Latino Employee Handbook

Developed By

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And

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Introduction and Purpose

Welcome to your new job at\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and thank you for joining our work family! This a place where you will feel comfortable, valued and respected. Please consider this place of work as your second home! We want you to enjoy you being here and feel that you are part of w wonderful work family that cares about you and your family.

Started in (date), (Company) is aiming to be the best company for its employees and customers. We pride ourselves in the company that cares about its employees and believes in their highest potential.

As a company we have a culture that believes in the following:

1. Continues Improvement: As an employee you will be offered constant professional training to become a better version of ourselves and to provide better services to our clients. You will be encouraged to learn, improve and innovate constantly to ensure your fullest potential.
2. Teamwork; No matter what level of organization no one is above lending a hand and ensuring that we all support each other.
3. Transparency: We will honest with you and our clients. You and we will be truthful and open with all company dealings.
4. Creativity: You will be encouraged to think outside the box, provide creative and innovative ideas and solutions to satisfy clients’ needs and to help you and our business grow.
5. Excellence: Our work is always striving for excellence and we will help you strive for the greatest detail, take pride and provide you an environment where you reach your highest potential.
6. Experiences: We learn by experience and you should not be afraid of failure if we are trying, learning and moving forward. You will push yourself to try new things both personally and professionally and share lessons with all your colleagues.

You are joining a workplace that values and respects your culture and believes in you!

Thank you,

President/CEO

This employee handbook is intended to provide employees with a general understanding of Company personnel policies. The information in this handbook should be helpful in familiarizing employees with Company.

This handbook, however, cannot anticipate every situation or answer every question about employment. *It is not an employment contract or a legal document.* In order to retain necessary flexibility in the administration of policies and procedures, Company reserves the right to change or revise policies, procedures and benefits described in this handbook, other than the employment-at-will provisions, whenever the company determines that such action is warranted.

None of the following policies or standards of conduct are intended, nor shall they have the effect, of interfering or inhibiting any employee in the exercise of any right guaranteed or protected by law.

Equal Employment Opportunity Policy

We are an equal opportunity employer. It is our policy to provide equal employment opportunities to all qualified individuals regardless of race, color, creed, religion, national origin, sex, age, disability, veteran status or other status protected by law. We will provide reasonable accommodation to qualified employees with a known protected disability or for an employee’s religious beliefs providing the accommodation does not cause undue hardship to Company or cause a direct threat to health and safety as defined by the Americans with Disabilities Act or applicable state law.

Employment at Will

It is the goal of the company to provide a positive work environment and a solid economic foundation upon which all employees may build a future. However, Company also recognizes that employees and management alike must sometimes initiate change. In this regard it is expressly understood that your employment is “at will.” Thus, you retain the right to terminate your employment with the company at any time for any reason and the company retains a corresponding right to end the employment relationship at any time for any reason.

This handbook is not intended as a formal or exhaustive statement of employee rights and responsibilities, nor is it a contract of employment. This handbook is composed of general statements of the company’s current policies, rules, procedures and benefits. We feel strongly that we must retain flexibility to meet future economic challenges. Accordingly, the company reserves the right to amend, modify and/or eliminate any of these policies, rules, procedures and benefits at any time at the company’s sole discretion, with or without prior notice. On termination for any reason, you are only entitled to those benefits that are offered at the time your separation takes place. Any benefits offered in this manual apply only so long as the manual is current. They do not provide vested rights.

This handbook supersedes any previous oral or written provisions, descriptions or understandings of the company’s policies, rules, procedures and benefits. Any variation from these policies will only be made upon written approval from owner of the company.

 Introductory Period

All new employees are in an introductory period during their first 30 days of employment. During the introductory period, Company evaluates the employee’s work performance, including attendance and other work-related factors. Company is the sole judge in making all evaluations. We will continue to evaluate the work performance of each employee who completes the introductory period.

Employees should use this introductory period to learn about the company in order to understand what we expect of our workers and understand the benefits of being an employee.

 Policy Against Harassment

Company prohibits harassment or offensive conduct in any form, including harassment or offensive conduct directed toward the protected status of an employee, customer, vendor, contractor or their relatives, friends or associates. “Protected status” includes race, color, religion, gender, national origin, veteran’s status, age, disability and any other status protected by law.

Company will actively enforce its policy against harassment. The policy applies to all conduct on company property or company time and to all conduct off the job that affects an individual’s work environment. This policy also prohibits harassment or offensive conduct directed toward any employee by customers, vendors or contractors or their relatives, friends or associates.

Company considers violation of this policy a serious offense that will lead to discipline, up to and including discharge.

Harassment is any offensive action directed at a person’s protected status. Some examples of prohibited conduct, if directed at a person’s protected status, include foul language, jokes, slurs, derogatory comments, negative stereotyping, threatening or intimidating acts or posting or circulating offensive written or visual material. Additional examples of harassment include unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature. Company prohibits such conduct if:

The conduct has the purpose or effect of creating an intimidating, hostile or offensive working environment or of unreasonably interfering with an employee’s work performance; or

Submitting to such conduct is made a term or condition of employment; or

Submitting to or rejecting such conduct is used as the basis for employment decisions affecting that individual; or

The conduct otherwise adversely affects an individual’s employment opportunities.

The company will not tolerate unwanted touching under any circumstances.

Company expects employees to conduct themselves in a manner that another person or group of persons will not interpret as offensive. The company requires every person to show sound judgment and respect for the feelings of all other employees. All management personnel are responsible for enforcing this policy.

If an employee feels that someone’s conduct is harassing or improperly offensive, the employee should promptly and firmly tell the offender that the behavior is unwelcome. Although not required, doing so places the offender on notice that someone considers his or her conduct inappropriate. The company encourages any employee who believes he or she has been subject to harassment or offensive conduct or any employee who witnesses a violation of this policy, to report the offense immediately to either owner or present supervisor.

The Company will keep complaints confidential to the extent possible, while allowing the investigation to proceed (meaning information may be revealed on a “need to know” basis). The Company will investigate all complaints promptly.

Any employee whom the company finds after investigation to have violated this policy will be subject to appropriate sanctions, depending on the circumstances, up to and including termination. If the harasser is a non-employee, the company will take reasonable steps to address the situation. The company will design its action to provide redress, to eliminate the harassment or offensive conduct, to prevent retaliation against the person who made the complaint and to prevent retaliation against any employee for providing information as a witness or participating in the investigation.

Any form of retaliation, including derogatory comments, against people who make harassment complaints, against witnesses or any other employees who are involved in complaints, is against the company’s policy. Company will strictly enforce this policy and will treat retaliatory action as a violation that is subject to the same disciplinary measures, up to and including termination.

The question of whether a particular action is *prohibited* or merely the result of a personality conflict that produces no discriminatory effect on someone’s employment requires a determination based on all the facts. Given the serious nature of harassment and discriminatory offensive conduct, we trust that all employees of Company will continue to act responsibly in order to establish and maintain a pleasant working environment. Company encourages every employee to raise any question that he or she may have about this policy against harassment or any other matter that relates to equal employment opportunity. For answers to such questions, employees should contact owner or supervisor. [*name and title of designated person, location and telephone number*] or [*name and title of alternate designated person, location and telephone number*].

