



Children's  
Home Society  
of West Virginia

## Employee Handbook

Issue Date: November 1, 2010



# THE CHILDREN'S HOME SOCIETY OF WEST VIRGINIA EMPLOYEE HANDBOOK

Issue Date: 11/01/2010  
Supersedes: 07/01/2009

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**Section 1 Introduction**  
**Topic 1.1 Statement of Acceptance**

## STATEMENT OF ACCEPTANCE

I understand and agree that the contents of this Handbook are presented as a matter of information only. The information contained in this Handbook is merely a summary of the present policies, rules, and benefits of the Children's Home Society of West Virginia (the "Society"), and the Handbook is not intended to nor does it create an employment contract, either expressed or implied.

While the Society offers and intends to apply the policies, procedures, rules and benefits described herein, these are not an offer of employment, and are not intended to nor do these guarantee me employment or job security. I understand that my employment is "at-will." That means that my employment and compensation are for no definite period, and that as an employee at-will my employment may be terminated at any time, with or without notice, and with or without cause.

I further understand that the Society also reserves the right in its sole discretion to at any time modify, interpret, revoke, suspend, terminate or change any or all plans, policies or procedures, in whole or in part, with or without advance notice. In addition, I understand that no supervisor, representative or officer of the Society has any authority to make any agreement contrary to the policies stated herein with any employee, without the express written authority of the Chief Executive Officer of the Society.

I have received my personal copy of the Society's Employee Handbook, and I have been given an opportunity to read it and ask questions regarding its contents.

---

Employee's Signature

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Date

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## Section 1 Introduction

### Topic 1.1 Statement of Acceptance

#### STATEMENT OF ACCEPTANCE BY RELIEF EMPLOYEES

I understand and agree that the contents of this Handbook are presented as a matter of information only. The information contained in this Handbook is merely a summary of the present policies, rules, and benefits of the Children's Home Society of West Virginia (the "Society"), and the Handbook is not intended to nor does it create an employment contract, either expressed or implied.

While the Society offers and intends to apply the policies, procedures, rules and benefits described herein, these are not an offer of employment, and are not intended to nor do these guarantee me employment or job security. I understand that my employment is "at-will." That means that my employment and compensation are for no definite period, and that as an employee at-will my employment may be terminated at any time, with or without notice, and with or without cause.

I understand and agree that as a Relief Employee I am being hired as an interim replacement, to temporarily supplement the Society's workforce, or to assist in the completion of a special project or assignment, and that the Society cannot guarantee work will be available to me or that I will be guaranteed any hours of work. Employment for any particular number of hours or for any particular period does not in any way imply a change in my employment status.

I further understand that the Society also reserves the right in its sole discretion to at any time modify, interpret, revoke, suspend, terminate or change any or all plans, policies or procedures, in whole or in part, with or without advance notice. In addition, I understand that no supervisor, representative or officer of the Society has any authority to make any agreement contrary to the policies stated herein with any employee, without the express written authority of the Chief Executive Officer of the Society.

I have received my personal copy of the Society's Employee Handbook, and I have been given an opportunity to read it and ask questions regarding its contents.

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Relief Employee's Signature

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Date



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## **Section 1 Introduction**

### **Topic 1.2 Introduction to the Society**

#### **Identity**

##### **Who We Are...**

The Children's Home Society of West Virginia is a private, non-profit child welfare organization founded in 1896. The Society consists of contributors, employees, volunteers, and friends, and is governed by a volunteer Board of Directors. We are licensed to provide child welfare and behavioral health services in West Virginia and we are fully accredited by the Council on Accreditation.

Comprehensive child welfare, behavioral health, social casework, and advocacy services are provided to over 6500 children each year from several locations throughout the state.

##### **Mission Statement**

The mission of the Children's Home Society is to promote the well being of children. Our current efforts are directed at helping children find lifetime families, protecting and nurturing children, and helping preserve and strengthen their families.

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## Section 1 Introduction

### Topic 1.3 Purpose of the Handbook

The purposes of the Employee Handbook are to provide employees of the Children's Home Society with information about the Society, to acquaint them with some of the policies and procedures applicable to their employment, to state the Society's expectations of them, and to describe their benefits.

