

**Policies & Procedures**

**PROFESSIONALISM POLICY**

**Section:** HR Policies  
**Pages:** 9  
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**Conduct**

General Provisions

DBH employees are prohibited from engaging in activities that might have an unfavorable effect on DBH. Every employee has a duty to safeguard DBH facilities, equipment, and supplies and to help ensure that DBH work sites are safe and free of illegal and other activities, which might reflect negatively upon DBH or its employees. Each employee has an obligation to report incidents, accidents, wrongdoing, and any other activity which might have a negative impact upon DBH to their immediate supervisor, or Program Director as soon as possible but at least within 48 hours of occurrence. If further action is needed or if the employee is unable to reach their immediate supervisor, the employee shall report the information to the President/CEO, her/his administrative assistant, or the Human Resources Director. Each employee shall read the Professionalism Standards upon hire and sign the associated acknowledgment form.

Violations

Violation of any of the provisions of DBH policies or standards shall constitute just cause for disciplinary action, up to and including termination of employment. No employee shall be excused from the provisions of this standard or any DBH policies.

Standards of Conduct

The following standards are expected of each DBH Employee:

- Employees are expected to make prudent and frugal use of DBH funds, equipment, vehicles, buildings, and supplies.
- Employees shall observe all work rules and comply with all policies and regulations.
- Unprofessional behavior is not allowed in any form.
- Racial or other slurs or actions will not be tolerated.
- Appropriate titles and names of staff members are to be used when talking to clients in reference to another staff member.
- Loud talking and joking are not allowed in waiting room areas. Inappropriate jokes, swearing, and profanity are not allowed in any DBH facility or at any DBH function.
- Children of staff are not allowed in DBH facility or meetings without prior approval.
- No employee shall receive or take any equipment, property, or supplies for personal

benefit regardless of whether the item is considered to have value or to be surplus without permission of the President/CEO.

- Employees should practice discretion when making personal calls.
- Employees shall refrain from using their work address for personal mail. DBH stationery and letterheads shall not be used for personal or unauthorized correspondence. DBH postage meters shall not be used for the mailing of personal correspondence.
- To maintain a safe and productive work environment, DBH expects employees to be reliable and to be punctual in reporting on scheduled work. These are essential functions of all DBH employment positions. In the rare instances when employees cannot avoid being late to work or are unable to work as scheduled, they should notify their supervisor as soon as possible. Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, up to and including termination of employment.
- Computers, computer files, the e-mail system, and software furnished to employees are DBH property intended for business use. Employees should not use a password, access a file, or retrieve any stored communication without authorization. DBH prohibits the use of computers and the e-mail system in ways that are disruptive, offensive to others, or harmful to morale. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes but is not limited to, ethnic slurs, racial comments, off-color jokes, or anything that may be construed as harassment or showing disrespect for others. E-mail may not be used to solicit others for commercial ventures, religious or political causes, outside organizations, or other non-business matters. DBH purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, DBH does not have the right to reproduce such software for use on more than one computer. Employees may only use software on local area networks or on multiple machines according to the software license agreement. DBH prohibits the illegal duplication of software and its related documentation.
- Employees may only eat food prepared for clients if there is excess food.
- The CEO should be notified prior to any employee seeking legal counsel on behalf of DBH.
- Employees cannot work hours more than their approved job status without approval from their supervisor. Non-exempt, full-time employees should not exceed 40 hours in a workweek. In accordance with DBH Employee Handbook Policy No. 402 – Overtime. All part-time, non-exempt employees must work less than 30 hours per workweek.

## **Employee Conduct**

### **Communication**

Each employee shall keep their calendars current that indicate their office hours.

Employees unable to be contacted during regular office hours may be placed on leave without pay.

### **Involvement with Clients**

Relationships between employees and clients must be developed and maintained at a professional level and in accordance with professional ethics and standards. Sexual contact is prohibited. Employees shall disclose all relationships with ex-clients whose therapy ended within the previous three years. Employees shall not inappropriately touch clients.

DBH employees cannot enter into a business relationship with a client or write a contract with a client without the written permission of the CEO. Employees may not accept gifts from a client that exceeds a nominal monetary value. A person is considered a client for two years after their last service.

### Working Evenings

Evening clients (groups and individuals) need to be made aware that there are others in the building during evening hours. Employees should not provide services to clients unless there is another employee or authorized volunteer in the building.

## **Employee Conduct in Community**

### Convictions

Conviction of a felony will be grounds for dismissal.

Conviction of a misdemeanor may also result in termination.

## **Appearance**

### Dress Standards

During business hours or when representing DBH, you are expected to present a clean, neat, and tasteful appearance.

Your supervisor or department head is responsible for establishing a reasonable dress code appropriate to the job you perform. If your supervisor feels your personal appearance is inappropriate, you may be asked to leave the workplace until you are properly dressed or groomed. Under such circumstances, you will not be compensated for the time away from work.

