifts to allow for time off, employees will receive bonus time off to match regularly scheduled hours, up to a maximum of eight (8) hours. For example, if an employee works as a nurse in the Davis County Receiving Center and the nurse supervisor implements a modified work schedule where all nurses work a 6-hour shift instead of the standard 12-hour shift, the employee would be eligible for 6 hours of bonus time off.

Bonus time off is only available for the calendar day for which the bonus time off was approved.

Vacation Benefits

Policy No. 303

Effective Date: 04/2007

Review Date: 02/2023

Vacation time off with pay is available to eligible employees to provide opportunities for rest, relaxation, and personal pursuits. Employees in the following employment classification(s) are eligible to earn and use vacation time as described in this policy:

- Regular full-time employees
- 75% full-time employees*

**Three-quarter full-time positions are an exception and are approved on a case-by-case basis after an employee working in a regular full-time position completes an alternative work schedule request form and is approved for this status.*

The amount of paid vacation time employees receives each year increases with the length of their employment as shown in the following schedule:

Years of Service	Regular Full-time		75% Full-time	
	Days per Year	Hours per Pay Period	Days per Year	Hours per Pay Period
0 – 5	14	4.308	10.5	3.231
5 – 10	17	5.231	12.75	3.923
10 – 15	20	6.154	15	4.615
15 – 20	23	7.077	17.25	5.308
20+	26	8	19.5	6

Employees classified as 75% full-time must work at least 60 hours per pay period to be eligible to accrue vacation leave. If an employee in this classification is approved to work beyond scheduled 60 hours, leave will be accrued on a per-hour basis per hours worked up to 80 hours in a pay period.

Credited service guidelines are outlined in Policy 215 – Credited Services.

Once employees are approved to enter an eligible employment classification, they begin to earn paid vacation time according to the accrual schedule. They can request use of vacation time after it is earned. Employees who are on an approved “Leave of Absence”, including FMLA, will not accrue paid vacation leave during that period. Accruals will resume once an employee returns from leave.

To take vacation, employees should request advance approval from their supervisors. Requests will be reviewed based on several factors, including business needs, and staffing requirements. Paid vacation leave can only be used once it has accrued and must be entered into the employee’s timecard in the pay period in which the leave occurred. Under no circumstance will employees’ vacation leave balance be allowed to be negative.

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

As stated above, employees are encouraged to use available paid vacation time for rest, relaxation, and personal pursuits. If available vacation is not used by the end of the calendar year, employees may carry unused time forward to the next calendar year. Unused vacation leave may accrue up to 360 hours. After the processing of the last paycheck of the calendar year, any accrued and unused vacation leave more than 360 hours will be forfeited. The Human Resources Director may approve exceptions to forfeiture if business requirements do not allow the employee to use annual leave. Forfeiture of accrued vacation leave of more than 360 hours will occur before conversion of accrued unused sick leave.

Resignation/Termination

When an employee submits a notice of resignation (“two-week notice”), that employee cannot request time off from work from the notice date until the final day of work. If that employee requested and was approved for vacation leave before the notice of resignation was submitted, from which they will return and work before their final workday, DBH may honor the approved time off. Accrued leave cannot be used for an employee’s final workday.

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

Other Vacation Leave Topics

Former employees rehired after military service or reinstated from reduction in force status shall assume the same eligibility for vacation accrual they had before their termination.

To donate vacation time to another for use as sick leave (See policy 308).

Saturdays, Sundays, and legal holidays occurring during a period in which vacation leave has been granted shall not be charged against accrued vacation leave.

Front-loaded Vacation

To assist with recruitment efforts, DBH has approved a sign-on bonus in the form of front-loaded vacation leave for all full-time positions at the company. The job category dictates the amount of leave provided to new employees and is outlined below:

Job Category	Front-loaded Vacation
Executive/Prescriber	80 hours
Master’s-level Clinician	40 hours
Bachelor’s-level Position	24 hours
All other full-time Positions	8 hours

Front-loaded vacation will only be offered one time per employee. If an employee leaves a benefits-eligible position for any reason (i.e., resigns, changes to part-time, etc.) and is either re-hired or reinstated, front-loaded vacation will not be provided when that employee becomes benefits eligible.

Vacation Leave Payout in Addition to Actual Vacation Time Off

When funding has been approved and allocated at the beginning of the fiscal year, vacation leave payout, in addition to vacation leave taken during the year, may be granted to employees if all the following conditions are met:

1. Under this policy, eligible employees may cash out up to 40 hours of accrued vacation leave each year.
2. Employees can only cash out accrued vacation leave one time each calendar year.
3. Vacation leave payout may only be granted to employees who maintain a balance of 80 accrued vacation leave hours after the leave payout has been deducted from their vacation leave balance.
4. Vacation leave payout will only be made in 8-hour increments.
5. Vacation leave payout may be processed during any pay period of the calendar year.
6. Employees interested in accessing this benefit must submit the Vacation Leave Payout Request Form on the second page of this policy to hr@dbhutah.org no later than the last day of the pay period during which the employee is requesting the payout so that the form can be sent out for approval before payroll is processed. Payouts will be processed once the approval process is completed.

Vacation Leave Payout for Hours in Excess of Rollover Maximum

Benefits-eligible employees may rollover 360 accrued vacation hours from one calendar year to the next. For employees who accrue leave at a higher rate due to years of loyal service at DBH who are unable to use enough accrued vacation leave to drop below the rollover maximum by the end of the year, DBH has approved a vacation payout for these “Use It or Lose It” hours under the following parameters:

1. An employee may cash out up to a total of 40 hours of accrued vacation between the “Vacation Leave Payout in Addition to Actual Vacation Time Off” policy and “Use It or Lose It” hours each year.
2. DBH will automatically pay out up to 40 hours of accrued vacation leave that exceeds the maximum rollover during the last pay period of the calendar year for employees who have not met the requirements or requested leave payout as outlined in the “Vacation Leave Payout in Addition to Actual Vacation Time Off” policy.
3. “Use It or Lose It” Vacation leave payout will be made in 1-hour increments.
4. “Use It or Lose It” Vacation leave payout will be processed during the last pay period of the calendar year.
5. If an employee cashes out the maximum 40 hours of accrued vacation under the vacation leave payout incentive, makes a diligent effort to use accrued leave to get below the 360 hours of accrued vacation leave that can be rolled over, and finishes the calendar year above 360 hours, DBH may approve the payout of up to an additional 20 hours accrued vacation leave, funding permitting.
 - a. The DBH Executive Leadership Team (ELT) will review this at the end of each calendar year and communicate to the payroll specialist when this is approved so that she/he can make the appropriate payouts.

Please note that any vacation leave that is cashed out will be added to your regular paycheck, not processed through a separate check. Vacation payouts do not count towards earnings for URS credit.

Sick Leave Benefits and Family and Medical Leave (FMLA)

Policy No. 305

Effective Date: 04/2007

Review Date: 09/2023

DBH provides paid sick leave benefits to all eligible employees for periods of temporary absence due to illnesses or injuries. Employees in the following employment classification(s) are eligible to earn and use vacation time as described in this policy:

- Regular full-time employees
- 75% full-time employees*

**Three-quarter full-time positions are an exception and are approved on a case-by-case basis after an employee working in a regular full-time position completes an alternative work schedule request form and is approved for this status.*

Eligible employees will accrue sick leave benefits at the rate of 12 days per year (1 day for every full month of service). Sick leave benefits are calculated based on a "benefit year," the 12-month period that begins when the employee starts to earn sick leave benefits. Employees working less than forty (40) hours per week shall accrue sick leave on a prorated basis.

Years of Service	Regular Full-time		75% Full-time	
	Days per Year	Hours per Pay Period	Days per Year	Hours per Pay Period
N/A	12	3.69	9	2.76

Employees classified as 75% full-time must work at least 60 hours per pay period to be eligible to accrue sick leave. If an employee in this classification is approved to work beyond scheduled 60 hours, leave will be accrued on a per-hour basis per hours worked up to 80 hours in a pay period. Employees in this category will earn 0.04615 hours or sick leave per hour worked.

Paid sick leave can be used in minimum increments of one hour. An eligible employee may use sick leave benefits for an absence due to his or her own illness or injury, or that of a child, parent, or spouse of the employee.

PAID SICK LEAVE CANNOT BE USED FOR VACATION OR OTHER RELATED PERSONAL LEAVE.

Employees who are unable to report to work due to illness or injury should notify their direct supervisor before the scheduled start of their workday, if possible, but no later than one hour after the normal starting time. The direct supervisor must also be contacted on each additional day of absence. If an employee is absent for three or more consecutive days due to illness or injury, a physician's statement may be provided verifying the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be required as a condition of receiving sick leave benefits. Before returning to work from a sick leave absence of 30 consecutive days or more, an employee may be asked to provide a physician's verification that he or she may safely return to work. Such proof shall be furnished within 5 calendar days of request.

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift differentials. Employees who are on an approved "Leave of Absence" will not accrue paid sick leave during that period.

Accruals will resume once an employee returns from leave.

Unused sick leave benefits will be allowed to accumulate indefinitely.

Mental Health Day

Benefits-eligible employees may use accrued sick leave for a “mental health day” one (1) time per calendar year. The purpose of the “mental health day” is to allow an employee to take off time from work and minimize any commitments or responsibilities and use the time to focus on relieving stress, relaxing, and provide a chance to pause, regroup, and come back to work with greater levels of energy and a fresh, less-stressed perspective.

The total accrued sick leave used on this day **cannot** exceed the total number of hours that an employee is regularly scheduled to work on the day it is used. A “mental health day” **cannot** be used for a day that an employee is not regularly scheduled to work, nor can it be used adjacent to approved vacation leave. Consistent with sick leave use, employees who are requesting to use the “mental health day” must notify their direct supervisor before the scheduled start of their workday, if possible, but no later than one hour after the normal starting time.