All employees must familiarize themselves with the Handbook and ask their supervisor for information on anything that is unclear.

The Handbook is divided into eight (8) Sections:

Section 1 Introduction

Section 2 Human Resource Policies

Section 3 Terms and Conditions of Employment

Section 4 Rules and Discipline

Section 5 Employee Classifications

Section 6 Salaries and Benefits

Section 7 Separation

Section 8 Individual Employee Information

This Handbook will be revised periodically. Employees will be informed of such revisions and given copies. It is their individual responsibility to keep their Handbook up-to-date.

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## **Section 1      Introduction**

### **Topic 1.4      Change of Policies**

The benefits, rules and practices described in this Handbook are subject to change without notice.

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## **Section 1 Introduction**

### **Topic 1.5 Disclaimer**

The benefits, rules and practices described in this Handbook are general pronouncements of current Society policy and are not intended to be nor do they create an employment contract, either expressed or implied.

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## **Section 1 Introduction**

### **Topic 1.6 "At Will" Policy**

All employees of the Society are at will employees, and are employed for an indefinite period. The Society reserves the right to terminate any employee at any time, with or without notice, and with or without cause.

At the same time, employees may terminate their employment at any time and for any reason, or for no reason at all.

Each employee will be required to sign a written statement acknowledging this at the time of hire.

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## **Section 1 Introduction**

### **Topic 1.7 Definitions**

As used in this Handbook, the following terms are defined as set forth below:

- A. Regular Full-time Employee: An employee that is regularly scheduled to work 40 or more hours per week.
- B. Regular Part-time Employee: An employee that is regularly scheduled to work less than 40 hours per week.
- C. Temporary Employee: An employee that is hired on a temporary basis with the understanding that their employment will be terminated on or near a predetermined date or upon completion of a particular project.
- D. Relief Employee: An employee that is hired as an interim replacement, to temporarily supplement the Society's workforce, or to assist in the completion of a special project or assignment, with the understanding that the Society cannot guarantee work will be available or any hours of work.
- E. Exempt Employee: A regular full-time employee whose job responsibilities are such that he is exempt from the minimum wage and overtime requirements of the Fair Labor Standards Act (FLSA).
- F. Non-exempt Employee: A regular full-time, regular part-time or temporary employee whose job responsibilities are such that he is entitled to be paid overtime for hours worked in excess of 40 during a work week, consistent with the requirements of the FLSA.
- G. The Society: The Children's Home Society of West Virginia.
- H. Site: The primary service delivery field offices are Morgantown, Parkersburg, Charleston, Huntington, Logan, Martinsburg, Romney, Beckley, Lewisburg, Northfork, Princeton, and Summersville.
- I. Assigned Supervisor: The primary person assigned to provide an employee day-to-day supervision as established in the letter of employment and the job description.

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# THE CHILDREN'S HOME SOCIETY OF WEST VIRGINIA EMPLOYEE HANDBOOK

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## **Section 2 Human Resource Policies**

### **Topic 2.1 Human Resource Policy Statement**

The programs of The Children's Home Society of West Virginia provide child welfare services to children and families. It is our organization's intention to provide these services in an efficient and effective manner while maintaining the highest possible quality.

The Society recognizes that the employment of caring, well trained, qualified and highly motivated employees is the most important part of continuing to ensure the high quality of care our clients receive.

Our goal for each individual employee is for that person to fulfill his or her job responsibilities in an ethical manner as prescribed by the Society and consistent with established social work and child welfare practices. In return the employee should: (1) receive adequate compensation in the form of salary and benefits; (2) have a personally rewarding and satisfying job experience; and (3) develop professionally.

Employees should always keep in mind that the first priority of the organization is the proper care and treatment of the children and families we serve. All personnel-related policies and decisions reflect this priority as well as our desire for reasonable and consistent treatment of employees.

The Society is committed to a work environment that includes dignity, courtesy, respect and equitable treatment and provides for recognition and appreciation for a job well done. The Society also is committed to support and help, to the extent possible, the individual employee who may be having personal or job-related problems.