Employee Classifications

New Employees

All new employees must complete a 30-dayintroductory period. The introductory period is a trial period during which a supervisor carefully observes and evaluates job performance.

Regular Employees

A regular employee is an employee who is regularly scheduled to work 40or more hours per week. Will only pay over-time by 1.5. Employees who perform excellent in all their work duties will be offered a bonus of a day off with pay.

Part-Time Employees

Part-time employees are regularly scheduled to work less than 40 hours per week. No benefits or paid vacation will be provided. Will only pay over-time by 1.5. Employees who perform excellent in all their work duties will be offered a bonus of a day off with pay.

Temporary Employees

Temporary employees are scheduled to work for a predetermined, limited period of time or are employees hired through an outside agency, as set forth in each individual’s temporary employment agreement. No benefits or paid vacation will be provided.

Open Door Policy

Company believes it is extremely important that you have an effective means of addressing work-related issues. We strongly believe that by working together, we can resolve most any question or concern that may arise. If you have a problem or concern, we want you to tell us. For matters pertaining to harassment or offensive conduct, please also refer to procedures contained in the Company Policy Against Harassment (page 8).

Please use the following procedure in expressing your concerns.

 First, talk to your supervisor. Your supervisor is your principal contact with management. Supervisors have a considerable amount of technical knowledge and experience in the industry. Our supervisors are trained to deal with problems. They are very familiar with Company policies and will handle matters in a confidential manner. If you are uncomfortable or unable to discuss an issue with your supervisor, you may ask to meet with [*name person or position*].

 You and your supervisor can satisfactorily resolve most problems. You should first present any questions or concerns about policies, procedures, equipment, safety or other matters to your supervisor.

 If you are not satisfied with the answer from your supervisor or you feel that you cannot discuss the issue with your supervisor, you should talk to the owner or [*name person or position*].

 After taking the steps described above, submit any issue remaining unresolved to

 manager. He or she will carefully review the facts, consider your position and make a

 final and binding decision.

Company prohibits retaliation against any employee for exercising his/her right to bring issues to the attention of management.

Performance and Pay Reviews

Company expects all employees to perform their job duties in a safe and productive manner. Each employee’s supervisor will use an ongoing performance evaluation to accomplish the following objectives.

Employees will understand what job duties they are expected to perform and the performance standards they are expected to meet.

Employees will be aware of whether they are meeting or exceeding the performance standards and will have an opportunity for open communication and interaction with their supervisor about their job performance.

Employees who meet or exceed the performance standards will have the opportunity for training and career development and a bonus of a day off.

Employees who are not meeting the performance standards will be subject to two warnings and correction plan. After third violation employee will be fired immediately.

Every employee is responsible to participate actively in the ongoing performance appraisal process with his or her supervisor.

A supervisor’s performance appraisal is only one of the factors Company uses to make decisions on [*compensation, bonus, promotion and retention*]. Employees who perform exceptionally well in their job will provided a bonus based on their level of performance. Company also considers other factors such as market availability, demand for the company’s products and services, product transportation and other economic factors.

Hours of Work, Pay and Timecards

Hours of Work for Nonexempt Staff

*Workweek*

For purposes of the Fair Labor Standards Act, the workweek consists of seven (7) days beginning immediately after 12:00 midnight on Saturday and ending at 12:00 midnight the following Saturday.

*Regular Workday*

A regular workday normally consists of eight (8) hours of actual work in a workday. The company reserves the right to change the hours that constitute a regular workday. Your supervisor will inform you of your scheduled hours and any changes to that schedule.

*Rest and Meal Periods*

You will have one 30-minute unpaid meal period and two 10-minute paid rest periods during the course of a regular workday. Your supervisor will instruct you when your meal and rest periods will occur.

Overtime Work for Nonexempt Staff

The Company will determine when overtime is necessary and who will work overtime. *Before requiring you to work overtime, we will request volunteers from among the employees in the appropriate job classification(s) in which overtime will be worked.*]

You will be paid at the rate of one and one-half (1½) times your regular straight-time rate of pay for all hours you actually work in excess of 8 hours in day and in excess of 40 hours in a workweek.

Assigned overtime is mandatory. Late arrival or failure to report for mandatory overtime is treated as a tardy or absence under the Company attendance policy.

Payday Policy

Employees are paid on a semimonthly basis–the 15th of the month and the last working day of the month. When a payday falls on a weekend or a recognized holiday, paychecks will be distributed on the last scheduled working day before the weekend or the holiday.

Tips Reporting

As an employee of a restaurant, all tips you receive, whether in cash or included in credit card are taxable income. You are required by federal law to report all tips.

At the end of each shift, tipped employees must disclose when they punch out at the end of their shift, the amount credit or cash tips received. Your tips will be recorded and reflected in your paycheck stub.

Employee Meals

All employees will eat at half the menu cost. The cost for sodas is .50 cents.

Timecards for Nonexempt Staff

It is your responsibility to make sure that your hours are recorded accurately. Altering, falsifying or completing another employee’s time and attendance record is strictly prohibited and is grounds for discipline, up to and including termination.

If your timecard is lost or the time clock is not working properly, you must immediately notify [*name or position of responsible person*].

Timecards must remain at Company at all times. It is your responsibility to do the following:

Have all hours worked initialed by your supervisor or lead-person;

Have all overtime hours initialed by your supervisor;

Complete the timecard on a daily basis; and

Sign the timecard.

Pay Deductions for Exempt Staff

Company is committed to complying with federal and state laws regarding permissible deductions from the wages of employees who are exempt from overtime. The Company does not intend to deduct from exempt employees’ pay for absences where such deductions are inconsistent with exempt status under federal or state law. The general rule is that if an exempt employee works part of a workweek, the employee’s salary cannot be reduced because of variations in the quality or quantity of work, although there are a number of exceptions.

Please examine your paycheck stub each pay period to verify that the Company paid you the correct amount. If you believe that the Company has made an improper deduction from your pay, please bring it to the attention of [*name person or position*] immediately. If the Company determines that it has made an improper deduction, you will be reimbursed promptly for the amount deducted incorrectly.

Employee Benefits

Retirement Plan

At this time no retirement plan shall be provided to employees.

Group Insurance Program

Company provides no insurance at this time.

Sick Leave

Eligibility

All full-time and part-time nonexempt employees, whose regular work schedule consists of [*state number of hours*] or more hours each week, are eligible for Sick Pay Entitlement following completion of [*state number of days, e.g. 90*] calendar days of continuous service. You must personally notify your supervisor [*or state alternate contact person*] at least [*state time period, e.g. 30 minutes*] before the start of your shift if you are unable to work due to unanticipated injury or illness. You must give your supervisor notice [*state notice requirements*] in advance of all forseeable medically related absences. Medical appointments must be arranged in advance with your supervisor. It is your responsibility to communicate return-to-work plans with your supervisor. Failure to maintain contact with your supervisor as instructed may result in disciplinary action up to and including termination.