Resignation/Termination

When an employee submits a notice of resignation (“two-week notice”), that employee cannot request time off from work from the notice date until the final day of work. If that employee requested and was approved for time off to address their own illness or injury or that of a child, spouse, or parent before the notice of resignation was submitted, from which they will return and work before their final workday, DBH may honor the approved time off if a doctor’s note is provided. If an employee experiences an illness or injury or is required to assist a child, spouse, or parent with an illness or injury after notice of resignation has been provided, supervisor approval and a doctor’s note is required to use accrued sick leave. Accrued leave cannot be used for an employee’s final workday.

Employees who have submitted a notice of resignation are **not eligible** to use the “mental health day” benefit during the resignation period.

Upon termination of employment, either voluntary or involuntary, and excluding retirement, all accrued sick leave is forfeited.

Sick Leave Incentive Program

Employees who accrue and maintain 120 hours of sick leave will become eligible to participate in the sick leave incentive program. During a calendar year in which an employee is eligible, one-third (1/3) of unused sick leave which accrued during the year (not the total accrued balance) may be converted to a corresponding amount of either pay or vacation leave after the processing of the last paycheck of the year. After subtracting the converted sick leave, the remaining unused annual sick leave shall be accrued for future use. Conversion shall occur after vacation leave more than 360 hours has been forfeited.

Sick leave benefits are intended solely to provide income protection in the event of illness or injury and may not be used for any other absence. Unused sick leave benefits will not be paid to employees while they are employed or upon termination of employment except as noted in the following:

Retirement

Employees who meet the retirement guidelines of the Utah State Retirement System and who apply and are approved to receive retirement payments or employees who terminate with ten (10) or more years of service with DBH shall be eligible to be paid for one-third (1/3) of all accrued unused sick leave. Employees discharged from DBH shall not be eligible for this benefit.

See Leave Donation Policy (308)

An employee whose status changes so that she/he is no longer eligible for sick leave shall have her/his balance maintained in their payroll file for 45 days but shall not be eligible to use it. If the employee returns to a status eligible to receive sick leave within the 45-day period, the balance will be restored and available for use, as defined for reinstated employees in Policy No. 202 – Employment Status and Categories.

Family and Medical Leave

DBH complies with the Family and Medical Leave Act of 1993, which protects employees' jobs and benefits in the event of a medical or family circumstance which requires the employee to take time off from work without pay. Family and medical leaves are granted as follows:

Eligibility

Employees are eligible for family and medical leave if they have been employed for at least 12 months and have worked at least 1,250 hours in the 12-month period preceding the leave. Additionally, the employee must work at a DBH facility where at least 50 employees are employed by DBH within 75 miles of the facility.

Circumstances Permitting Family and Medical Leave

DBH will provide up to 12 weeks of leave without pay within any 12-month period to an eligible employee for any of the following reasons:

- Birth of an employee's child (within 12 months after birth)
- Adoption of a child by an employee (within 12 months after placement)
- Placement of a child with the employee for foster care (within 12 months after placement)
- Care of a child, spouse or parent having a serious health condition
- Incapacity of the employee due to a serious health condition.

A "serious health condition" entitling an employee to FMLA leave means an illness, injury, impairment, or physical or mental condition that involves in-patient care or continuing treatment by a health care provider. Leaves may be limited to the duration of the serious health condition up to 12 weeks. DBH will require a physician to certify the necessity of any medical leave and DBH may require a second opinion concerning the need for a medical leave. When a second opinion is required by DBH, it will be obtained from an independent provider at DBH's expense. The "Medical Certification" form can be obtained from the Human Resources Department. Please return it as soon as possible, but no later than 15 days after DBH requests a certification. If you fail to return a requested certification, you may lose your protection under the FMLA and therefore be considered absent without a valid excuse.

DBH will grant intermittent or reduced-schedule leave if a health care provider certifies that it is medically necessary. Whenever possible, medical treatments should be scheduled so as not to disrupt DBH operations. To better accommodate your intermittent or reduced-schedule leave, we may temporarily transfer you to another job with equivalent pay and benefits.

Length of Leave

No leave or combination of leaves under this policy may exceed 12 weeks in a 12-month period. The 12-month period is the 12-month period measured forward from the date your first FMLA leave begins. Spouses who both work for DBH may be limited to a combined total leave of 12 weeks in the 12-month period for the birth or placement of a child or to care for a parent with a serious health condition.

Coverage

Eligible employees can take up to 12 weeks of leave each calendar year. Upon completion of leave, the employee will be allowed to return to the same position the employee held when leave commenced, or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

During an approved family or medical leave, the employee will not suffer loss of insurance benefits. The employee will be required to pay his/her share of the monthly insurance premiums which will be due on the first day of each month during the leave period. Should the employee elect not to return to work and continue working for at least 30 days after the medical or family leave has expired, the employee will be required to reimburse DBH for all insurance premiums paid during the FMLA leave. Upon return from an approved leave, the employee will return with the benefits and seniority they had before the leave commenced.

Employees are not permitted to work for another employer during family and medical leave without prior approval of DBH.

Leave Requests and Notice Requirements

To apply for family and medical leave, the employee must fill out specific forms and follow procedures. If you believe family or medical leave is required, please contact the Human Resources Department to obtain appropriate forms and information so that your request for leave can be appropriately processed.

You must complete a written "Request for Leave" at least 30 days before you begin FMLA leave. This form is available from and must be returned to the Human Resources Department. If a 30-day notice is not possible, you must notify us as soon as you can, no more than two business days after you learned that you would need leave. Otherwise, your leave may be delayed for 30 days following notice of your need for leave. For unexpected leave, you must contact your supervisor directly either before work or as soon after your starting time as possible. You must complete a "Request for Leave" form as soon as you can. If you are unable to give us notice yourself, a responsible person or family member must call.

If you are absent from work and do not comply with the procedures in this policy, we will apply our usual attendance policy rules. An unexcused absence may result in disciplinary action, up to and including termination.

While on leave, you must periodically contact your supervisor about your status, including your intent to return to work. A call-in schedule will be arranged after you notify your supervisor of your need for FMLA leave. Failure to follow the schedule will result in discipline, up to and including termination.

Substitution of Paid Time Off/Holiday Pay

Earned paid time off must be used at the same time as your unpaid FMLA leave. Substitution of paid leave will be allowed to the extent the circumstances meet DBH policy requirements for use of that type of paid leave. If you are already receiving payment under workers' compensation or a temporary disability plan, you cannot use accrued paid leave at the same time. The use of paid time off and any other paid leave does not extend the 12-week maximum for FMLA leave. If an employee has exhausted all accrued paid time off (paid vacation & paid sick leave) during their approved FMLA leave, they are not eligible to receive holiday pay as substituted paid time off. If a paid holiday occurs during a period of the approved FMLA leave where accrued leave is available and being used, the employee may receive holiday pay.

Return from Leave

If leave is due to your own serious health condition, you must provide timely medical certification of fitness- for- duty before returning to work. Employment restoration may be delayed or denied if you fail to provide a fitness- for-duty certification.

If you do not return to work or contact the Human Resources Department within 24 hours of your agreed- upon return date, we will assume that you have voluntarily resigned.

Upon return from leave, you will normally be reinstated to the same job or a job with equivalent pay, benefits and working conditions. Please note, however, that you have no greater rights to a job when you return than if you had continued to work during the leave period. When you return from FMLA leave, you will have the same benefits you had when you began leave, minus any benefits used during leave.

If you are a key employee, we may deny you reinstatement if it will cause DBH substantial and grievous economic harm. A key employee is a salaried FMLA-eligible employee who is among the highest-paid ten percent of all DBH's workers within 75-miles of the employee's worksite.

Related Documents

FMLA – Employee's Serious Health Condition

FMLA – Family Member's Serious Health Condition

FMLA – Certification for Military Family Leave or Qualifying Exigency

Unpaid and Administrative Leave

Policy No. 306

Effective Date: 04/2007

Review Date: 03/2023

Unpaid Leave

Taking a day off without pay may be allowed only in exceptional circumstances when available paid time off (PTO) has been exhausted. Days without pay must be arranged through your supervisor in advance of use and must be approved in writing by the Chief Executive Officer. Neglecting to get advance approval will result in the absence being treated as unexcused and may result in disciplinary action. Please be aware of the number of PTO you have accrued and allow a cushion for unplanned emergencies.

Adjusted Insurance Premiums

Full-time employees who participate in the DBH benefits package may be required to pay a larger portion of insurance premiums if they require leave without pay (LWOP) as premiums are calculated with the expectation of full-time employees working at least 40 hours per week. As with paid sick leave, leave without pay must be used in one (1) hour increments. Adjusted premiums will be calculated using the schedule below:

Hours Worked in Pay Period	Hours of LWOP	Employee Premium %	DBH Premium %
Regular Full-time	0	14.27-22.23%	77.77-85.73%
60 – 79	1 – 20	50%	50%
Less than 60	21+	100%	0%

Administrative Leave

Administrative leave is defined as temporary removal from the work environment of an employee, with or without pay, for one of the following work-related activities:

- During an active investigation related to allegations of misconduct or other similar circumstances that requires an investigation and review of the related facts.
 - Administrative leave for investigations will be limited to the period required to complete a thorough investigation.
- For a fitness for duty evaluation, including terms of any “last chance agreements” that are implemented.
 - Administrative leave for fitness for duty evaluations will be up to thirty (30) days pending the results of the evaluation.

Employees placed on administrative leave must receive authorization from the HR Director prior to returning to work. The outcome of either the investigation and/or fitness for duty evaluation will play a critical role in determining future employment following the administrative leave period.

Paid Administrative Leave

Paid administrative leave will be addressed on a case-by-case basis, is rare, and must be approved by the Chief Executive Officer (CEO).

Related Documents

Leave Without Pay Approval Request Form

Other Special Leave

Policy No. 307

Effective Date: 04/2007

Review Date: 10/2021

Military Leave

DBH employees who have military reserve obligations of less than two weeks will be given the appropriate amount of time off without pay to perform such duty. Employees with such military obligations may opt to use PTO for such absences.