Employees are encouraged to express their ideas for improved services, improved working conditions, and on other matters that might result in more efficiency or effectiveness.

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## **Section 2 Human Resource Policies**

### **Topic 2.2 Equal Opportunity – Affirmative Action**

The Children's Home Society of West Virginia is an Equal Opportunity Employer complying with the spirit and intent of Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, the West Virginia Human Rights Act, and such other federal and state laws prohibiting employment discrimination as may be applicable.

It is the policy of the Society to employ qualified personnel and to do so in a manner, which is morally and legally proper. To this extent, there will be no discrimination in the Society against any employee or applicant for employment on the basis of age, color, creed, disability, disabled veteran status, gender, national origin, race, religion, or Vietnam era veteran status. This includes but is not limited to the following: employment, upgrading, demotion, or transfer; recruitment and recruitment advertising; layoff or termination; rates of pay and other forms of compensation; selection for training including field placements; and Society sponsored social and recreational events.

The Society will take action to ensure equal opportunity for all persons in the filling of its positions. The Chief Financial Officer or his or her designee is the designated coordinator for implementation of the Equal Opportunity – Affirmative Action policy.

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## **Section 2 Human Resource Policies**

### **Topic 2.3 Sexual and Other Unlawful Harassment**

#### **Objection and Statement of Policy**

The Society is proud of its tradition of a collegial work environment in which all individuals are treated with respect and dignity. Each individual has the right to work in a professional atmosphere that promotes equal opportunities and is free from discriminatory practices, including sexual and other unlawful harassment.

This policy expressly prohibits unlawful harassment on the basis of race, color, religion, sex, national origin, creed, age, disability, handicap, marital status, family status, ancestry, veteran status or any other characteristic protected by federal or state law.

This policy covers all employees of the Society. The Society does not tolerate, condone, or allow unlawful harassment, whether engaged in by employees, supervisors, vendors or any other non-employees who conduct business with the Society. Such behavior is unacceptable in the workplace itself and in other work related settings and business related social events.

**CONDUCT THAT CONSTITUTES SEXUAL OR OTHER UNLAWFUL HARASSMENT NEVER HAS BEEN AND WILL NOT BE TOLERATED BY THE SOCIETY. IT IS UNACCEPTABLE AND IT IS ALSO ILLEGAL.**

#### **Definition of Unlawful Harassment**

State and federal laws define and prohibit such conduct. For purposes of this section, unlawful harassment is defined as unwelcome and unwanted conduct of a sexual nature (verbal or physical) or based upon race, color, religion, sex, national origin, creed, age, disability, handicap, marital status, family status, ancestry, veterans status or any other characteristic protected by federal or state law when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's continuing employment, or
2. Submission to or rejection of such conduct is used as a basis for employment decisions, or
3. Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or it creates an intimidating, hostile or offensive working environment.



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## **Section 2 Human Resource Policies**

### **Topic 2.3 Sexual and Other Unlawful Harassment**

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#### **Examples of Sexual and Other Unlawful Harassment**

Some examples of sexual and other unlawful harassment include, but are not limited to the following:

- Demanding sexual favors in exchange for favorable treatment, reviews, assignments, promotions, continued employment or promises of the same
- Continued or repeated jokes, language, epithets, flirtations, advances or propositions that are sexual in nature or based upon race, color, religion, sex, national origin, creed, age, disability, handicap, marital status, family status, ancestry, veterans status or any other characteristic protected by federal or state law
- Verbal abuse of a sexual nature or based upon race, color, religion, sex, national origin, creed, age, disability, handicap, marital status, family status, ancestry, veterans status or any other characteristic protected by federal or state law
- Graphic verbal commentary about an individual's body, sexual prowess or sexual deficiencies
- Using sexually degrading and/or vulgar words to describe an individual
- Leering, whistling, touching, pinching, brushing the body, assault, coerced sexual acts
- Suggestive, insulting or obscene comments or gestures that are sexual in nature or based upon race, color, religion, sex, national origin, creed, age, disability, handicap, marital status, family status, ancestry, veterans status or any other characteristic protected by federal or state law
- The display in the workplace of sexually suggestive objects, pictures, posters or cartoons
- The circulation of electronic communications including but not limited to electronic mail messages that are sexual in nature or based upon race, color, religion, sex, national origin, creed, age, disability, handicap, marital status, family status, ancestry, veterans status or any other characteristic protected by federal or state law