Consult your supervisor if you have questions as to what constitutes an appropriate appearance. Where necessary, reasonable accommodation may be provided for a person with a disability.

## **Controlled Substances**

### Drug-Free Workplace

It is DBH's desire to comply with the Drug-Free Workplace Act of 1988 and the Omnibus Transportation Employee Testing Act of 1991 and provide a drug-free, healthful, and safe workplace. This applies to all applicants, employees, and volunteers. To promote this goal, employees are required to report to work in appropriate mental and physical condition to perform their jobs in a satisfactory manner.

As outlined in Policy No. 502 of the DBH Employee Handbook – Drug & Alcohol Abuse, 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. Davis Behavioral Health works with Federal grants and must comply with Federal drug laws, including no use of medical marijuana.

While on DBH premises and while conducting business-related activities off DBH premises, including off-duty on-call paid status, no employee may use, possess, distribute, sell, or be under the influence of alcohol or illegal drugs. The legal use of prescribed drugs is permitted on the job only if it does not impair an employee's ability to perform the essential functions of the job effectively and in a safe manner that does not endanger other individuals in the workplace.

Employees shall pursue and complete rehabilitation, if the employee has an alcohol or drug abuse problem; report to his/her immediate supervisor any use of prescription medication that may affect the employee's judgment, performance, or behavior before beginning the work shift; and not refuse to take any test which is requested in accordance with current policy.

## **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 probationary 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. 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.

Violations of the drug-free policy may lead to disciplinary action, up to and including immediate termination of employment, and/or required participation in a substance abuse rehabilitation or treatment program. Such violations may also have legal consequences. Any conviction by a law enforcement agency for illegal drug or substance activity may be cause for immediate dismissal from employment.

## **Confidentiality**

The protection of confidential client information and employee information is vital to the interests and the success of DBH. Such confidential information includes, but is not limited to, the following examples:

- Sharing salary information with co-workers.
- Computer login information.
- Computer programs and codes.
- Client lists.
- Client information.
- Financial information.
- Privileged information.

Employees who improperly use or disclose confidential information will be subject to disciplinary action, up to and including termination of employment and legal action, even if they do not actually benefit from the disclosed information.

In addition, DBH has a legitimate interest in ensuring that the integrity of its services and client base is protected from others. Accordingly, DBH employees may not be employed by or provide services for any person, entity, or organization that provides mental health services during the term of employment with DBH without written permission from the CEO or HR Director to do so. Violation of this provision shall be considered a material breach of the contract of employment and shall justify immediate termination of employment for cause.

## **Conflict of Interest and Secondary Employment**

### **Conflict of Interest**

As outlined in Policy No. 213 of the DBH Employee Handbook, 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.

DBH has a legitimate interest in ensuring that the integrity of its services and client base is protected from others. Accordingly, DBH employees may not be employed by or provide services for any person, entity, or organization that provides behavioral health services while employed at DBH without written permission from the CEO or HR Director. Violation of this provision shall be considered a material breach of the contract of employment and shall justify immediate termination of employment for cause.

## 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 a 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 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 a 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. Employees may not refer any DBH client to their outside employment. Any such referral may lead to termination.

Employees shall not accept outside compensation including cash, gifts, favors, gratuities, special accommodations, or any other similar benefits for the performance of their duties without the approval of the President/CEO.

## **Workplace Safety and On-the-Job Injuries**

DBH provides information to employees about workplace safety and health issues through regular internal communication channels such as supervisor-employee meetings-memos, or other written communications.

Each employee is expected to obey safety rules and to exercise caution in all work activities. Employees must immediately report any unsafe condition to the appropriate supervisor.

Employees who violate safety standards, who cause hazardous or dangerous situations, or who fail to report or, where appropriate, remedy such situations, may be subject to disciplinary action, up to and including termination of employment.

In the case of accidents that result in injury, regardless of how insignificant the injury may appear, employees should immediately notify their supervisor who will then notify the Human Resources Director. Such reports are necessary to comply with laws and initiate insurance and workers' compensation benefits procedures.

## **Sexual Harassment**

As outlined in the DBH Employee Handbook Policy No. 501 – Sexual & Other Unlawful Harassment, DBH is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic will not be tolerated.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser.

If you experience or witness sexual or other unlawful harassment in the workplace, report it immediately to your supervisor and member of the DBH Human Resources Department. You can raise concerns and make reports without fear of reprisal or retaliation.

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

Sexual harassment as set forth in DBH Policy 703 is a cause, which may warrant immediate termination of employment.

## **Overtime**

In accordance with DBH Handbook Policy No. 402, all overtime work must receive the supervisor's prior authorization. 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. 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.

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.

Overtime compensation is paid to all nonexempt employees in accordance with federal and state wage and hour restrictions. Overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

### **Certificate of Understanding and Compliance**

All DBH employees are required to read and acknowledge their understanding of the DBH Professionalism Standards during the new hire onboarding process. The current version of the DBH Professionalism Standards is readily available on the DBH intranet site for employees to reference, if desired.