If, upon completion of [*state number of days, e.g. 90*] calendar days of service, you are not at work due to a non-work-related injury or illness, eligibility to participate in this plan will become effective upon your return to active employment. Your inability to work and ability to return to work must be established to the satisfaction of your supervisor who may require written evidence from your attending physician.

Payment under this policy is not considered time worked for computing overtime pay. Abuse or violation of this policy may result in disciplinary action.

Sick Pay Entitlement

Upon completion of a *[state number of days, e.g. 90]* calendar day service requirement, each eligible employee accrues entitlement at the rate of [*state amount, e.g. 4 hours*] of sick pay for every *[state number, e.g. 173]* hours worked. Full-time employees can accrue a maximum of *[state maximum accrual, e.g. 120]* hours of entitlement. Part-time employees who work *[state number of hours]* or more hours per week can accrue a maximum of *[state maximum accrual, e.g. 60]* hours of entitlement.

The purpose of sick pay is to continue the pay of qualified employees during periods of non-work-related disability to the extent of entitlement as outlined above. Sick pay is intended for sickness or injury of yourself *[or of your dependent children]*. Sick pay does not extend to time off to care for other family members unless state law provides otherwise. In the case of employees who work *[state number of hours, e.g. 30]* or more hours per week, sick pay may also be used for routine medical or dental appointments for the employee *[or the employee’s dependent children]*. Sick pay can be used in increments of no less than one-half hour. Accumulated sick leave has no value at the time of termination of employment or transfer to an exempt position.

Sick Leave Applied to FMLA or State Leave

Company complies with federal and state leave laws to the extent required by law. Sick leave may only be applied as required by law. Company’s sick leave, federal leaves and state leaves run concurrently when applicable. Check with your supervisor or *[state person, e.g. Human Resources Director]* if you have any questions about your leave rights.

Vacation

Vacation Policy

In the interest of morale, health and efficiency, it is Company's policy that you take advantage of your vacation by taking time off from work.

*Eligibility*

Employees become eligible for unpaid vacation time off from work on their anniversary date of hire.

*Vacation Schedule*

The paid vacation time off is determined by years of service and the number of hours you worked in the preceding years in accordance with the schedule below.

|  |  |
| --- | --- |
| Service Year(s) | Number of hours worked in preceding year |
|   | 1400 hours or more | 1120 through 1399 | 840 through 1119 |
| 1 Year | 40 hours | 32 hours | 24 hours |
| 2-4 | 80 hours | 64 hours | 48 hours |
| 5-14 | 120 hours | 96 hours | 72 hours |
| 15+ | 160 hours | 120 hours | 96 hours |

Employees can accumulate up to a maximum of [*state number of hours*] paid vacation hours.

*Schedules*

You may schedule vacations in conjunction with breaks, holidays and/or regularly scheduled days off with the approval of your supervisor.

Vacation requests are approved on a first come first served basis. As such, you are encouraged to plan your vacations as far in advance as possible. If there is any conflict in scheduling a particular date, the employee whose employment date is senior has the first choice.

Company encourages you to take all of your vacation at one time versus breaking it up into several different periods. However, you may take your vacation one-half day increments with prior approval of your supervisor or for approved family and medical leave.

*Vacation Pay*

Vacation pay is computed at a rate equal to your *straight time* hourly rate at the time the vacation is taken. Employees with less than a full year of service at the end of the base year will receive pro rata vacation accrued at the rate of *[state number]* day(s) per month worked/ *[state number]* vacation hours per hours worked.

Whenever a company approved holiday falls within an employee's vacation period, the company does not count it as part of the employee's vacation.

Holidays

The Company grants the following holidays as paid holidays to qualified employees:

[*list specific holidays*]

In the event that a designated holiday falls on a non-workday, the holiday will be observed on [*state the day the holiday is observed, e.g., if the holiday falls on a Saturday it will be observed the preceding Friday and if the holiday falls on a Sunday, it will be observed on the following Monday]*.

An employee is qualified for holiday pay if he or she meets all the following conditions:

The employee has worked for Company for at least [*state period of time, e.g., number of days*] prior to the paid holiday; and

The employee worked the last regularly scheduled workday before and the first regularly scheduled workday after the holiday unless excused in writing by the company; and

The employee is a regular full-time employee, not a temporary or part-time employee.

Holiday pay shall be paid at the qualified employee’s regular straight time rate of pay.

An employee working on a paid holiday shall be paid [*state rate at which employees will be paid, e.g. one-and-one-half or two*] times his or her regular rate of pay for hours worked on the paid holiday. The company may require that work be scheduled on these days as operations, markets, etc. may demand.

Leaves of Absence

Disability Leave

No disability leave benefits are available.

Jury Duty

The company supports your civic duty to serve on juries when called. As required by federal law, *exempt* employees who work part of a week and perform jury duty the remainder of the week will be paid for the full workweek.

You must notify your supervisor as soon as you know the dates of scheduled jury service. If you are on day shift and you are released from jury service before lunchtime for your scheduled shift, you must promptly report to work for the remaining portion of your shift. If you are on the swing or graveyard shift, you must report for the second half of your shift if you are released from jury service before noon, unless you make other arrangements with your supervisor.

Witness Duty

You must promptly inform your supervisor if you are subpoenaed to appear as a witness in legal proceedings during work hours. The time off will be unpaid, unless you ask to use accrued paid vacation. If the company subpoenas you to appear on the company’s behalf at a legal proceeding, the time will be counted as hours worked.

Military Leave

Employees who serve in the United States military will be granted a protected leave of absence in accordance with federal law. You must promptly inform your supervisor as soon as you know the scheduled dates of military service.

Bereavement Leave

You must be continuously employed by the company at least [*time period, e.g., three months or one year*] to be eligible for [*paid/unpaid*] bereavement leave. In the event of the death of a close family member, the company will grant up to [*number*] days of [*paid/unpaid*] bereavement leave per employee per [*calendar/fiscal*] year. You must notify your supervisor as soon as possible of the need for leave. The company may require documentation of the death and of the family relationship. Close family members are defined as [*Describe relationships. Possible examples include: spouses, children (biological, adopted, live-in foster children or live-in stepchildren), parents, parents-in-law, siblings, grandparents, grandchildren, nieces, nephews, aunts, uncles and “significant others” (live-in adult companions with whom the employee was in a committed, exclusive, loving relationship)*].

Personal Leave

Requests for unpaid personal leaves of absence will be evaluated on a case-by-case basis and generally will not extend longer than one week. Employees need to notify manager two weeks in advance if requesting personal leave.

Safety Rules

Name of the Company is committed to maintaining a safe workplace for all of our employees. Below are some basic guidelines for safety:

* Wipe up spills immediately.
* Never run in hallways or kitchens, always walk carefully.
* Wear shoes with non-slip soles.
* Report defectively equipment or tools to a manager.
* Never operate equipment unless you have been trained how to use it.
* Pay special attention when using slicers.
* Wear nylon, no cut gloves when cleaning slicers.
* Never try to catch a falling knife.
* Let people know when you are carrying anything hot.
* Don’t put hot food or plates in front of children.
* Use proper lifting techniques. Never lift too much. Remember to always bend your knees, lift with legs, not your back.

