



WORK RULES

INTRODUCTION

THESE VALLEYCARE WORK RULES SUPERSEDE ALL PREVIOUS WORK RULES, HANDBOOKS, AND POLICIES. WHILE SOME OF THESE RULES ARE NEW AND OTHERS ARE MODIFIED, ALL RULES WILL BE ENFORCED. THE EFFECTIVE DATE OF THESE WORK RULES IS JANUARY 1, 2006.

VALLEYCARE WORK RULES ARE DIVIDED INTO TWO (2) CATEGORIES: THOSE WORK RULES INVOLVING ATTENDANCE ENTITLED "ABSENTEE CONTROL PROGRAM" AND A SEPARATE CATEGORY OF ALL OTHER WORK RULES ENTITLED "PERSONAL CODE OF CONDUCT."

THESE WORK RULES ARE A PART OF POLICY NO. FH-459 ON CONDUCT, COUNSELING, COMMENDATIONS AND DISCIPLINE. EMPLOYEES ARE EXPECTED TO KNOW, UNDERSTAND AND ABIDE BY THESE RULES AND WILL SIGN THE ACKNOWLEDGEMENT CONTAINED IN SECTION III.

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I. ABSENTEE CONTROL PROGRAM

GENERAL

Attendance problems, specifically excessive absenteeism, excessive tardiness, and absence without proper notification, will be treated separately from all other types of discipline. In other words, incidences of discipline for excessive absenteeism or tardiness will not be utilized in conjunction with other work rule infractions to advance employees through the disciplinary process. After first consulting Human Resources, a determination will be made if an occasion of absence is not to be counted due to unique circumstances. This is intended to be limited to extreme circumstances such as the employee having a terminal illness or being hospitalized for an accident or condition.

ATTENDANCE PROBLEMS

An employee's attendance at work is vital to the organization and the staff. When someone is unexpectedly away from work, things don't get done or others in the department must carry an extra workload.

It is recognized that there will be occasions when an employee is absent. Unexpected illnesses, injuries, and problems do occur. However, it is not the specific reason for the absence that primarily concerns us, it is the impact your absence has on the mission of ValleyCare whether your absence is a personal or legitimate matter. Our work rules take into consideration that there will be a number of absences that a person will have before they get into the disciplinary process. Furthermore, each case will be looked at on an individual basis and such matters, as an employee's attendance pattern and attendance record will be taken into consideration. Ultimately, however, each employee must realize that their attendance is crucial in taking care of patients and the families we serve, and unacceptable levels of attendance will not be tolerated.

Therefore, the following sections define the terms and the process that should be utilized in dealing with attendance matters. This specifically includes excessive absenteeism, excessive tardiness, and absence without proper notification.

DEFINITIONS

EXCESSIVE ABSENTEEISM IS 6 DIFFERENT OCCASIONS IN A ROLLING 12-MONTH PERIOD OF ACTIVE EMPLOYMENT.

Approved Leaves of Absences (LOA's) including but not limited to Workers Compensation Leaves, FMLA Leaves of Absence, Jury Duty, Military Duty, or Funeral Leave should not be counted.

An "OCCASION" of absence is a single time of absence from work. It can be one day or any number of consecutive days, or an incident of leaving work early. For example, four consecutive days off due to an illness would be a single occasion. If the employee returns to work and a week later is absent because of the same or different illness, this would be a separate occasion of absence.

Absences which fall into a pattern, such as calling off on weekends or in conjunction with scheduled days off (including vacation and personal holidays), will also be grounds for discipline.

"TARDINESS" is defined as late (i.e. 1 minute or greater = late).

EXCESSIVE TARDINESS IS 10 TIMES IN A ROLLING 12-MONTH PERIOD OF ACTIVE EMPLOYMENT.

A "ROLLING" year is defined as 12 months from the date of incident.