DBH employees who are absent on military leave for a period of more than two weeks will be entitled to reemployment upon the conclusion of military leave as governed by the Uniform Services Employment and Reemployment Rights Act of 1994 and any other applicable law. An individual reemployed upon the conclusion of military leave does not lose any seniority credit earned for employment prior to the military leave.

It is the employee's responsibility to provide the Human Resources Department with a copy of their military orders to be included in their personnel file.

Bereavement Leave

DBH full-time employees may receive paid bereavement leave for the death of an immediate family member to travel, make funeral arrangements, and to attend the funeral services.

Relationship	Approved Bereavement Leave	
	In-State	Out-of-State
Brother or sister-in-law	Up to 2 days	Up to 5 days
Child	Up to 2 days	Up to 5 days
Grandchild	Up to 2 days	Up to 5 days
Grandparent	Up to 2 days	Up to 5 days
Parent	Up to 2 days	Up to 5 days
Parent-in-law	Up to 2 days	Up to 5 days
Sibling	Up to 2 days	Up to 5 days
Son or daughter-in-law	Up to 2 days	Up to 5 days
Spouse	Up to 2 days	Up to 5 days
Other*	Up to 2 days	Up to 5 days

**With supervisor and Human Resources pre-approval, another person whose association with the employee was like such relationship.*

Without supervisor and Human Resources pre-approval, all other relationships are not eligible for paid bereavement leave. A full-time employee may use accrued sick leave or vacation leave to attend funeral services for these other relationships.

Part-time employees are not eligible for paid bereavement leave. Part-time employees may request unpaid time off to attend funeral services.

Jury Leave

DBH full-time employees required to serve on a jury may, with proof of attendance, receive paid leave (less any amount received for jury service) for the period of jury service up to 5 days. Employees performing jury service will continue to accrue credit for seniority and paid time off. No adverse employment action will be taken against any employee because of the employee's fulfillment of this important civic obligation.

Leave Donation

Policy No. 308

Effective Date: 03/2011

Review Date: 10/2021

Davis Behavioral Health established a leave donation program to help employees who have a short-term need and have used up all their paid sick and vacation leave. Employees must complete a "Leave Donation Request Form" with their immediate supervisor to initiate the leave donation process. Request forms should be submitted to the Human Resources Director who will take the request to the Executive Leadership Team for approval. The employee's attendance and appropriate use of leave will be taken into consideration during the approval process.

The Human Resources Department will communicate approval/denial to the employee and will send an e-mail to all DBH employees requesting donations for all approved requests.

This policy is intended to allow employees to elect to provide additional support to an employee for a definable period until long-term disability or some other source of income can come into effect.

Only vacation leave hours may be donated to a specific individual for a specific event. Donated vacation leave is converted to sick leave when transferred to another employee. As outlined in Policy 304 – Sick Leave Benefits, sick leave benefits can only be used for an absence due to his or her own illness or injury, or that of a child, parent, or spouse of the employee. All leave donations are transferred as hour units and do not carry a specific monetary value.

Employees can only donate leave when an approved request is in place. Employees cannot donate vacation leave that would normally be lost at the end of the calendar year unless it is possible for the donating employee to take the annual leave before the calendar year ends.

Employees must exhaust all personal accrued leave before leave donations will be available for use. Donations are directly associated with a specific event and time period. All unused leave donations will be returned to the donating employee(s).

Related Forms

Leave Donation Request Form

Employees Serving as Witnesses

Policy No. 309

Effective Date: 04/2007

Review Date: 10/2021

All subpoenas or requests for expert witnesses, court appearances, depositions, document productions, etc. are to be presented to the Subpoena Officer for DBH. Only the Subpoena Officer of DBH will authorize staff to appear as witnesses after consulting with legal counsel.

Appearances of Behalf of DBH

DBH encourages employees to appear in court for witness duty when subpoenaed to do so. If employees have been subpoenaed or otherwise requested to testify as witnesses by DBH, they will receive paid time off for the entire period of witness duty and will be reimbursed for mileage at prevailing DBH rates. Witness and mileage fees paid to employees in connection with such an appearance shall be remitted to DBH.

The subpoena should be shown to the employee's supervisor and the DBH Subpoena Officer immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee's absence. The employee is expected to report to work whenever the court schedule permits.

In appropriate cases, DBH may charge an expert witness fee for appearances by DBH employee, which will include all travel time to and from the destination, appearance as witness, and incurred expenses. The fee will be determined by the President/CEO.

Requests which are not the result of a subpoena must be accompanied by enough information to allow DBH to bill for employee appearances.

Appearances for a Private Party of Interest

A request shall be made in writing to the Subpoena Officer of DBH to authorize an employee to act as an expert witness for a private party or interest. DBH will not pay remuneration to any employee for the time such employee spends with respect to act as an expert witness. Authorization to act as an expert for a non-DBH interest must be in writing. In the event a fee is received by the employee for time acting as an independent expert, such pay may be retained by the employee.

The employee must fully describe to the DBH Subpoena Officer the nature of the case, the opinions to be rendered, and the relation, if any, of the case to DBH employment. It is the employee's responsibility to ensure that the DBH Subpoena Officer is fully informed of any potential conflicts of interest at the time authorization is requested.

Employees will be granted unpaid time off to appear in court as a witness when requested by a party other than DBH. Employees are free to use any available paid leave benefit to receive compensation for the period of this absence.

Protected Disabilities

Policy No. 310

Effective Date: 08/2012

Review Date: 10/2021

Americans with Disability Act

Davis Behavioral Health is committed to complying fully with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with physical and/or mental disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Pre-employment inquiries are made only regarding an applicant's ability to perform the essential functions of the position.

Reasonable Accommodation Request

DBH actively participates in the interactive process for all requests for reasonable accommodations related to a disability. It is the responsibility of the individual employee to request accommodation and participate in the interactive process, which includes but is not limited to submitting a completed ADA Accommodation Request Packet with all support documentation and responding to inquiries during the process in a timely manner. All reasonable accommodation requests will be made through the Human Resources Department. The packet and all supporting documentation will be reviewed once it has been received in its entirety – completed employee and treatment provider(s) sections. As part of the interactive process, the Human Resources Department will work with the employee to gain a clear understanding of the requested accommodation(s), essential job functions, work schedule, and other important factors during the review process. The Human Resources Department will provide the employee with a written response that addresses each requested accommodation. Approved accommodation will also be communicated with the employee's direct supervisor, if warranted, to ensure that the accommodation is implemented as intended.

What is Reasonable Accommodation?

By definition, a reasonable accommodation is any change to the application or hiring process, to the job, to the way the job is done, or the work environment that allows a person with a disability who is qualified for the job to perform the essential functions of that job and enjoy equal employment opportunities. An accommodation is not deemed to be reasonable in nature if it placed an undue burden/hardship on the regular operations of the employer's (DBH) business, including diminishing efficiency in other jobs, infringing on other employees' rights or benefits, impairing workplace safety, or causing co-workers to carry the accommodated employee's share of potentially hazardous or burdensome work.²

Equal Pay

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, and position descriptions. Leave of all types will be available to all employees on an equal basis.

² U.S. Equal Employment Opportunity Commission This guidance document was issued upon approval by vote of the U.S. Equal Employment Opportunity Commission. "Enforcement Guidance on Reasonable Accommodation and Undue Hardship under the ADA." *US EEOC*, <https://www.eeoc.gov/laws/guidance/enforcement-guidance-reasonable-accommodation-and-undue-hardship-under-ada>.

Discrimination

DBH is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. The agency will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

This policy is neither exhaustive nor exclusive. DBH is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

DBH reserves the right to make exceptions from any of the guidelines contained in this Handbook to implement or satisfy the reasonable accommodation requirements imposed by the Americans with Disabilities Act.

Related Documents

ADA Accommodation Request Packet

Non-ADA Reasonable Accommodation Request Form

Employee Fitness for Duty Policy

Policy No. 311

Effective Date: 03/2023

Review Date:

Purpose

DBH is committed to ensuring that Employees are Fit for Duty while also respecting Employee privacy. Employees are Fit for Duty when they can perform their Essential Job Functions without posing a Direct Threat to themselves or others. This Policy and associated Procedures describe the circumstances in which DBH may evaluate an Employee's Fitness for Duty, provide the procedures for those evaluations, and safeguard Employee privacy related to those evaluations.

Scope

This Policy and associated Procedures apply to all DBH employees.

Policy

Policy Statement

This Policy requires that all Employees be Fit for Duty when they are working. DBH may require an Employee to undergo a Fitness for Duty Evaluation (an "Evaluation") when it is job-related and consistent with business necessity. An Evaluation is job-related and consistent with business necessity when DBH has a Reasonable Belief that:

1. The Employee's ability to perform Essential Job Functions is or will be impaired by a Medical Condition;
or
2. The Employee will pose a Direct Threat due to a Medical Condition. Employees who are determined to be not Fit for Duty may be provided leave under the relevant DBH leave policy or may be separated from employment.

Exceptions

Tests to determine whether an Employee is currently using illegal drugs are generally not considered Fitness for Duty Evaluations and may be required of Employees pursuant to Policy No. 502 of the DBH Employee Handbook – Drug & Alcohol Abuse. DBH may, in its discretion, address the current use of illegal drugs under this Policy.

Procedure

All forms for this policy can be found in the Human Resources Approved Forms section of the DBH intranet site.

Reporting Fitness for Duty Concerns

An employee or supervisor who observes behavior or learns information that suggests an employee is not Fit for Duty should report such behavior to that employee's supervisor. If an employee is concerned that their own supervisor is not Fit for Duty, the employee should report such behavior to the next level of supervisor or directly the Human Resources (HR) Director.

If an employee believes they are not Fit for Duty, they should discuss their concerns with their supervisor or may request to meet with the HR Director to discuss options for accommodation and/or leave.