Sanitation

It is absolutely necessary that everyone follows safe food handling procedures. Every day we are entrusted with the health and even lives of our customers.

Keep your hands washed. Always wash your hands after using restroom, smoking, touching hair, eating, sneezing or coughing. If you use latex gloves, changed them regularly.

Sanitize everything. Besides clean hands, use sanitizing solution to constantly keep counters, cutting surfaces, and utensils free of bacteria.

Prevent cross-contamination. Cross- contamination occurs when raw meat comes in contact with other food that will be served without further cooking.

Keep food at the proper temperatures. Potentially hazardous foods like meat, poultry, dairy, and fish should always be stored below 45 degrees. Food that is cooking or in holding should be above 140 degrees. Bacteria usually count on growing rapidly between 45 and 140 degrees.

Store food correctly. Raw meat should always be stored below cooked or prepared food. Raw poultry is always placed on bottom of shelf of walk-in. Keep chemicals away from food products.

Dress Code

Shoes must be close toed and have non-skid soles.

Appearance- Clean and groomed hair. Hair pulled back off the shoulder. Well-groomed hands, fingernails and fingernails polish. Facial hair should be neat and well-trimmed.

We ask you to use judicious in your choice of blouses, t-shirts, hats, dresses, pants and other methods of adorning. All clothes should be in good repair.

Customer Service

Customer Service

Our restaurant exists only because of customers, and in particular repeat customers who voluntarily choose to return here and spend their money on our food and beverages. Without the customer we don’t have a restaurant, they are the only reason we are here. As a result,

taking care of our customers is our highest priority, in fact a privilege, never an interruption. At Sunny Point Café the customer always comes first!

Customer Complaints

Nobody enjoys being the recipient of customer complaints, but complaints are to be expected as part of being in the hospitality business. Complaints can even be viewed in a positive light if they are handled properly. Complaints can give us insights as to how to make our Restaurant better, demanding customers force us to be our best and resolving complaints satisfactorily can even increase customer loyalty IF they are handled properly.

When faced with a customer complain:

* Don’t get defensive and try to explain, get a manager.

Remove the offending item immediately, and get a

manager.

* Apologize for the problem and tell the customer you will

take care of the problem and get a manager.

* Oh, and finally, always inform a manager of the

Incident. Do everything you can to let the customer know you care

and that this isn’t the kind of experience you want them to

have at our restaurant

Company Work Rules

Violation of any rule of the company may result in discipline, up to and including discharge. The list of rules below does not contain every rule or possible standard of conduct expected from our employees, but it states many of the more fundamental rules. If you are unsure about what is expected of you in a certain circumstance, please ask your supervisor.

Nothing in this listing of company work rules is intended to conflict with the Employment at Will Policy on page 6 of this Handbook. The company’s interpretation and judgment of whether or not a rule has been violated is final and binding on both you and the company.

Prohibited conduct includes:

1. Violating safety rules or safety practices.
2. Violating substance abuse policy.
3. Engaging in horseplay, scuffling or throwing things.
4. Failing to immediately and accurately report an industrial injury.
5. Being tardy or absent without authorization or notification.
6. Missing three consecutive scheduled workdays without notifying the company.
7. Contributing to unsanitary conditions or poor housekeeping.
8. Smoking in unauthorized areas.
9. Causing loss or waste of material or parts due to carelessness.
10. Unauthorized use of company phones.
11. Posting, altering or removing any matter on bulletin boards on company property unless specifically authorized.
12. Being dishonest or committing a fraudulent act or breach of trust.
13. Recklessly driving or exceeding safe driving rules while on company property.
14. Threatening, intimidating, coercing or interfering with fellow employees on company property or on company business.
15. Using profane, abusive or threatening language.
16. Leaving the plant during the work shift without permission.
17. Working overtime without authorization or failure to work assigned overtime.
18. Failing to follow job instructions, verbal or written, insubordination.
19. Stealing, misusing, destroying or removing from company premises without authorization any company property or the property of any employee.
20. Using company’s facilities, equipment time or materials without authorization.
21. Restricting production or causing, creating or participating in a disruption of any kind during work time or on company property.
22. Provoking or instigating a fight or fighting during work hours, on company property or on company business.
23. Engaging in criminal conduct whether or not it is related to job performance.
24. Sleeping on the job during work hours.
25. Falsifying any company records, including employment information.
26. Recording the work time of another employee, allowing any other employee to record your work time or allowing falsification of any timecard, whether your own or another employee’s.
27. Engaging in any other conduct or omission that the company, in its sole discretion, believes to be averse to the best interest of the company.
28. Carrying firearms or any other dangerous weapons at any time on company property.
29. Violating any company rule, policy or procedure.

Misconduct or violation of company policies, rules or procedures may result in a verbal or written warning, a suspension with or without pay or termination. The company will base the type of discipline it administers upon the facts of each particular case as determined by the company.

None of the above standards of conduct or work rules are intended, nor shall they have the effect, of interfering or inhibiting any employee in the exercise of any right guaranteed or protected by law.

 Confidentiality Policy

Company and Personnel Information

In order for our staff to conduct company business and properly administer our own personnel procedures, we must gather and maintain certain private information. The purpose of this Confidentiality Policy is to set forth guidelines with regard to the collection, maintenance, use and disclosure of confidential information. All employees share the responsibility to ensure that proper security and confidentiality are maintained. Report any breach promptly to [*name or position of person*]. Anyone who violates this policy will be subject to disciplinary action and possible legal recourse.

Company property includes not only tangible property such as desks and computer terminals, but also intangible property such as information and data on those computer terminals. Of particular importance are proprietary information and confidential information. Proprietary information includes all information obtained by company employees during the course of their work. This Handbook, for example, contains proprietary information. Confidential information is any company information that is not generally known to the public or our industry. Customer lists and files, production information, personnel files, employee medical information, computer records, financial and marketing data, formulas and trade secrets are examples of confidential information.

General Policies

You may not disclose or use proprietary or confidential information except as your job requires. You also may not disclose or use any proprietary or confidential information that you obtained during the course of your employment with any previous employer.

Do not discuss confidential information with anyone, including coworkers, customers and individuals outside the company, except as necessary to carry out assigned duties. Take extra precautions when you are in areas where someone may overhear your discussion or observe your work. Clear your desktop of any confidential information before leaving your desk. If you need to leave your computer during the workday, you should use the “lockout” feature which will require you to enter a password when you return. Where appropriate, clearly mark files as “Confidential.”

Computers regularly used by an individual should not be used by other staff without permission.

Mail marked “confidential” should be opened only by the person to whom it is addressed.

Although we wish to respect employees’ privacy, there may be times when in order to prevent or investigate claims of harassment, theft or other wrongdoing, an authorized company representative may monitor phone calls, regular mail and electronic mail (e-mail). Please be aware that e-mail sent or received on company computers is the property of the company and is subject to our policies, including the policy against harassment. Although *unauthorized* access to an employee’s phone calls, regular mail, or e-mail account violates this confidentiality policy, the company reserves the right to monitor these items with the authorization of the company president.

Use only honest, legitimate means to collect information. Whenever practicable, obtain the information directly from the individual concerned.