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### **Topic 2.3 Sexual and Other Unlawful Harassment**

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- Name calling, relating stories, gossip, comments or jokes that have a sexual connotation or that are based upon race, color, religion, sex, national origin, creed, age, disability, handicap, marital status, family status, ancestry, veterans status or any other characteristic protected by federal or state law
- The display of sexually suggestive graffiti or graffiti that is based upon race, color, religion, sex, national origin, creed, age, disability, handicap, marital status, family status, ancestry, veterans status or any other characteristic protected by federal or state law
- Retaliation against employees for complaining about such behavior.

#### **Reporting**

While the Society encourages individuals who believe they are being harassed to notify the offender firmly and immediately that his or her behavior is unwelcome, it is also recognized that power and status disparities between an alleged harasser and a target of harassment may make such a confrontation impossible. In the event that such informal, direct communication between individuals either is ineffective or impossible, then any such conduct should be reported immediately to the employee's supervisor or the Chief Financial Officer or designee.

If an employee feels, for any reason, that he or she cannot deal directly with his or her supervisor or the Chief Financial Officer or designee, he or she should report the complaint to the Chief Executive Officer in order for the complaint to be investigated and addressed properly and promptly. In the event that allegations of unlawful harassment involve the Chief Executive Officer, such reporting shall be made to the Chair of the Board of Directors, and the Chair of the Board of Directors shall assume the role of the Chief Executive Officer as outlined below.

Any supervisor who receives notice of a complaint or who learns of an incident of alleged unlawful harassment is required to promptly report the incident to the Chief Financial Officer or his or her designee and/or the Chief Executive Officer to allow the complaint to be properly and promptly investigated.



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### **Topic 2.3 Sexual and Other Unlawful Harassment**

#### **Page Four**

Reporting by a supervisor who receives notice of a complaint or who learns of an incident of alleged unlawful harassment is mandatory and failure to do so will result in disciplinary action up to and including termination of employment.

#### **Investigation and Response**

Upon receipt of an unlawful harassment complaint, the Chief Executive Officer, or his or her designee, shall follow the following procedure:

- Investigate the allegations promptly and thoroughly, maintaining confidentiality to the extent possible under the circumstances;
- Take immediate and appropriate corrective action by doing whatever is necessary to end any unlawful harassment and prevent any such harassment from recurring; and
- In the event that unlawful harassment has occurred in the best judgment of the Chief Executive Officer, take disciplinary action against the offending employee based upon the facts of the situation. Any such discipline is based on an analysis of the individual circumstances and may include immediate termination.

Under no circumstances shall an employee's job security or promotional opportunities be jeopardized because of making a complaint under this policy or because of his or her willingness otherwise to assist in the identification of employees in violation of this section. The Society shall not tolerate retaliation or reprisal against an employee based upon the employee making a good faith complaint of conduct in violation of this section or based upon the employee cooperating in an investigation of any such complaint.

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## **Section 2 Human Resource Policies**

### **Topic 2.4 Hiring**

A vacancy of a Society's Regular Employee position may be publicly advertised. If current employees of the Society, including temporary employees, are being considered for the position, the Society may decide not to publicly advertise.

The Society will post all vacancies in Regular Employee positions at all Society sites. The posting of the vacancy will allow at a minimum ten (10) calendar days from the date of the announcement for interested individuals to apply for the position.

The Society may advertise temporary employment opportunities. All temporary employment opportunities that are advertised will be advertised at all Society sites. The advertisement for a temporary position has no minimum time period posting requirement. Interested individuals may apply for temporary employment at any time.

All applicants are required to submit a completed Employee Application Form. Employment interviews with applicants will continue until the right person for the job is found. One or more applicants may be selected for an employment interview. When interviews do not provide a satisfactory candidate the position may be advertised again until the right person is found for the position.

The Chief Executive Officer will issue a letter stipulating the various conditions of employment to the applicant.

No employee will be placed in a position in which a relative by blood, adoption, or marriage is the assigned supervisor of the employee.