Requesting a Fitness for Duty Evaluation

A supervisor may request a Fitness for Duty Evaluation (an “Evaluation”) when they have a Reasonable Belief that the Employee’s ability to perform their Essential Job Functions will be impaired by a Medical Condition or that the Employee poses a Direct Threat due to a Medical Condition.

Requesting an Evaluation

The supervisor requesting the Evaluation should first consult with the HR Director to discuss whether there is a Reasonable Belief to support the request and, if so, to draft a written request for the Evaluation. After the consultation, the supervisor should submit a Fitness for Duty Evaluation Request Form to the HR Director. When necessary, the HR Director may request the supervisor to complete an updated job description to accompany the request form.

Determination on Request for Fitness for Duty Evaluation

Upon receipt of a request for an Evaluation, the HR Director will review the request and make a determination. In reaching this determination, the HR Director will consult with the referring individual and other DBH directors and administrators, as appropriate. The HR Director may request to meet with the Employee and/or with any individual who has information supporting the request.

After review of the request, the HR Director may:

- Refer the Employee to the DBH’s ADA Reasonable Accommodations process prior to making a decision regarding the Evaluation.
- Determine that an Evaluation is not job-related and consistent with business necessity and may not be required; or
- Determine that an Evaluation is job-related and consistent with business necessity and will be required.

If the HR Director determines that the Evaluation may not be required, the HR Director will provide guidance to the referring individual on appropriate next steps.

Requiring a Fitness for Duty Evaluation

Work Assignments Pending Evaluation

Before or after a determination that an Evaluation is required, DBH may place the Employee on administrative leave for up to thirty (30) days pending the results of the Evaluation as outlined in Policy No. 306 of the DBH Employee Handbook – Unpaid and Administrative Leave. During this period, the employee will not engage in work activities. To assist with this, access to the employee’s work email and DBH’s electronic medical records system will be paused, and any DBH-issued communications devices that are assigned to the employee will also be temporarily deactivated.

Notice to Employee

The HR Director and the Employee’s supervisor will prepare a Notice to Employee for Fitness for Duty Evaluation once it is determined that the Employee needs to complete an Evaluation.

The Employee will also be provided with a copy of the questions to be posed to the health care professional. These questions may be provided after the Employee receives the written notice but prior to the Evaluation. These questions are included on the Fitness for Duty Evaluation Form that is provided to the health care professional who is conducting the Evaluation.

Upon receipt of the written notice, the Employee is required to complete a Health Care Provider – Medical Release Form allowing the HR Director to speak with the health care professional conducting the Evaluation. The Employee is also required to complete any equivalent release required by the health care professional.

Fitness for Duty Evaluation

Health Care Professional

The Evaluation may be conducted by the Employee's health care provider or, in DBH's discretion, a health care professional of DBH's choice. In all cases, the Evaluation must be conducted by an appropriate health care professional who has expertise in the Employee's specific condition and can provide medical information that allows DBH to determine the effects of the condition on the Employee's ability to perform their job without posing a Direct Threat.

If DBH chooses the health care professional, DBH will pay all costs associated with the Evaluation. If the Employee's own provider conducts the Evaluation and DBH determines that it needs additional information, DBH may require the Employee to be evaluated by a health care professional of DBH's choice³. If an additional evaluation is required and results in conflicting medical information, DBH will consider the following factors in evaluating the determination of the health care professionals:

- The area of expertise of each health care professional who has provided information.
- The kind of information each health care professional has about the Essential Job Functions and the work environment in which they are performed.
- Whether a particular opinion is based on speculation or on current, objectively verifiable information about the risks associated with a particular condition; and
- Whether the medical opinion is contradicted by information known to or observed by DBH (e.g., information about the Employee's actual experience in the job in question or in previous similar jobs).

Scope of the Evaluation

The Evaluation will be limited to determining whether the Employee can perform their Essential Job Function(s) or whether they pose a Direct Threat. The HR Director, in consultation with the Employee's supervisor, and other appropriate individuals, will develop written questions for the health care provider to address in the Evaluation. The HR Director will provide these questions to the health care provider along with a copy of the Employee's job description or a statement of the Employee's Essential Job Functions, and a description of the circumstances leading to the Evaluation.

Results of the Evaluation

Upon completion of the Evaluation, the health care professional will be asked to respond to the questions and to complete a Fitness for Duty Evaluation Form. In the Fitness for Duty Evaluation Form, the health care professional should select one of the following results of the Evaluation:

- **Is Fit for Duty:** The Employee is medically able to perform their Essential Job Functions without accommodation and/or the Employee does not pose a Direct Threat.
- **Can be Fit for Duty:** The Employee is medically able to perform their Essential Job Functions with accommodations, does not pose a Direct Threat if provided accommodations, and/or can perform their Essential Job Functions and/or not pose a Direct Threat if they satisfy other requirements.

³ If an employee is on FMLA leave, an employer may not request a second opinion with respect to a return-to-work determination.

- **Is Not Fit for Duty:** The Employee is not able to perform their Essential Job Functions with or without accommodation and/or the Employee poses a Direct Threat.

The responses to the questions and the Fitness for Duty Evaluation Form should be submitted by the health care provider to the HR Director. The HR Director will review these evaluation results, including other DBH directors and administrators, as appropriate, and if necessary, consult with the health care professional.

Post-Evaluation

If the Employee **is Fit for Duty**, the Employee will be allowed to return to work within three (3) business days to allow time for all backend processes to be completed.

If the Employee **can be Fit for Duty**, the Employee will be referred to the HR Director to discuss the ADA Reasonable Accommodation request process and/or other requirements needed to make the Employee Fit for Duty. The Employee will be allowed to return to work upon establishment of those Reasonable Accommodations and/or other requirements. If DBH determines that accommodations cannot reasonably be provided or if the requested accommodations would impose an Undue Hardship on DBH, the Employee is Not Fit for Duty.

In circumstances involving an Employee with a substance use disorder, a Last Chance Agreement (*see definition section*) may be utilized before the Employee is allowed to return to work.

If the Employee **is Not Fit for Duty**, the Employee will not be allowed to return to work. The HR Director will discuss options for voluntary separation from DBH with other DBH directors and administrators, as appropriate, and the Employee. If the Employee declines to seek a voluntary separation from DBH, the Employee may be involuntarily separated from DBH, consistent with applicable Policies and Procedures.

Failure to Comply

An Employee who fails to undergo the Evaluation as directed or fails to adhere to any condition(s) of employment established as a result of the Evaluation, including failing to engage with any process to determine what accommodations or requirements may make the Employee Fit for Duty may not be allowed to return to work and may be subject to disciplinary action, up to and including separation from DBH, consistent with applicable policies and procedures.

Confidentiality

Employee medical information obtained under this Policy will be maintained in separate files in DBH's Human Resources Department and will be treated as a confidential medical record. Information about necessary work restrictions or accommodations for the Employee may be shared with supervisors on a need-to-know basis.

DBH will comply with all relevant federal and state law related to the privacy of employee records.

Definitions

Direct Threat

A significant risk of substantial harm that cannot be eliminated or reduced by Reasonable Accommodation. After DBH has determined there is a Reasonable Belief that an Employee will pose a Direct Threat due to a Medical Condition, a licensed health care provider will consider the following factors: (1) the duration of the risk; (2) the nature and severity of the potential harm; (3) the likelihood that potential harm will occur; and (4) the imminence of the potential harm. Direct Threat determinations must be based on an individualized assessment of the Employee's present ability to safely perform the Essential Job Functions, considering a reasonable medical judgment relying on the most current medical knowledge and/or best available objective evidence.

Employee

Any employee, whether part-time or full-time, permanent, or temporary, including interns. For purposes of this Policy, interns may be required to undergo a Fitness for Duty Evaluation only if a medical condition impairs their ability to perform Essential Job Functions of their employment or if they pose a Direct Threat in the context of their employment.

Essential Job Functions

The fundamental duties of the position or the primary reasons the position exists. For all jobs at DBH, regular attendance, ability to work without disruption to the workplace, and ability to comply with applicable conduct standards are Essential Job Functions.

Fit for Duty or Fitness for Duty

Able to perform their Essential Job Functions, with or without reasonable accommodation, in a manner that does not pose a Direct Threat.

Fitness for Duty Evaluation

Medical examination or testing of an Employee, conducted by a licensed health care provider, to determine whether the Employee's ability to perform their Essential Job Functions is impaired by a medical condition or whether the Employee poses a Direct Threat due to a medical condition. Fitness for Duty Evaluations will be conducted after DBH determines that there is a Reasonable Belief that the Employee is or will be unable to perform their Essential Job Functions or will pose a Direct Threat due to a Medical Condition.

Last Chance Agreement

An agreement by DBH not to terminate an Employee with a substance use disorder in exchange for the Employee's agreement to receive substance abuse treatment, refrain from further use of alcohol or drugs, and avoid further workplace problems. Last Chance Agreements may include provisions requiring periodic drug or alcohol testing and/or provision of periodic status reports from a healthcare provider. Last Chance Agreements may also include a provision requiring the Employee to release any claims against DBH related to termination for failure to comply with the terms of the Agreement. Nothing in this Policy prevents similar agreements for performance or conduct issues arising out of a Medical Condition.

Medical Condition

Any mental or physical impairment. Substance Use Disorders, including drug or alcohol addiction, may be Medical Conditions under this Policy. Casual or irregular drug use is not a Medical Condition.

Reasonable Belief

A belief based on objective evidence. Objective evidence may include having personal knowledge, including observed behavior, or reliable information from a credible third party that an Employee has a Medical Condition, that the Employee has performance deficiencies or will pose a Direct Threat, and an articulable basis on which to attribute those deficiencies or the Direct Threat to the Employee's medical condition.

Substance Use Disorder

A diagnosed illness in which the recurrent use of alcohol and/or drugs causes clinically significant impairment. DBH prohibits the use of illegal drugs or alcohol in the workplace and may address such use through disciplinary action rather than under this Policy. Employees who engage in such use and who have a substance use disorder may, in DBH's discretion, be referred for a Fitness for Duty Evaluation instead of or in conjunction with any appropriate discipline under the relevant DBH policies.