Refer all inquiries from the press about our operations or employees to [*name or position*].

When in doubt about the release of information, check with your immediate supervisor. Never be intimidated into releasing the information when there is a question.

Outside Requests for Information about our Employees

Please direct all written requests, telephone calls or other inquiries regarding information about a current or former employee to [*name or position*]. [*Name or position*] is the only person authorized to release information unless authority is given by the company president. Guidelines for release of the information are set out below.

  We will not release employee data to individuals or organizations outside of the company without the employee’s authorization. The only exception is when the disclosure is compelled by court order, judicial or administrative process or a specific provision of law. Prior to release, the person requesting the information must present the appropriate court document or agency authority.

 An employee who desires the company to release information to an outside individual or organization (e.g., financial and employment information released to a bank or loan agency in support of the employee’s loan application) must sign a release and waiver before we release the information. The employee’s spouse or relative cannot give the waiver on behalf of the employee absent a court order.

 When other employers ask for references, we will limit information regarding former employees to dates of employment and job(s) held unless the company president authorizes an exception. Any former employee who wants to release additional information about his or her employment must sign a request and waiver.

 If you respond to a verbal or telephone request for information, record what information you released, to whom and for what purpose.

Information about our Business Operations

In managing the operations of our business, certain staff members become privy to sensitive information about the business, our customers, and our employees. This information must remain confidential both internally (within the company) and externally (outside the company, including spouses and family members). Do not discuss it with others beyond what is required to perform your job unless you are given specific authority to do so.

Medical Information

All medical information regarding our employees is strictly confidential. This includes but is not limited to workers’ compensation claims and treatments, enrollments and claims for health and welfare benefits, and results of drug and alcohol tests. Except as outlined below, no release is permitted without specific authorization from the person who is the subject of the medical information.

 Employees’ personnel files will *not* contain medical information. Documents containing medical information will be maintained in a separate file, marked “Confidential” and stored in a locked cabinet or drawer or in a secure computer file, as appropriate. We will treat the contents of the file as a confidential record as required by law.

Supervisors and managers who have information regarding an employee’s medical restrictions and limitations as a result of a return-to-work program must maintain the confidentiality of the medical information. They must use the information only to accommodate the employee’s work assignment and duties or to administer first aid or emergency treatment.

Confidentiality is an important part of our job. Please feel free to talk to your supervisor or the human resources manager if you have confidentiality concerns.

Personal Information

Privacy Policy

This sample policy is for illustrative purposes only and should not be used “as is.” A policy must be written to meet the specific business objectives of the employer and incorporate all of the elements required by federal and state laws. Although this sample policy contains some elements necessary for compliance with the federal Health Insurance Portability and Accountability Act (HIPAA) privacy regulations, it does not contain all of the administrative safeguards a covered health plan and plan sponsor must comply with.

Privacy Policy

In order to properly administer the personnel functions of a business, we must gather and maintain personal information about our employees. Company recognizes each employee’s right to privacy and seeks to avoid any unwarranted intrusion upon that right. We must also take reasonable steps to assure the accuracy, completeness and timeliness of the information in our possession. The purpose of this policy is to set forth the guidelines with regard to the collection, maintenance and disclosure of employee information.

Privacy Officer

[*Company representative*] is designated as the privacy officer who is responsible for the implementation of this policy. The privacy officer is also responsible for:

Designating the appropriate use of an employee’s personal and health information for bona fide business purposes and limiting the disclosure to only employees with a business need to know.

Training employees on company policies and procedures on the appropriate uses of an employee’s personal and health information and protecting this information as required by federal and state laws. All training must be documented.

Implementing appropriate administrative, technical and physical safeguards to protect the privacy of employees’ personal and health information from intentional, unintentional or inadvertent disclosure.

Providing information to any employee who has questions regarding the Company’s privacy policy.

Administering appropriate sanctions to any employee who violates the Company’s privacy policy.

Complaint Procedures

 [*name person or position*] is designated as the person who will receive a complaint from any employee who believes that his or her personal information or privacy has been compromised or that any employee has violated this privacy policy. [*Company representative*] has the responsibility of conducting a proper investigation.

 An employee may make a complaint by addressing the issue verbally with [*name person or position*]. When a violation has occurred, the Company will mitigate, to the extent practicable, any harmful effect of the disclosure and will apply appropriate sanctions.

Confidentiality

 Confidentiality is the responsibility of all employees. All employees are responsible for keeping their personal data that is necessary for business purposes up to date. Up-to-date information is necessary to properly administer the Company’s work policies and benefits and provide employees and their dependents with notices required by law. (Examples include contacting employees about work or schedule changes, dependent and beneficiary designation in the employee benefit plans, federal Family and Medical Leave Act (FMLA) leave, federal Congressional Omnibus Budget Reconciliation Act (COBRA) notices, etc.)

 An employee’s personal or health information should only be collected to meet a legitimate business reason or to comply with federal or state laws.

 Use only legitimate means to collect information. Whenever practical, obtain the information directly from the individual concerned.

 Employee information should not be discussed with anyone except as necessary to carry out assigned duties. Extra precautions should be taken when you are in areas where someone may overhear your discussion or observe your work.

 An employee’s personal and health information must be kept in a secured file with restricted access. Information or files should never be left unattended or unsecured.

 All medical information, including substance abuse testing results, pre-employment physicals, workers’ compensation claims and treatment and enrollment and claims information under the Company’s medical plan, are strictly confidential. No release is authorized without specific authorization from [*name or position of person*] and in compliance with the HIPAA privacy rules.

 Employee data may not be released to individuals or organizations outside of the Company. An exception is when the disclosure is compelled by court order, judicial or administrative process or by a specific provision of law. Prior to release, the person requesting the information must present the appropriate court document or agency notice.

An employee initiating a request for the release of his or her own personal information must provide [*name person or position*] with a written authorization describing what information may be released and to whom. Examples of employee-initiated releases are for bank loans, references, etc.

Any request for references on an employee or former employee from any prospective employer or organization shall be referred to [*name person or position*].

When in doubt about the release of information, check with your immediate supervisor. Never be intimidated into releasing the information when there is a question.

All employees are required to comply with this policy. Any violations will result in disciplinary action up to and including discharge.

Received by:

Name

Date

No Solicitation Policy

The company has established a *no solicitation* rule to maintain and promote efficient operations and security.

No employee can solicit or promote support for any cause or organization during his or her working time. In addition, no employee can solicit another employee during that employee's working time. Working time is defined as all-time an employee is required to be on company premises, on duty or at a prescribed workplace, including preparation time, opening and closing times and required meetings.

This policy does not restrict employee activity during lunch or rest periods or before or after working time.

Distribution of literature relating to any cause or organization is not permitted in working areas at any time. Such literature may be shared in non-work areas such as the lunchroom or the parking lot. Nonemployees are not allowed to solicit or distribute written material for any purpose on company property, including parking areas.

Conflicts of Interest

Each person employed by Company shall not engage in any activity if it will:

Adversely affect on-the-job work performance,

Create a conflict with the business interests and purposes of the company or

Have a negative impact on the business or reputation of the company, its product or other company employees.