THE KEY

The following are the abbreviations for the various forms of discipline under the attendance portion of these work rules:

- VC - Verbal Counseling
- WW - Written Warning
- P - Probation in lieu of suspension
- D - Discharge

NOTE: Any discipline above a Written Warning requires Human Resources review.

THE PROCESS

Below is the recommended disciplinary process. A manager's action at the 4th occasion of excessive absenteeism or 6th occasion of excessive tardiness requires documentation to Human Resources. (Please note that the 4th, 5th, and 6th occasions are total, and not additional). Discipline may be issued for pattern absenteeism as well (i.e. calling off on weekends or in conjunction with days off).

Excessive Absenteeism

- 4th Occasion - VC
- 5th Occasion - WW
- 6th Occasion - P
- Failure to comply with the terms of Probation - D

NOTE: Any discipline above a Written Warning requires Human Resources review.

Excessive Tardiness

- 6th Occasion - VC
- 8th Occasion - WW
- 10th Occasion - P
- Failure to comply with the terms of Probation - D

NOTE: Any discipline above a Written Warning requires Human Resources review.

RELATIONSHIP OF REQUESTED TIME OFF TO THE ATTENDANCE POLICY

There are occasions when employees request time off and ValleyCare is unable to grant the request. If the employee subsequently "reports off" on the days that the time off was requested without proper verification the following disciplinary action will occur.

| <u>First Offense</u> | <u>Second Offense</u> | <u>Third Offense</u> |
|--------------------------|---------------------------|--------------------------|
| WW | P | D |

ABSENCE WITHOUT NOTIFICATION (NO CALL NO SHOW)

| | <u>First Offense</u> | <u>Second Offense</u> |
|------------------------------------------------------|--------------------------|---------------------------|
| ABSENCE WITHOUT PROPER NOTIFICATION (1 or 2 DAYS) | P | D |

(3 CONSECUTIVE DAYS)

D

Proper notification is meant to be whatever report off procedure is currently in effect for the employee's work unit, unless otherwise specified in the respective collective bargaining agreements. Each offense counts as one (1) occasion.

II. PERSONAL CODE OF CONDUCT

GENERAL

The following work rules are not intended to be all-inclusive but representative of types of behavior, which will result in discipline. Each work rule identifies the steps to be taken with respect to such an infraction. However, all these rules are related and, under this system, an employee will move to the next step of discipline for any violation of the rules. Therefore, any infraction of the rules, which results in discipline, will result in an employee being advanced to the next step of discipline even if the rules are unrelated. For example, if an employee is given a verbal counseling for failure to punch in or punch out and then fails to perform work assignments according to normal requirements of the job, then the employee would advance to the next step of discipline, written warning, rather than receiving another verbal counseling which would normally be the discipline for a first infraction of the rule.

Once an employee has had twenty-four (24) months of active employment, or as specified in the respective collective bargaining agreements, prior disciplines will be excluded from the current disciplinary action. Under such circumstances, once a disciplinary step is eliminated, such discipline given to an employee backs-up one (1) step. For example, if John Doe was given a verbal counseling on July 10, 2004, and a written warning in October 2004, as of July 10, 2006, assuming John Doe has not had in intervening leave of absence, his verbal counseling is no longer effective. His written warning is then considered the first step of discipline. In this same example, If John Doe had a six (6) month leave of absence after receiving his discipline, it would take two years and six months for that discipline to no longer have any effect.

THE KEY

The following are the abbreviations for the various forms of discipline under these work rules:

- VC - Verbal Counseling
- WW - Written Warning
- S - Suspension (Three (3) consecutive scheduled workdays). Suspension carries a greater penalty than Probation. Supervisors should exercise judgment in determining which discipline should be issued, depending upon the circumstances of a particular incident. Obviously, this decision only needs to be made when the disciplinary step involved provides for the option of Suspension or Probation.
- P - Probation. Once placed on Probation, an employee shall remain in that status until such time as the initial discipline issued in the chain of progressive discipline has become ineffective.
- D - Discharge

NOTE: Salary employees may receive time off without pay under these Work Rules.