Payroll & Timekeeping

Policy No. 401

Effective Date: 04/2007

Review Date: 13/2023

Davis Behavioral Health processes payroll on a bi-weekly cycle, comprising of two weeks that run from Friday through the following Thursday, with pay day occurring the Friday after the pay period ends. Payroll is distributed via direct deposit once bank verifications have been completed. Should payday fall on a holiday, checks will be issued the day before. Every effort is made to avoid paycheck errors. Please report any error to your supervisor or to the Payroll Office at once so that it can be corrected.

Non-exempt employees are required to record their hours manually in the time and labor system (currently Paylocity). Federal and state laws require DBH to keep an accurate record of time worked to calculate employee pay and benefits. Worked Time is all the time spent on the job performing assigned duties.

All employees are required to complete and turn in a bi-weekly time sheet by 9:00 a.m. on the Friday after the end of the pay period. Employees who have scheduled leave during the end of a pay period should take the necessary precautions to ensure that their time sheet is submitted in advance of this deadline. Employees away due to illness or emergency should contact their supervisor as soon as possible after the submission deadline to ensure that all worked hours and eligible accrued paid leave, if applicable, is accurately entered on their time sheet. Employees are responsible for clearly communicating hours worked and leave taken and to have followed appropriate policies regarding overtime and leave. Payroll will only process those time sheets, which are submitted according to policies and procedures and within the established timeframes.

If an overpayment of wages (credit entry) is made in error by DBH, it is expected that the employee plans to repay (debit entry) the compensation that was made in error. Consistent with the Fair Labor Standards Act (FLSA), DBH views overpayment of wages made in error as a "loan or advance of wages". Under the FLSA, recouping an overpayment from an employee's paycheck is permissible. Under Utah Code 34-28-3 (6)(b), DBH may not withhold or divert part of an employee's wages unless the employee expressly authorizes the deduction in writing. All employees sign the Employee Director Deposit Authorization form at hire, which contain the following language:

I hereby authorize and request Davis Behavioral Health (DBH) to make payment of any payroll amounts due to me by initiating credit entries to the account(s) indicated above. I further authorize DBH to initiate, if necessary, debit entries and adjustments for credit entries initiated in error by DBH to the above accounts. In addition, I authorize and request the financial institution(s) to credit and debit the same entries initiated by DBH to the above accounts. The payroll service used by Davis Behavioral Health requires that a pre-note be made with the financial institution(s) before the direct deposit takes effect. The pre-note process can delay the direct deposit of earned wages up to two (2) full pay periods.

If an overpayment of wages occurs, the employee will receive a Notice of Wage Overpayment letter from the DBH Payroll Department communicating that the overpayment occurred, the reason for the overpayment, and requesting acknowledgment and conditions of repayment. Should an employee refuse to facilitate the repayment of overpaid wages, DBH is not prohibited from pursuing legitimate claims of damages, offsets, or recoupments in a civil action against the employee as outlined in Utah Code 34-28-3 (9).

Time Clocks

In certain circumstances, non-exempt staff will be required to utilize a time clock to punch in when arriving at work and to punch out at the end of their shift, to facilitate the accurate recording of hours worked. In programs where this is a permanent requirement, DBH will provide the necessary equipment to complete the task. Time clocks should not be tampered with. Tampering with timeclocks may result in disciplinary action, up to and including termination of employment.

Supervisors may also request that any non-exempt employees who directly report to them be required to utilize a web-based kiosk to clock in and out of their assigned shifts. Supervisors should contact the Payroll Specialist of Human Resources Department if they would like to access this option.

Overtime

All overtime work must always be approved in writing before it is performed – as outlined in Policy No. 402 – Overtime in the Employee Handbook.

Exempt employees should **only** record paid time off when completing their bi-weekly time sheet. Under no circumstance should an exempt employee enter hours worked.

Timecards must reflect your actual hours of work. Each employee is responsible for her/his own timecard. Employees may not record, alter, modify, or access the timecards of another employee. Altering, falsifying, tampering with time records, or recording time on another employee's time record may result in disciplinary action, up to and including termination of employment.

It is the employees' responsibility to sign their time records to certify the accuracy of all time recorded. The supervisor will review and then approve the time record before submitting it for payroll processing. In addition, if corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initiating the time record.

Hours worked and paid leave taken will be reported to employees on a pay stub which represents the official records. Pay stubs are accessible through the payroll system as part of the employee self-service portal.

Overtime & Multiple Pay Rates

Policy No. 402

Effective Date: 01/2015

Review Date: 10/2021

From time-to-time, it may be necessary to have employees work extra hours to meet a deadline, accomplish an important goal, or provide staffing coverage. Exempt employees do not receive overtime compensation (money or time) under normal circumstances. They are expected to work all the hours necessary to perform their assigned duties.

If your position at DBH is classified as non-exempt, you will receive overtime pay for all hours worked more than 40 during the work week. Paid time off, including holiday pay, accrued sick leave, accrued vacation leave, or other leaves do not count as hours worked for purposes of calculating overtime. No overtime is to be worked without prior approval from your direct supervisor. Working overtime hours without proper authorization will result in disciplinary action up to and including termination.

Multiple Pay Rates

On occasion, employees may be approved to work in additional capacities at DBH that result in having multiple rates of pay. If an employee who has been approved to work in this manner works over 40 hours in a work week and becomes eligible for overtime earnings, the overtime will be calculated at one and a half times the regular rate associated with the job that caused the overtime to occur, as allowed under section 207 (g) of the Fair Labor Standards Act ([29 CFR 778.419](#)).

Insurance Benefits

Policy No. 403

Effective Date: 04/2007

Review Date: 10/2021

DBH offers an extensive and valuable benefits program for its full-time employees. The general terms of some of the benefit programs provided are outlined below. Keep in mind that the terms of all benefit programs are established and governed by the terms of the appropriate policy or plan. The information contained below is intended only to identify the general benefits available but does not establish any of the terms or conditions of benefit programs. Any specific questions regarding the terms and conditions of benefit programs should be referred to the Payroll Department.

New employees joining DBH will meet with the Benefits Coordinator in the HR Department during the initial onboarding process to learn about the benefits offered to employees and obtain login information to complete the online enrollment. They will then meet with the benefits coordinator after starting employment to complete the enrollment process and clarify all questions they may have about coverage, rates, etc.

DBH assists with payment of the medical insurance premium. Current premium percentages can be found in the DBH Benefits Guide on the DBH intranet site or through the link at the end of this policy.

Eligibility

Davis Behavioral Health offers participation in the benefits program for the following classes of employees:

- Regular full-time employees
- 75% full-time employees (Grandfathered)*

**Three-quarter full-time positions are an exception and are approved on a case-by-case basis after an employee working in a regular full-time position completes an alternative work schedule request form and is approved for this status.*

Eligible employees may participate in the DBH benefits program with their first day of employment being the effective date of coverage.

Medical Insurance

DBH offers the following medical insurance plan options for all eligible employees:

- Traditional
- High Deductible Health Plan

The current medical insurance carrier is SelectHealth on the Share network.

Flexible Spending Account/Health Savings Account

To assist with medical expenses employees may choose to participate in the following benefits:

- Flexible Spending Account (Traditional)
- Health Savings Account (High Deductible Health Plan)

Specific details about both benefits are found in the DBH Benefits Guide.

Dental Insurance

Davis Behavioral Health offers dental insurance through the Dental Select Platinum Network.

this policy.

Life Insurance

DBH provides a basic life insurance plan for full time employees and part-time employees who work at least 30 hours per week. This benefit pays two times the employees' annual salary, rounded to the nearest \$1000. This benefit will begin to reduce at age 64 and further reduce as the employee becomes older. Additional supplemental and/or dependent life insurance coverage may also be purchased. Eligible employees may participate in the life insurance plan subject to all terms and conditions of the agreement between DBH and the insurance carrier.

Long-Term Disability

DBH provides a long-term disability benefit for its employees. Under the current plan contract, employees who are approved for long-term disability will receive 60% of their current wages after 90 days through the benefit provider while they remain eligible for the benefit. The employment status of employees who are approved to receive long-term disability benefits will be terminated once eligibility is met and/or FMLA leave is exhausted. For business purposes and the treatment of the consumers served by DBH, positions will not be held beyond this timeframe.

Employees who receive medical clearance to return to work may apply for current openings at DBH at that time.

Workers Compensation

Workers' Compensation benefits are available to all employees who are injured on the job. The entire cost of the benefit is borne by DBH. All accidents must be reported to the Payroll Office immediately (no later than 24 hours after the occurrence). DBH must file a report with the State as soon as possible following the accident to not jeopardize payment of medical costs.

Unemployment Insurance

Taxes based on your pay are paid by DBH to provide partial income replacement for you in the event you are laid off or terminated through no fault of your own. If you quit work without cause or are terminated for just cause, you may be ineligible for unemployment benefits.

Social Security

Social Security taxes are paid partially by DBH and partially through deductions from your pay. In addition to providing some retirement income, the program helps your dependents in the event of your death and provides help with medical bills after retirement.

Related Documents

2023-2024 DBH Benefits Guide

Educational Assistance & Practicum/Internship Opportunities

Policy No. 404

Effective Date: 04/2007

Review Date: 10/2021

The skills and knowledge of DBH employees are critical to its success. DBH's educational assistance program encourages personal development through formal education so that employees can maintain and improve job-related skills or enhance their ability to compete for reasonably attainable jobs within DBH. These efforts also assist DBH in maintaining appropriate staffing in the key positions related to the educational assistance program.

Educational Assistance Program

Eligibility

To request educational assistance, employees must first successfully complete their probationary period and be in good standing. To maintain eligibility, employees must remain on the active payroll and perform their job satisfactorily through the completion of the terms of the approved Educational Assistance Program Agreement.