Monitoring Acknowledgment Statement

I understand that Company electronic communication equipment is to be used for conducting the company’s business only. I understand that use of this equipment for my personal purposes is [*strictly prohibited*]/ [*restricted to after work hours and only when the personal use does not conflict or interfere with the company’s business use*.] I agree never to use a password that has not been disclosed to the company. I agree never to access any file or retrieve any stored communication when not authorized to do so.

I am aware that the company reserves the right to review, intercept, access and disclose any information on the company’s systems at any time, with or without employee notice and that such access may occur during or after working hours. I am aware that use of a password does not restrict the company’s right to access electronic communications. I am aware that violations of the company policy may subject me to disciplinary actions, up to and including termination.

I acknowledge that I have read and that I understand the company’s policy regarding electronic communication equipment. I authorize the company to review, intercept, access and disclose any of my communications or files on the company equipment.

Signature of Employee Date

Attendance Policy

Our Expectations

Company expects all employees to be on time, at work and ready to work a full shift as a condition of hire and continued employment. Absenteeism, early departures and late arrivals burden your fellow employees. While it is recognized that it may be necessary for you to be absent occasionally, it is important that absences be kept to a minimum.

You are expected to take care of personal affairs and obligations at a time other than during working hours. However, if it is necessary to be off for personal convenience, prior approval must be received from your immediate supervisor. In reviewing that request, he or she will take into consideration the operating needs of his or her department. You may also want to review the policy on obtaining a leave of absence (page 23).

Call-in Requirements

If you will be absent from work for any reason, it is absolutely necessary for you to *personally* notify [*name or position*] before the start of your scheduled shift; unless an unforeseeable event or an emergency prevents you from giving advance notice. In the case of an unforeseeable event or emergency, you must *personally* notify [*name or position*] within two hours after the event or emergency. Notice of the employee’s absence from a spouse, parent or other person is *not* acceptable, unless an emergency prevents the employee from personally contacting [*name or position*]. You must state why you are unable to attend work and must leave a phone number where you can be reached. Notifying the company of an absence or tardiness does not excuse the absence or tardiness. Upon request, you must furnish proof satisfactory to the company to substantiate the reason for absence or tardiness. Any employee who knowingly falsifies information relating to their absence will be disciplined. Incarceration for any alleged criminal or civil law violation is not a valid excuse for not following this call-in policy.

Failure to call in violates the call-in policy and will lead to disciplinary action up to and including discharge. If you fail to either call in or report to work for 3 consecutive workdays you will be terminated.

Doctor’s Release and Status Reports

A doctor’s release may be required after any illness. A doctor’s release will be required verifying that you are able to return to work following an injury or illness resulting in three (3) or more consecutive days’ absence.

If you are off work due to an injury or illness, you are required to contact [*name or position*] once each week to report the status of your ailment and anticipated return-to-work date. Reporting requirements are the same for both on the job and off the job injuries and illnesses.

Company may grant reasonable accommodation in complying with these policies to individuals with disabilities if it does not cause undue hardship to the company’s operations or cause a direct threat to health and safety. *However*, *regular attendance and promptness are considered part of each employee’s essential job functions*.

Discipline

Excessive absenteeism or tardiness may lead to disciplinary action, up to and including termination of employment. Other continuing patterns of absences, early departures or tardiness, regardless of the exact number of days, may warrant disciplinary action. The company will consider your record of tardiness, unexcused absences, excessive excused absences, suspensions, personal days off, leave of absence (except when provided according to state and federal law) and nonindustrial sickness or injury resulting in time missed.

Work-Related Searches and Monitoring

In order to enforce Company drug and alcohol policy, stop theft, prevent workplace violence, prevent harassment and otherwise protect the interests of the company, its customers and its employees, the company may use searches, video or other surveillance if necessary.

It is in your best interest not to bring items on company property that you do not wish someone else to discover. The company reserves the right to make an unannounced search of company property or of personal property that you bring onto company premises. Company property may include, but is not limited to, desks, file cabinets, computer files, e-mail, lockers, work areas, toolboxes and work vehicles. Personal property that you bring onto company premises may include, but is not limited to, jackets, briefcases, purses, lunch boxes, packages and personal vehicles.

To the extent possible, we will conduct searches in a manner that respects your dignity and privacy. The company will not force you to consent to a search; however, not consenting to a search may result in disciplinary action up to and including discharge. Employees who have concerns about the manner in which a search or surveillance was conducted should immediately contact [*two alternative company representatives, e.g., the human resources department or the plant manager*].

Drug and Alcohol Policy

Purpose

Company has a commitment to its employees, customers and the community to provide a drug- and alcohol-free working environment. The company expects employees to be in a suitable mental and physical condition to perform their assigned job duties satisfactorily at all times. In addition, the company has an obligation to its employees to ensure safe working conditions. To meet that obligation and to further our commitment to promote high standards of employee performance, productivity, health, safety and reliability, Company has established this policy.

Scope

This policy covers all applicants for employment and all hourly and salaried employees for the company.

Prohibited Behavior

The following clearly outlines the company’s position regarding drugs and alcohol and the behaviors prohibited by this policy.

*Employees Shall Not:*

Report for work or remain at work with any *detectable* level of alcohol or controlled substance, intoxicant or illegal drug in their system.

Engage in the unauthorized use of any alcohol or illegal drug on company premises or on company time, including rest and meal periods.

Possess or attempt to distribute, sell, obtain, manufacture, transfer, share or receive any alcohol, controlled substance (drugs) or any other substances that impair job performance or pose a hazard to the safety and welfare of the employee, coworkers, customers or members of the community. The company prohibits the use of drug paraphernalia or alcohol containers while you are on company property or company time. Violation of this rule will result in immediate termination.

Use medically authorized (prescription) or over-the-counter drugs in a manner inconsistent with the directions for the medication.

Medically Authorized (Prescription) Drugs, Over-the-Counter Drugs and Alcohol

When your doctor prescribes prescription drugs, you must ask whether the drugs will impair your ability to safely perform your job. If so, get the doctor’s statement in writing. The doctor should be familiar with your work duties before signing the statement. The statement need not identify the drug but may simply say that you are unable to perform safety-sensitive functions due to your prescription medication. *Give the doctor’s written statement to* [*personnel office*]*.* The company may ask the physician to complete a fitness-for-duty form indicating when we can expect you back at work. Where possible, the company may temporarily assign other work consistent with your medical condition.

Some over-the-counter drugs also may impair job performance. Please read the instructions carefully to determine if any drug you are taking will impair your ability to safely perform your job. The company may require a physician’s written certification from employees requesting a job reassignment or time off for medical reasons or because they are taking an over-the-counter drug that impairs performance or safety. The certification need not identify the name of the drug.

Abuse of medically authorized or over-the-counter drugs is a violation of this policy. Using another person’s prescription medication is also considered abuse.

*In addition, occasionally alcohol is served at company-sponsored social events. Alcohol may be served at such events only with the approval of the president of the company. Only the moderate and limited use of alcohol is acceptable. Employees are expected to remain responsible, professional and sober at all times.*

On occasion, managerial and executive staff may entertain during work hours or after work hours as representatives of the company. These occasions may include lunches, dinners and business conferences. On any such occasion, only the moderate and limited use of alcoholic beverages is acceptable. Managers and executives are expected to remain responsible, professional and sober at all times.