2. CATEGORIES

| ON THE JOB BEHAVIOR - SUCH AS: | First Offense | Second Offense | Third Offense | Fourth Offense |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------|---------------|----------------|
| <p>Time Clock Violations such as, but not limited to:</p> <p>Failure to follow the procedure for swiping in or out within six (6) minutes before the start of employee's work time or after the end of work time. Each employee must swipe in no more than five (5) minutes before the start of their workday nor swipe out more than five (5) minutes after the end of their work time.</p> <p>Failure to swipe in or out.</p> <p>Use of unauthorized time clock to ring in or out.</p> <p>If there are five (5) occasions within a rolling 12-month period of time, an employee will receive a Verbal Counseling. For the 7th occasion within a rolling 12-month period of time, a Written Warning will be issued. For 9 occasions within a rolling 12-month period of time, an employee will be placed on Probation. For 11 occasions within a rolling 12-month period of time, an employee will be discharged.</p> | VC (5) | WW (7) | P (9) | D (11) |
| <p>Refusal to accept work assignments (Insubordination). Insubordination is the intentional refusal to perform an assigned task or a direct order, not the accidental or negligent failure to perform work assignments.</p> | S | D | | |
| <p>Failure to comply with policy for reporting off. (Each department should have their own policy which is communicated to employees as to the set amount of time prior to shift for call offs/reporting on.)</p> | VC | WW | P | D |
| <p>Failure to perform work assignments according to normal requirements of the job and/or departmental policy. (policies involved should be identified in discipline)</p> | VC | WW | P | D |
| <p>Failure to follow the Hospital's policy on co-signage for narcotic counts.</p> | VC | WW | P | D |
| <p>Leaving work area without authorization.</p> | VC | WW | P | D |
| <p>Leaving premises without authorization.</p> | P | D | | |
| <p>Failure to comply with dress code.</p> | VC | WW | P | D |
| <p>Failure to return to work at the expiration of an approved leave of absence.</p> | D | | | |
| <p>Failure to timely apply and/or extend an approved leave of absence.</p> | D | | | |
| <p>Divulging Confidential Information. (All employees are exposed to certain confidential information and are required to keep it as such.)</p> | D | | | |
| <p>Exceeding time limits for authorized lunch or break periods.</p> | VC | WW | P | D |
| <p>Sleeping while on Hospital time.</p> | D | | | |

| ON THE JOB BEHAVIOR - SUCH AS: | First Offense | Second Offense | Third Offense | Fourth Offense |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|----------------|---------------|----------------|
| Violation of the Hospital's Smoking Policy (Compliance with the Smoking Policy is critical to the Hospital's accreditation under JCAHO. Violation of this policy has extremely serious consequences for the Hospital, therefore it requires serious discipline.) | WW | S | D | |
| Physical abuse of other employees. | D | | | |
| Illegal gambling on Hospital premises. | P | D | | |
| Violation of Safety Policy (This includes the failure to follow body substance precautions or resheathing needles) | WW | P | D | |
| Intentional disabling of or tampering with a safety device. | D | | | |
| Engaging in outside business activity while on Hospital time. | D | | | |
| Failure to timely (within 24 hours unless physically unable) complete and submit an accident report. | VC | WW | P | D |
| Possession of firearms or other dangerous weapons on Hospital premises. | D | | | |
| Failure to follow policy on personal phone calls. | WW | P | D | |
| Intentional or malicious waste or misuse of materials or supplies. | WW | S | D | |
| Altering timecards or identification badges, handling or tampering with another employee's time record. | D | | | |
| Parking in unauthorized areas. | VC | WW | P | D |
| Discourteous treatment of other employees including but not limited to verbal, non-verbal, and other forms of communication. The Hospital reserves the right to begin discipline at the suspension step or discharge step of the discipline process based upon the severity of the matter. | WW | S | D | |
| Failure to complete or maintain position requirements, within the Employee's control, such as but not limited to licensure, certification, registration, etc. Failure to verify and/or provide proof will result in your immediate removal from the schedule. | VC | WW | P | D |
| Violation of Hospital's Internet or E-Mail Policy. (It is recognized that violations of this policy may vary in degree given the circumstances of each case. In cases of a more severe nature (i.e.: accessing pornography, engaging in unlawful or criminal activity) the Hospital reserves the right to begin discipline at the suspension or discharge step of the discipline process based upon the severity of the matter. | WW | S | D | |