Employees in the following employee classification(s) are eligible for educational assistance:

- Full-time exempt and non-exempt employees

Approved Academic Programs

The DBH Executive Leadership Team (ELT) reviews and identifies what academic programs are eligible for the Educational Assistance Program on an annual basis. The decision is based on agency needs as well as identified shortages in recruitment and retention activities at DBH. Currently, the following programs are approved to apply for educational assistance:

- Master of Social Worker (MSW)
- Nursing

As with other financially driven decisions at DBH, the ability to offer educational assistance is dependent on availability of funds. If the program will not be offered during a particular fiscal year, the Human Resources Director will communicate this to the agency.

Application

Employees interested in participating in the DBH Educational Assistance Program must submit the DBH Educational Assistance Program Application, located on the DBH intranet site under the approved HR Forms section. The application will then be presented to ELT for review and approval. The Human Resources Director will communicate the approval or denial to the employee. If approved, the Human Resources Director will work with the employee to complete an Educational Assistance Program Agreement that outlines the details, including employee obligation, reimbursement rates, and all other applicable information.

Training

DBH also encourages employees to further their professional and personal development through ongoing training opportunities. Please work with your direct supervisor to discuss any training opportunities that you are interested in to obtain approval within approved budgets. A Travel/Training Request must be submitted once your supervisor has approved the training opportunity to obtain formal authorization. The form is in the approved Administrative Forms section on the DBH intranet page. All employees are invited to attend any in-house trainings that are offered. Please work with your direct supervisor to ensure that coverage is in place if you are interested in attending any of these training opportunities.

Practicum/Internship Opportunities

DBH understands that practicums and internships are part of most of the academic programs that its employees choose to participate in. Further, DBH is committed to serving as a field placement site with many of the universities offering Psychiatry, Social Work, Nursing, and other programs related to our mission and vision.

Due to federal labor laws and other restricting factors, including primarily the requirement for employees to complete the essential functions of their assigned positions, DBH may not always be able to place current employees in available internship opportunities at DBH. As a result, the following options are available to current employees who are interested in completing practicums and internships at DBH:

Non-exempt Employees

- Full-time non-exempt employees may vacate their full-time position to complete a practicum/internship at DBH.
 - The employee's current position will not be held for them to meet the needs of clients and DBH.
 - Upon completion of the internship/practicum, the employee may apply for current openings at DBH and go through the recruitment process for those openings.
- Part-time non-exempt employees may complete a practicum/internship at DBH as long as their regularly assigned hours for their core position and all internship hours remain under 30 hours per week.

Exempt Employees

- Full-time exempt employees may complete a practicum/internship at DBH in addition to their full-time position.
- The employee's ability to perform the essential functions and job duties related to their core position cannot be inhibited in any way.
- All internship hours must be completed outside of their full-time regular work schedule.

Compensation

All internships at DBH are paid employee relationships. DBH does not offer volunteer internship opportunities. The compensation schedule is outlined below:

Master of Social Work

- Second Year/Advance Standing: \$18.75 per hour
- First Year: \$7.25 per hour

Bachelor of Social Work

- \$7.25 per hour

Business Travel Expenses

Policy No. 405

Effective Date: 04/2007

Review Date: 10/2021

DBH will reimburse employees for reasonable business travel expenses incurred while on assignments away from the normal work location. All business travel must be approved in advance by the employee's supervisor and the travel/training coordinator. Employees whose travel plans have been approved should initiate the request by submitting a Travel Training Request Form and then make all travel arrangements through DBH's travel coordinator at least 15 days prior to the date of travel/training and at least 30 days in advance of departure when airfare. Specific details related to business travel are found in the DBH Travel Policy.

Employees who are involved in an accident while traveling on business must promptly report the incident to their immediate supervisor. Vehicles owned, leased, or rented by DBH may not be used for personal use without prior approval.

When travel is completed, employees should submit a completed Travel Reconciliation Report within 30 days to their supervisor for approval and transmittal to the Finance Department. Reports should be accompanied by receipts for all individual expenses.

Related Documents

Travel Training Request

Travel Reconciliation Report

Travel Policy

Professional License/Certification Fees & Continuing Education

Policy No. 406

Effective Date: 11/2021

Review Date: 09/2022

Many positions at DBH require an active professional license and/or certification as a minimum qualification to occupy that specific role. The purpose of this policy is to provide a valuable perk to licensed and certified staff at DBH and to assist with recruitment and retention efforts.

As a benefit to those employees who possess an active professional license and/or certification that is actively used in the course of their primary job, DBH provides **reimbursement** under the protocol outlined below.

Eligibility

The minimum qualification to be eligible for this perk is the successful completion of the initial 6-month probationary period at DBH and currently be in good standing at DBH. If an employee is on corrective action at the time of license application or renewal, they are not eligible to receive this benefit.

Initial License/Certification

DBH will reimburse the application fee for initial licensure for employees actively employed and in good standing who require a license and/or certification to perform the essential duties of the position they are hired to perform or can enhance the scope of practice within the course of their current position with the acquisition of the related license and/or certification (i.e., TCM certified to SSW licensed).

Renewals

DBH will reimburse the renewal fees associated with professional licenses and certifications in accordance with the timeframes approved by the agency governing the licenses and certifications.

Utah Department of Commerce Division of Occupational and Professional Licensing (DOPL)

- 2 Years

DEA Certification

- 3 years

Expectations/Repayment

Expectations

DBH expects employees who receive reimbursement for initial licensure and/or certification application fees or renewal fees to remain at DBH throughout the effective period of that license and/or certification as defined in the Renewal section above.

Exceptions to these timeframes, along with the expectations, are shown below:

CSWi Licensure

- 6 months

DEA Certification for psychiatry residents moonlighting in the OCC Clinic

- 6 months

Repayment

Failure to remain with DBH for the required timeframe may result in the employee being required to pay back the fees to DBH.

Part-time Employees

Individuals employed in a part-time status at DBH are eligible for the reimbursement of professional licenses and/or certifications perk on a pro-rated basis as defined below:

Hours Worked in Pay Period	% of Fees Reimbursed
Regular Full-time	100%
60 – 79	75%
40 – 59	50%
Less than 40	25%

Continuing Education

DBH understands that licensing and accreditation boards require that all licensed and certified employees complete a minimum number of continuing education each licensure/certification cycle (“cycle”) to renew professional licenses, certifications, and maintain board accreditation. Information about continuing education opportunities that are free of charge is frequently shared with employees. To further assist employees complete their continuing education requirements, DBH has approved licensed and certified employees access to compensated time to complete this obligation. The following table outlines the maximum number of compensated hours a full-time employee may use during each cycle.

License/Certification	Cycle	Compensated Hours
Clinician (LCSW, CMHC, MFT)	2 Years	Up to 80
Nurse (RN, LPN)	2 Years	Up to 60
Peer Support Specialist (CPSS, FPSS)	3 Years	Up to 20
Prescriber (Psychiatrist, APRN)	2 Years	Up to 120
Psychologist (PhD, PsyD)	2 Years	Up to 96
Social Service Worker (SSW)	2 Years	Up to 40
Substance Use Disorder Counselor (SUDC)	2 Years	Up to 40
Targeted Case Manager (TCM)	3 Years	Up to 20

The associated perk for part-time employees will be based on the table in the “Part-time Employees” section above except for employees compensated on a per service basis who are not eligible for compensation while attending training due to the compensation system they are enrolled in.

The benefit of providing compensated time off does not indicate that DBH will also be covering the registration costs for the conferences and/or trainings related to time away from work.

Evidence-based Practice Training

Employees who are pursuing Evidence-based Practices training to implement the EBP to fidelity at DBH may request assistance for registration costs by submitting a Travel Training Request form. Employees who receive financial assistance to complete the EBP training may be required to sign an agreement committing them to remain at DBH for a specified period after completing the training. These agreements are generated by the Human Resources Department after being requested by the clinical leadership team.

Related Documents

Travel Training Request

Garnishments

Policy No. 407

Effective Date: 04/2007

Review Date: 10/2021

It is expected that each employee will meet her/his financial obligations without involving DBH. Wage attachments, garnishments, etc., are looked upon with disfavor. However, as required by applicable law, no employee will be discharged because earnings have been garnished in connection with any one judgment. The excessive amount of bookkeeping creates an unnecessary burden and additional expense for DBH.

DBH is required by law to honor any wage assignments served exactly as presented and will not enter modifying agreements of any kind unless specifically instructed to do so by the court.

401(k) Pension/Profit Sharing

Policy No. 408

Effective Date: 04/2007

Review Date: 10/2021

DBH has a 401(k)-profit sharing plan for full-time employees which has been established under the provisions of the Internal Revenue Code.

After you start work, and have completed the required eligibility requirements, you can enter the plan on the next entry date. To be eligible to become a participant in the plan, you must: 1) have attained the age of 21, and 2) work in an approved full-time position at DBH.

The terms of the 401(k) profit-sharing plan are governed by the terms of the plan itself. The information contained in this Handbook is intended only to identify the general benefits available but does not establish any of the terms or conditions of the plan. Any specific questions regarding the terms and conditions of the plan should be referred to the Payroll Office.

Retirement

Employees who meet the retirement guidelines of the Utah State Retirement System and who apply and are approved to receive retirement payments or employees who terminate with ten (10) or more years of services with DBH shall be eligible to be paid for one third (1/3) of all accrued unused sick leave. Payout of this retirement incentive may be made as taxable income or deposited into an eligible retirement account. The standard one-third (1/3) conversion rate may be increased with Board of Directors approval to reward employees who are nearing retirement and have demonstrated increased loyalty to DBH during their years of service. Employees discharged from DBH shall not be eligible for this benefit.

Employee Assistance Plan

Policy No. 409

Effective Date: 04/2007

Review Date: 10/2021

As part of its relationship with SelectHealth, DBH offers an extensive Employee Assistance Program (EAP) through the Intermountain LiVe Well program. This is available to all DBH employees and their family members. Employees interested in learning more about this program may contact the Human Resources Department or contact LiVe Well at 801.442.3509 or 800.832.7733 for information or to schedule an appointment.