Violation of Policy

Employees who violate the drug and alcohol policy are subject to disciplinary action, up to and including termination.

Drug and Alcohol Testing

The company tests for drugs and alcohol under the circumstances described below. We may *require urine, saliva, breath and/or blood samples for a drug or alcohol test*. When samples need to be analyzed in a laboratory, we will use one that is properly licensed.

*Applicants for Employment*

Any offer of employment is contingent upon satisfying drug-testing requirements. If the applicant fails to comply with this policy, the testing requirements or the company’s related requests or if the test result is positive, the company will withdraw the offer of employment. Applicants who tamper with, adulterate or substitute their urine or other bodily samples are permanently barred from employment with us.

*Suspicion*

An employee’s performance, appearance, behavior, speech, mood, odors, etc., can provide reasonable suspicion of a drug and/or alcohol policy violation. The suspicion can be grounds for requiring a fitness-for-duty evaluation, including a drug and/or alcohol test. The basis for reasonable suspicion can include, but is not limited to, the following:

Absenteeism or tardiness

Declining work performance (after unsuccessful supervisor intervention)

Physical indicators (for example, pinpoint pupils, dilated pupils, change in skin coloration, bloodshot eyes, excessive perspiration, etc.)

Behavioral indicators (for example, stumbling, slurred speech, incoherent speech, rapid speech, apparent confusion, moodiness, weariness, fatigue, unusually energetic, unfocused, lack of concentration, disorientation, emotional outburst, hostility, unexplained changes in behavior, inability to do normal job tasks, the unsafe handling of equipment or tools, behaviors such as drinking alcohol or using drugs, etc.

The smell of alcohol or drugs

When there is reasonable suspicion, the employee is not to return to work until fitness for duty is established. The company will treat this time as a suspension pending the outcome of the drug and alcohol testing. In the absence of any other concurrent disciplinary action, the company will pay for the straight time lost from work if the test results are negative.

*Accidents*

An accident includes any incident involving property damage, physical injury or near miss. Any employee that contributes to or causes an accident (e.g., a forklift driver who runs someone over) is subject to a drug test, as are any injured employees.

*Important note:* If a subsequent incident investigation results in a recommendation for termination of employment or other disciplinary action (i.e., for safety or other policy violation), the termination or other disciplinary action will occur regardless of the test results.

*Testing as Otherwise Required by a State or Federal Law or Regulation*

You will also be required to submit to any drug or alcohol tests that are required by state or federal law or regulation while you are on company property or on company time.

Positive Test

If the test is positive, we may refer the employee to a certified drug and alcohol treatment center in lieu of discipline on the first such occasion. The following procedure will apply:

All *“positive”* tests are retested for confirmation. For a urinalysis, a gas chromatography/mass spectrometry test or a superior or equally reliable test will be conducted. Confirmatory tests also will be done for saliva, blood alcohol tests, breath tests or any other substance test.

If the secondary test confirms the initial positive result, the company will immediately suspend the employee (without pay) for violation of company policy. The employee may then have the opportunity to sign either a *“Last Chance Agreement”* and seek treatment or sever his or her employment.

An employee who is offered rehabilitation must meet with an accredited Employee Assistance Program (EAP) counselor. This counselor will assess the nature and severity of the employee’s problem and establish a treatment program. The company will consider a failure to complete the program or to cooperate with the drug and alcohol counselor as a breach of the *“Last Chance Agreement”* and will immediately terminate the employee.

Before returning to work, the employee is required to submit to an alcohol and/or drug test. This test must be alcohol-free and drug-free to allow the employee to return to work. After returning to work, the employee is required to submit to unscheduled testing at the employer’s discretion. The time period for unscheduled testing will be stated in the last chance agreement and may range from 12 months to five years. The company may also require other conditions. Refusing to take a test during this period is considered a breach of the *“Last Chance Agreement”* and will result in immediate termination. A positive test will result in immediate termination for violation of company policy.

When an employee who is under a *“Last Chance Agreement”* tests positive for alcohol or drug use, the employee will be discharged. (Only one *“Last Chance Agreement”* is permitted; a second positive test will result in immediate termination.) The company will also terminate an employee for any other violation of a “*Last Chance Agreement,*” as determined by the company or the certified drug and alcohol counselor, apart from a positive test result.

Medical benefits may cover some costs for this treatment. Any costs accrued that are not covered by insurance are the sole responsibility of the employee.

*Appeal Procedure*

When a sufficient sample is available, the employee or applicant, at his or her expense (but maintaining an independent chain of custody), will have the opportunity to have the sample sent from the original laboratory to a second licensed or approved facility for GC/MS testing or other approved confirmatory test. An employee may request an independent test by notifying [*person or department*] in writing within five calendar days after the day the employee is informed of the test results. The test result will be kept confidential and will be available only to the employee and designated company representatives. If disciplinary action is executed for reasons other than the test results, the appeal will have no effect on such action. There is no appeal procedure for a confirmed positive breath alcohol test.

*Refusal to Test*

The company will terminate an employee or withdraw any offer of employment to an applicant who refuses to submit to drug and alcohol testing under the conditions described in this policy or who otherwise fails to comply with this policy, the testing requirements or the company’s related requests.

Refusal to submit to a test includes failing without valid medical explanation to give enough urine, breath, blood or other approved physical sample for a drug or alcohol test and/or engaging in conduct that clearly obstructs the testing process.

*Confidentiality*

The results and records of alcohol and drug testing are considered confidential and must not be discussed or shared with anyone who does not need to know. Also, a manager must not discuss the suspected reason for a referral with anyone who does not need to know. These records shall *not* become part of an employee’s personnel file.

*Testing Samples*

A local medical facility will collect samples for drug and alcohol testing. A licensed testing facility will do laboratory and confirmatory testing on samples. Employees and applicants may request the name and address of these facilities.

Searches

Our company policy on searches includes situations involving potential use or possession of drugs or alcohol on company property or company time. Please refer to the Search Policy contained elsewhere in this handbook for more information.

Employee Responsibility

It is the responsibility of all employees to:

Sign a form consenting to drug and alcohol testing.

Abide by this policy.

Voluntarily seek assistance through the EAP if you have a substance abuse problem.

Encourage other employees to seek assistance.

Report any violations or any suspected violations of this policy to your immediate supervisor or to [*person or department*].

Other Conditions

Any employee tampering with, substituting, adulterating, falsifying or altering a drug or alcohol sample, screening test or any aspect of the testing process or providing inaccurate or false information will be subject to immediate termination.

The company requires all employees to cooperate fully in any company or law enforcement investigations resulting from this policy. This includes signing any necessary authorizations for releasing test results to the company. The company will consider refusal to authorize the release of test results as a refusal to test.

The company expects employees to be honest when questioned by a supervisor, manager or law enforcement officer. Any criminal conduct on company time or business will result in immediate termination of employment. An employee who intentionally interferes with a company investigation will be subject to disciplinary action including termination of employment.