| DRUG OR ALCOHOL PROBLEMS - SUCH AS: | First Offense | Second Offense | Third Offense | Fourth Offense |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|-----------------------|----------------------|-----------------------|
| Possession of Narcotics or Alcohol on Hospital premises (excluding medication by Doctor's prescription). | S | D | | |
| Use of Narcotics or alcohol at work. | S | D | | |
| Reporting to work under influence of Narcotics or Alcohol or in an impaired condition. | S | D | | |
| Unauthorized distribution and/or diversion of drugs on Hospital property. | D | | | |
| BEHAVIOR RELATING TO PATIENTS, VISITORS, AND VOLUNTEERS - SUCH AS: (Patient care is and must be our foremost concern). | | | | |
| Verbal Abuse | S | D | | |
| Physical Abuse | D | | | |
| Failure to report Patient injuries and/or failure to file Patient Quality Reports. | S | D | | |
| Actions detrimental to Patient Care. The Hospital reserves the right to begin discipline at the discharge step based upon the severity of the matter. | S | D | | |
| Unauthorized revealing of Patient information. (We have an obligation to protect the confidences of our Patients). | D | | | |
| Abandonment of Patient. | D | | | |
| Discourteous treatment of Patients, Visitors or Volunteers including but not limited to verbal, non-verbal, and other forms of communication. The Hospital reserves the right to begin discipline at the suspension step or discharge step of the discipline process based upon the severity of the matter. | WW | S | D | |
| Failing to properly identify patients prior to discussion, treatment, medication, etc. The Hospital reserves the right to begin discipline at the suspension step or discharge step of the discipline process based upon the severity of the matter. | VC | WW | S | D |
| DISHONESTY AND RELATED PROBLEMS - SUCH AS: | | | | |
| Solicitation of funds from patients or visitors. | S | D | | |
| Theft or unauthorized possession of Patient, Employee, Visitor, Volunteer, or Hospital property. | D | | | |
| Negligent and/or willful damage to property or equipment of the Hospital, Employee, or Patient. The Hospital reserves the right to begin discipline at the discharge step of the discipline process based upon the severity of the matter. | S | D | | |
| Having one's own timecard or identification badge swiped by another. | D | | | |
| Swiping another employee's timecard. | D | | | |
| Misuse of sick time. Using sick time other than its intended purposes (i.e. employee uses sick time and is not sick) | D | | | |
| Acquiring new employment while on LOA from ValleyCare | D | | | |
| Inappropriate or lewd actions on Hospital time and/or property. | D | | | |
| Falsifying or altering any Hospital Documentation. Such as, but not limited to, employment application, application for benefits, patient records, personnel records, leave of absence papers, sick pay papers, and department records. | D | | | |
| Removal of Hospital property without prior written authorization. | S | D | | |

III. EMPLOYEE RECEIPT ACKNOWLEDGEMENT

I have received this day a copy of ValleyCare Work Rules for all employees. I understand that if it should become necessary to amend, modify, add to or delete from these Work Rules, ValleyCare will provide me notice of any such changes.

I understand the Work Rules I have received are not all inclusive and are to serve as a guide and that all Work Rules will be enforced from the effective date of January 1, 2006.

Employee Name (Please Print)

Employee ID Number

Signature

Date