Related Documents

SelectHealth LiVe Well Information

Employee References/Verification of Employment

Policy No. 410

Effective Date: 04/2007

Review Date: 10/2021

All requests for references and verifications of employment must be directed to the Human Resource Department. No other manager, supervisor, or employee is authorized to release references for current or former employees. DBH will only provide a neutral verification of employment for current and former employees in the absence of a release of liability signed by the current or former employee. The release of information must release and hold harmless DBH, its agents, employees, and assigns from any claim of liability that employee may have against DBH and/or them for decisions, even if adverse, arising out of the information that is received in response to the reference check or verification of employment.

A neutral reference or employment verification includes:

1. Position held.
2. Start and end dates of employment.
3. Final wages.

Sexual & Other Unlawful Harassment

Policy No. 501

Effective Date: 04/2007

Review Date: 10/2021

DBH is committed to providing a work environment free of discrimination and unlawful harassment. Actions, words, jokes, or comments which exhibit disrespect or are demeaning to an individual's gender, race, ethnicity, age, religion, disability, veteran, or marital status will not be tolerated.

DBH will not tolerate sexual harassment directed toward any person, irrespective of gender. Sexual harassment includes, but is not limited to, any of the following:

- Verbal, physical, or visual conduct of a sexual nature or suggestion which is unwelcome. Such conduct has the effect of unreasonably interfering with an individual's work performance, affects tangible job benefits, and may create an intimidating, hostile, or offensive work environment.
- Explicit sexual propositions, sexual innuendos, suggestive jokes, jokes about gender-specific traits, foul or obscene language or gestures, display of foul or obscene printed or visual material, and physical contact such as patting, pinching, or brushing against another's body.
- A circumstance where submission to or rejection of such conduct is used as the basis for decisions relating to employment.
- A circumstance where submission to or rejection of such conduct is a condition of employment, whether spoken or implied.

Examples of Sexual Harassment may include any of the following:

Verbal

- Referring to an adult as a girl, hunk, doll, babe, honey, etc. or other demeaning terms
- Whistling at someone
- Cat calls
- Making sexual comments or innuendoes
- Telling sexual jokes or stories
- Asking personal questions about social or sexual life
- Repeatedly asking out a person who is not interested Loud, public, foul, or abusive language.

Non-Verbal

- Looking a person up and down
- Staring at someone
- Displaying sexually suggestive visuals
- Making sexual gestures with hands or body movements

Physical

- Touching a person's clothing, hair, or body
- Giving a massage around the neck
- Standing close or brushing up against a person
- Grabbing
- Pinching
- Caressing

If you feel that you have been subjected to harassing conduct, contact the Human Resource Director immediately, or contact a member of management. Harassment is extremely serious misconduct, as is filing a false statement that harassment has occurred, and may result in discipline, up to and including termination.

Harassment may also subject the harasser to personal legal and financial liability.

DBH's practice is to fully investigate any complaints of harassment and to keep such complaints confidential to the extent practicable. However, DBH cannot promise anonymity to persons who report harassment. If DBH determines that sexually harassing conduct has occurred, appropriate remedial action may be taken up to and including termination.

DBH forbids retaliation in any form against anyone who has reported unlawful harassment. DBH will take corrective action up to and including termination against employees who harass, embarrass, or retaliate in any respect against one who has made a complaint regarding unlawful harassment.

Drug & Alcohol Abuse

Policy No. 502

Effective Date: 04/2007

Review Date: 02/2023

Drug-free Workplace

It is DBH's policy to comply with the Drug-free Workplace Act of 1988, the Omnibus Transportation Employee Testing Act of 1991, and to protect the health and safety of employees and the public by providing a work environment where all employees are free from the illegal use or abuse of alcohol, drugs, or other substances. DBH recognizes substance abuse in the workplace to be a threat to the safety, health, and job performance of all employees. In general, substance abuse includes use, possession, manufacturing, distribution, and being under the influence of alcohol, or other drugs, including the inappropriate use/abuse of prescription drugs, over-the-counter drugs, or other substances. It is, therefore, the policy of DBH that the following activities are strictly prohibited during working hours, on DBH property, during use of a DBH vehicle, at DBH-sponsored activities, and when performing DBH business, regardless of the time or location:

- ANY ACTIVITY INVOLVING AN ILLEGAL SUBSTANCE, including use (defined as the presence of illegal substance in a person's system), possession, manufacturing, or distribution (purchasing, giving away, or otherwise dispensing). Any activity involving an illegal substance will have a direct bearing on an employee's employment status at DBH. Any conviction by a law enforcement agency for illegal drug or substance activity may be cause for immediate dismissal from employment.
- ABUSE OF A CONTROLLED SUBSTANCE, including alcohol, prescription, and over-the-counter drugs, medications, and other substances. Prohibited activities, involving controlled substances, may include use, possession, distribution, or being under the influence of drugs that are legally obtainable, but have not been obtained legally; and use of a drug or the substance in a manner, or for a purpose other than that for which it was intended or prescribed.
- USE OF A PRESCRIPTION DRUG THAT HAS BEEN PRESCRIBED by an employee's physician is permissible during work hours but may require certification by the physician as to the ability of the employee to perform their job in a safe manner. Employees must notify supervisors if use of a properly prescribed drug might affect work performance. No employees will be disciplined for the authorized and necessary use of a prescription drug; however, employees must still perform up to acceptable standards and may not be allowed to work if they are impaired by a prescription drug. Abuse of a prescription, drug, and unauthorized use without a prescription from a licensed physician are prohibited. Davis Behavioral Health works with Federal grants and must comply with the Federal drug laws, including no use of medical marijuana.
- USE OF DBH PROPERTY OR POSITION to facilitate any illegal or prohibited drug activity.

Testing positive for the use of alcohol, controlled drugs, or the misuse of legal drugs, or refusal to consent to the test, will be sufficient reason to deny or terminate employment at DBH.

All employees are required to sign the DBH Drug-free Workplace Acknowledgment Form containing this policy at the time of hire and abide by the policies while employed at DBH.

The sale, purchase, use, consumption, or possession of alcohol or a controlled substance or drug paraphernalia is prohibited during work hours or on DBH property, as is reporting to work under the influence of these substances to impair your ability to work. Controlled substances include prescription drugs. Such drugs may be used only with a physician's prescription when your physician has granted you permission to use the drug at work.

Violating this guideline may result in discipline up to and including termination of employment.

Drug Screening

All employees are required to successfully pass a urinalysis drug screening prior to starting employment with DBH. The initial drug screening is performed at Intermountain WorkMed and is paid for by DBH. In the event of complications in passing the initial screening due to a diluted sample or other issues, the employee may complete a second drug screening by the end of the next business day after the Human Resources Department is notified of the issue. Failure to complete the screening within the established timeframe may result in the offer of employment being rescinded. Employees who require a second urinalysis may be required to complete random drug screening throughout their introductory period. These employees will be notified of this requirement and will be contacted by the Human Resources Department or their immediate supervisor when they are required to complete the random screenings.

DBH employees may be required to submit to appropriate drug testing during work hours (i.e., random, post-accident, etc.). Any failure or refusal to submit to testing, attempt to alter the result, or test results indicating an employee was working or on DBH premises under the influence of prohibited substances, or failure to report to management a violation or suspected violation of this guideline, warrants the imposition of discipline, up to and including termination.

DBH employees are required to notify DBH's Human Resource Director if they are convicted of any illegal drug violation within five days of such conviction. DBH asks all employees to make a good-faith effort to maintain a drug-free workplace for the benefit of all concerned. DBH may periodically distribute information concerning drug education and awareness programs.

Second Chance/Last Chance Agreement

Solicitation

Policy No. 504

Effective Date: 04/2007

Review Date: 10/2021

No employee is permitted to conduct any type of solicitation during working time including, for example, canvassing, collecting funds, soliciting pledges, circulating petitions, soliciting memberships in any organization or any other such activity undertaken for any purpose. Solicitations include but are not limited to efforts to raise or collect money for or support charitable or other causes, or to sell products or services.

No employee is permitted to distribute any non-company literature or other materials, such as leaflets, letters, petitions, or any other written materials during working time or in working areas. As used in the guidelines, "working time" includes the time of the employees doing the soliciting or distribution and the working time of the employee or employees to whom the soliciting or distributing is directed. No employee is permitted to distribute any such literature or other materials at any time in any DBH public area.

Persons not employed by DBH are not permitted, at any time or in any manner, on any DBH property to conduct any form of solicitation or to distribute any literature or other materials to any employee of DBH or to any visitor of DBH.

Accuracy of Billing Records; False Claim Act

Policy No. 505

Effective Date: 04/2007

Review Date: 10/2021

Accuracy of Billing Records; False Claims Act; Whistle Blower Rights

It is the duty of every employee and contract provider engaged by DBH to help ensure that DBH's service and billing records are accurate in every respect.

The False Claims Act (31 U.S.C. 3729-3732) prohibits:

1. Knowingly presenting or causing to be presented to the Federal Government a false or fraudulent claim for payment.
2. Knowingly using or causing to be used a false record or statement to get a claim paid by the Federal Government.
3. Conspiring with others to get a false or fraudulent claim paid by the Federal Government.
4. Knowingly using or causing to be used a false record or statement to conceal, avoid, or decrease an obligation to pay money or transmit property to the Federal Government.

The False Claims Act is aimed only at fraud committed against the Government. It does not provide a remedy for waste or mismanagement that does not rise to the level of fraud. A company or individual that has made a false claim may be liable for triple damages, a civil fine of \$5,500 to \$11,000 per false claim, plus attorney fees.

Any DBH employee who has knowledge of any act that could constitute fraud in violation of the False Claims Act should report it immediately through the Silent Whistle link on the DBH homepage or through the DBH Corporate Compliance hotline.