Employees must comply with all company rules and job performance standards upon returning to work after completing a voluntary treatment program. Violation of company policy or rules will result in appropriate disciplinary action separate from this policy.

Company reserves the right to decide whether reasonable suspicion exists, the level of discipline to be applied and whether an employee should be given the opportunity to participate in a drug and/or alcohol treatment program. The company may amend this policy at any time.

*Misconduct Away from the Workplace*

The company wishes to maintain an excellent reputation in the business and local community. We have a policy against employee misconduct that damages the company’s reputation or an employee’s working relationship with the company. This includes misconduct both at work and away from the workplace. *Company policy requires all employees to report drug-related and alcohol-related arrests and convictions within five calendar days of their occurrence.* Violation of this policy will result in disciplinary action up to and including discharge from employment.

Definitions

For the purpose of this policy, the following definitions are provided:

*“Presence”* is ANY DETECTABLE LEVEL of alcohol or drugs in an employee’s blood or urine as determined by the testing agency and company. [*Optional but recommended language: A current list of the levels considered “detectable” may be obtained from the [person or department].*]

*“Controlled substances”* are all forms of narcotics, depressants, stimulants, hallucinogens and cannabis, whose sale, purchase, transfer, use or possession is prohibited by law.

*“Over-the-Counter Drugs”* are those that are generally available without prescription from a medical doctor and are limited to those drugs that can impair the judgment of an employee to safely do his or her duties.

*“Medically Authorized (Prescription) Drugs”* are those drugs that are used during medical treatment and are prescribed and authorized for use by a licensed physician, practitioner or dentist.

*“Drug Paraphernalia”* are any items that are used for the administering or storing of prohibited drugs.

Work-Related Accidents and Injuries

Reporting Injuries

Report all on-the-job injuries or illnesses, no matter how slight, to your supervisor or the Workers’ Compensation Coordinator immediately or no later than the end of your shift. Your failure to follow this procedure may affect your right to workers’ compensation benefits and subject you to disciplinary action up to and including termination.

In the event that you become injured or ill at work, your supervisor will provide assistance and ensure that you get proper care. Your supervisor will assist in arranging for first aid treatment or needed transportation. In the event of a serious injury accident, your supervisor will assist in notifying emergency medical services.

In the event that you suffer an industrial injury or illness that requires immediate medical attention and the symptoms did not appear until after work hours (e.g. flash burns to the eyes), you must report the injury as soon as possible following treatment. Your failure to follow this procedure may affect your right to workers’ compensation benefits and subject you to disciplinary action up to and including termination.

When employees are unable to complete their shift because of an industrial injury or illness, only a supervisor can excuse them from work. All employees who require medical care resulting from an industrial injury or illness, except in the case of emergency treatment, must obtain a Physician Referral Notice from their supervisor.

All employees returning to work following treatment for an industrial injury or illness must present a Return-to-Work Slip, signed by the treatment provider. Any employee attempting to return to work without a signed Return-to-Work Slip will be referred back to his or her treatment provider and the company may consider time away from work as unexcused.

Time Off for Treatment and Recovery

Employees injured at work will receive regular wages for any time lost to obtain medical attention on the day of their accident. The injured employee will receive wages as if he or she completed the regularly scheduled shift.

The company requires all employees excused from work as the result of an industrial injury or illness to maintain daily contact by phone and in person weekly with the personnel office (unless otherwise arranged). Failure to follow this procedure may subject employees to disciplinary action up to and including termination.

All employees off work as the result of an industrial injury or illness must supply their supervisor or personnel office with a current phone number (unlisted or not, both home and message) and an address (both physical and Post Office box, if applicable).

Early Return to Work—Transitional, Modified or Alternate Duty

Whenever possible, the company will provide temporary transitional, modified or alternate work to qualified employees who have sustained an industrial injury or illness. Transitional, modified or alternate work may be limited to 30 days or until the injured or ill employees receive a full-duty release returning them to their usual and customary jobs. If, at the end of 30 days, the employee has not returned to regular duty, the company will re-evaluate the case. Following the evaluation, the company may extend the offer of temporary transitional, modified or alternate work for two weeks at a time for a period not to exceed an additional 30 days.

Employees released to temporary transitional, modified or alternate work must report to work for their next regularly scheduled shift. In addition, employees must provide their supervisor with their temporary transitional, modified or alternate duty release forms, including detailed work restrictions.

Once the physician releases an employee to an available position within the employee’s restrictions, the employee must abide by the physicians’ restrictions and to follow through on necessary medical treatment.

Employees must notify their company official (*Name of Person*) if they are using any prescription drugs that may jeopardize job performance or safety. It is not necessary, however, that we know what specific drugs an employee is taking or why, but only that the employee can safely work.

Employees must notify their supervisor if they notice an increase in pain or disability or if they have any problems performing their job.

The company encourages employees to schedule any needed follow-up medical care during non-work hours. Employees must give adequate notice to their supervisor to be relieved from work for doctors’ appointments.

Reporting Accidents

In order that the company can respond accordingly, you must report all accidents to your supervisor or the [*personnel office*] immediately or no later than the end of your shift. You must report:

Personal injuries to employees, contractors, temporary service workers or vendors

Property damage

Product damage

Any accident or near miss that you have observed

Your failure to follow this procedure may subject you to disciplinary action up to and including termination.

 Personnel Records

The accuracy of each employee’s personnel records is essential for the proper handling of many issues of importance to you as well as to the company. It is your responsibility to promptly notify the [*personnel office*] of any of the following personal data changes:

Mailing address

Physical address/location

Home/message phone number

Person and phone number to call in the event of an emergency

Any official name changes

Marital status change (marriage, divorce or separation)

Any change in dependent status (birth, marriage, death or loss of legal custody)

Insurance beneficiary

Military status

Forms to update your personnel records are available from your supervisor or the [*personnel office*]. Changes may be made in person at the [*personnel office*] during regular business hours. Failure to keep your personnel records up to date can adversely affect your work opportunities (e.g., if we are not able to contact you) and the eligibility of you and your dependents for employee benefits.

Employee-Owned Tools and Equipment at the Workplace

This employee-owned tools and equipment at the workplace policy is in coordination with other company policies that are designed to provide a safe and efficient workplace.

General Requirement

Company requires employee-furnished tools and personal protective equipment to be maintained in a safe condition at all times. Company will inspect these items to maintain compliance with applicable federal and state safety and health regulations.

Employees must keep their tools and personal protective equipment in locked storage cabinets provided by the company when these articles are not in use. Should any articles be lost due to theft or deteriorate to the point where replacement is necessary, the employee will pay for them.

Employee Acknowledgment

I have received a copy of the Company Employee Handbook. I understand that it is my obligation to understand all of the rules, policies, terms and conditions and to abide by them. If I have any questions regarding these policies, I will ask my supervisor or the [*state position, e.g., the human resources manager*]. I understand and agree that employment at Company is “at will.” I also understand and agree that any provision of this handbook may be amended or revised at any time by Company with or without notice.

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

(Please return to the [*state position, e.g., the human resources manager*] prior to [*state time period, e.g., first payday*].)