An individual who has personal knowledge and evidence of fraud against the federal government can file a qui tam lawsuit on behalf of the government and, if successful, can receive a portion of any recovery. It is not enough for the whistle blower (also known as the relator) to merely report the alleged fraud to the government; he or she must initiate a lawsuit by filing a complaint in federal district court. The complaint must be filed under seal (i.e., the contents of the complaint are not available to the public). The case will remain under seal while the government investigates the case, to allow the government to determine the strength of the charges. This confidentiality serves both to protect the whistleblower and the company while the case is being investigated. While a case is under seal, the government may conduct interviews and even issue search warrants, but it will not disclose the name of the whistleblower or the exact nature of its investigation.

An employee may not be discharged, demoted, suspended, threatened, harassed, or in any other manner discriminated against by his or her employer in the terms and conditions of employment because of lawful acts done by the employee on behalf of the employee or others in furtherance of an action under this section, including investigation for, initiation of, testimony for, or assistance in an action filed or to be filed the False Claims Act.

Utah also has a state False Claims Act (Section 26-20-1 et seq, Utah Code) that prohibits making or causing to be made a false statement or false representation of a material fact in an application for medical benefits or in determining rights to receive or continue to receive a medical benefit. The Act also prohibits soliciting, offering, paying, or receiving a kickback or bribe in connection with the furnishing of goods or services for which payment is or may be made in whole or in part pursuant to a medical benefit program, or paying or receiving a rebate of

a fee or charge for referring an individual to another person for the furnishing of goods or services. Violations can result in civil and/or criminal penalties.

For more detailed information on DBHs policies and procedures related to detecting and/or preventing fraud, abuse, and waste, please refer to the Corporate Compliance Policy.

[Related Documents](#)

[Corporate Compliance Policy](#)

Dress Code

Policy No. 506

Effective Date: 04/2007

Review Date: 10/2021

DBH employees are expected to maintain appropriate standards of grooming, personal hygiene, and dress during working hours and on DBH property. Apparel, personal grooming, and hygiene should not distract others or create a safety hazard to you or your co-workers. The general dress code guideline at DBH is business casual. DBH understands that different departments and job responsibilities may allow for variations to the standard guidelines to better perform the essential job functions. Your immediate supervisor will answer any questions you have about appropriate dress or grooming for your specific department and position.

All applicable federal or state safety and health laws pertaining to dress and grooming will be observed by each employee.

Casual Days

Each Friday will be a designated casual day. Employees may wear casual business wear on designated casual days. Casual business wear means clean, neat, professional clothing. It is never appropriate to wear stained, wrinkled, frayed, or revealing clothing to the workplace. If you are considering wearing something and you are not sure if it is acceptable, choose something else or inquire first.

Listed below is a general overview of acceptable casual business wear as well as a listing of some of the more common items that are not appropriate for the office. Obviously, neither group is intended to be all inclusive. Rather, these items should help set the general parameters for proper casual business wear and allow you to make intelligent judgments about items that are not specifically addressed.

Examples of acceptable casual business wear include:

- Slacks
- Jeans
- Casual dresses and skirts
- Casual shirts and blouses
- Loafers
- Deck shoes
- Boots
- Athletic shoes
- Flats
- Dress sandals

Examples of inappropriate clothing items that should not be worn at work include:

- Warm-up or jogging suits and pants
- Shorts
- Spandex or other form-fitting pants
- Miniskirts
- Tank tops
- Halter tops
- Visible undergarments
- Baggy low-rider pants
- Hats

No Smoking Policy

Policy No. 507

Effective Date: 04/2007

Review Date: 10/2021

In accordance with the Utah Indoor Clean Air Act, DBH maintains non-smoking facilities company wide. Smoking or using e-cigarettes (vaping) is not permitted within any building or permanent facility maintained by DBH. DBH may designate smoking locations out-of-doors to accommodate those who smoke during authorized breaks and lunch periods. In consideration of the therapeutic process, employees, and contractors of DBH are not allowed to smoke or use e-cigarettes (vape) with clients.

Visitors

Policy No. 508

Effective Date: 04/2007

Review Date: 10/2021

To provide for the safety and security of employees and the facilities at DBH, only authorized visitors are allowed in the workplace. All visitors should enter DBH at the reception area. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors. If an unauthorized individual is observed on DBH's premises, employees should immediately notify their supervisor or, if necessary, direct the individual to the reception area.

Workplace Violence Prevention

Policy No. 508

Effective Date: 04/2007

Review Date: 10/2021

DBH is committed to preventing workplace violence and to maintaining a safe work environment. Given the increasing violence in society in general, DBH has adopted the following guidelines to deal with intimidation, harassment, or other threats of (or actual) violence that may occur during business hours or on its premises.

All employees, including supervisors and temporary employees, should always be treated with courtesy and respect. Employees are expected to refrain from fighting, "horseplay," or other conduct that may be dangerous to others. Firearms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises of DBH without proper authorization.

Conduct that threatens, intimidates, or coerces another employee, a client, or a member of the public at any time, including off-duty periods, will not be tolerated. This prohibition includes all acts of harassment, including harassment that is based on an individual's sex, race, age, or any characteristic protected by federal, State, or local law.

All threats of (or actual) violence, both direct and indirect, should be reported as soon as possible to your immediate supervisor or any other member of management. This includes threats by employees, as well as threats by clients, vendors, solicitors, or other members of the public. When reporting a threat of violence, you should be as specific and detailed as possible.

All suspicious individuals or activities should also be reported as soon as possible to a supervisor. Do not place yourself in peril. If you see or hear a commotion or disturbance near your workstation, do not try to intercede or see what is happening.

DBH will promptly and thoroughly investigate all reports of threats of (or actual) violence and of suspicious individuals or activities. To maintain workplace safety and the integrity of its investigation, DBH may suspend employees, either with or without pay, pending investigation.

Anyone determined to be responsible for threats of (or actual) violence or other conduct that is in violation of these guidelines will be subject to prompt disciplinary action up to and including termination of employment.

DBH encourages employees to bring their disputes or differences with other employees to the attention of their supervisors or the Human Resources Director before the situation escalates into potential violence.

Identification Badges

Policy No. 510

Effective Date: 04/2007

Review Date: 10/2021

When you commence employment with Davis Behavioral Health you will be issued an employee identification badge that includes your photograph, name, and other identifying information. It identifies you as an employee of DBH and serves as your pass into our facilities and offices. The identification badges will also be used as an access card for facilities that utilize a proximity card reader to access the building. Further, the badge will be used to clock in and clock out for positions and programs that require this procedure.

If you lose your ID, it is your responsibility to notify the Human Resources Department immediately so that arrangements can be made to cancel your lost badge and issue you a new badge. The cost for an initial replacement badge will be borne by DBH; however, if you lose your ID more than once, it may be your responsibility to pay for a replacement badge.

The best protection for our workplace is conscientious, security-minded employees. If you observe anyone in DBH facilities without an ID or who appears to be engaging in suspicious activity, please notify your supervisor or human resources immediately.

Terminations

Policy No. 601

Effective Date: 04/2007

Review Date: 10/2021

Nothing contained in this manual should be considered a contract or guarantee of employment. Employment at DBH is entirely on an at-will basis both for you and for DBH. Employees have the right to terminate employment at any time for any reason, and DBH has the same right. However, should you decide to leave DBH, when possible, we would like at least two weeks' advance notice. Not only does this demonstrate professional courtesy, but it gives your supervisor the opportunity to adjust plans with the least amount of interruption to the company work schedules and client care.

DBH will consider an employee to have voluntarily terminated his or her employment if the employee:

- Elects to resign from DBH, or
- Fails to return from an approved leave of absence on the date DBH specified, or
- Fails to report to work without notice to DBH for two (2) consecutive days.

If your DBH employment ends for any reason, you may be asked to participate in an exit interview. This interview is intended to give you an opportunity to communicate your views concerning your work with DBH. At the time of the interview, you are expected to return all DBH-furnished property, such as tools, equipment, software, ID cards, keys, credit cards, documents, and handbooks. Arrangement for clearing any outstanding debts with DBH and for receiving final pay will also be made at this time.

Layoffs/Reduction in Force

Policy No. 602

Effective Date: 04/2007

Review Date: 10/2021

DBH reserves the right to terminate any employee because of changing business conditions, for any other reason, or for no reason. If a reduction in the work force becomes necessary, DBH will select employees for termination based on DBH's present and future needs, as determined in the sole discretion of DBH. DBH will implement termination, whether part of a reduction in force, in the manner that best meets the requirements of DBH at that time.

If a reduction in force becomes necessary, DBH may consider seniority, along with numerous other factors, including but not limited to skills, performance, and staffing needs, in determining which employees will be laid off. Any employee who is laid off in connection with a reduction in force and who is recalled within 45 days after their termination date is considered a reinstated employee. The seniority and eligibility for leave accumulation of a reinstated employee relates back to the reinstated employee's original date of hire. Eligibility for medical and other benefits of reinstated employees is determined in accordance with the governing provisions of the applicable medical or other benefit plan. In determining former employees to be recalled from a layoff, DBH may consider the same variety of factors evaluated in selecting people for reductions in force.

Severance

Policy No. 603

Effective Date: 04/2007

Review Date: 10/2021

DBH employees have no entitlement to severance pay or compensation for accrued but unused paid time off (PTO) upon termination. If, at its discretion, DBH decides to grant severance pay, such payments will be determined by DBH at the time of separation based on current business conditions and other factors.

Should DBH decide to offer severance pay or payment of accrued PTO to any employee, eligibility for receipt of such severance will require the employee to sign a legal release giving up the right to bring any legal action against DBH contesting the termination or any other aspects of the employment relationship.

If an employee is terminated for poor performance or violations of DBH guidelines, severance pay is generally not offered.

COBRA

Policy No. 604

Effective Date: 04/2007

Review Date: 10/2021

The Federal Consolidated Omnibus Reconciliation Act ("COBRA") gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under DBH's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee/beneficiary pays the full cost of coverage at DBH's group rates plus an administration fee. DBH provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for continued coverage under DBH's health insurance plan. The notice contains important information about the employees' rights and obligations.