All internal and public advertisements of employment opportunities, salaried and temporary, will contain the "Equal Opportunity Employment" pronouncement (EOE) at the end of each advertisement.

An administrative file for all job advertisements posted will be maintained at each Society site. This administrative file will contain all job advertisements, internal and public, made by the site and those received by the site. Advertisements will be maintained for a three year period, which begins at the closing date of each advertisement.

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## **Section 2 Human Resource Policies**

### **Topic 2.5 Orientation and Employee Development**

All employees will receive orientation to their job. They should understand the contents of their letter of employment, job description, and the Employee Handbook. They will also be adequately trained to execute their responsibilities and should know all the policies and practices that relate to their position.

The Society is committed to the continued professional development of its employees. Ongoing, in-service training is provided as well as opportunities for participation in workshops, conferences, seminars and other learning opportunities.

Any employee who believes that sufficient orientation has not been provided or that they are not sufficiently trained to begin or continue to do their job should discuss the matter with their supervisor immediately.

All professional development and training activities must receive prior approval from the employee's supervisor. Supervisors will consider limits on available funding, the appropriateness and relative benefits of the activity, and possible scheduling difficulties before granting approval.

The Society may assist employees in a limited manner with formal education expenses if funds are available and if the course of study benefits the employee in his or her position with the Society. Inquiries for educational assistance should be made to the employee's assigned supervisor who must forward the request, with a recommendation, to the Director of Training and Consultation for consideration.

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## **Section 3      Terms and Conditions of Employment**

### **Topic 3.1      Hours and Work Schedules**

The Children's Home Society provides services on a 24-hour per day, seven-day-a-week basis.

The normal work week for individual regular full-time employees is 40 hours. The number of hours per week an employee is expected to work is contained in the employee's job description and letter of employment.

The work week of the Society begins at 12:00 a.m. (Midnight) on Sunday and ends at 11:59 p.m. the next Saturday.

Work schedules are established by the employee's assigned supervisor and are subject to change.

Non-exempt employees will work no more than 40 hours per week except in an emergency and will be compensated for hours worked over 40 hours as described in "Overtime" Topic 5.1. Overtime must have prior approval from the assigned supervisor.

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## **Section 3      Terms and Conditions of Employment**

### **Topic 3.2      Job Descriptions**

Each employee will have a job description. The job description will state the employee's title, identify his or her supervisor, list job responsibilities, state the expected number of hours in the employee's workweek, and specify proper employee classifications. The description will identify educational and experience requirements and other job requirements.

Job responsibilities are listed in the job description to help the employee generally understand the Society's day-to-day expectations. A job description is not meant to include all tasks an employee may be expected to perform. Thus, the employee will be asked to perform tasks not listed in the job description.

If an employee believes that he or she is being required, on a regular basis, to perform tasks clearly not part of his or her job, the employee should inform his or her assigned supervisor.

Job descriptions, job titles, and assignment of supervisors may be changed at any time.

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## **Section 3      Terms and Conditions of Employment**

### **Topic 3.3      Credentials**

The Children's Home Society of West Virginia recognizes that the employment of caring, well-trained, qualified, and highly motivated employees is the most important part of continuing to ensure the high quality of care our clients receive.

The Society's credentials committee shall review documented evidence of employees' credentials. Employees submit the required documented evidence to their assigned supervisor.

When a salaried employee does not meet the time frames, the supervisor may suspend that employee without pay until the credentials committee receives the required documentation. Continued failure to submit the required documentation may result in disciplinary action including termination of employment.

When a Temporary Employee does not meet the time frames the supervisor will remove that employee from the work schedule until the credentials committee receives the required documentation.

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## **Section 3 Terms and Conditions of Employment**

### **Topic 3.4 Letter of Employment**

All employees will be given a letter of employment. This letter will confirm an offer of employment with the Society and will contain some or all of the following information:

- Title of the position being offered
- Starting date
- Salary
- The employee classification
- The assigned supervisor
- Any other special terms or conditions not contained in the Employee Handbook or job description
- A statement about training obligations

The letter of employment also contains a statement indicating that the prospective employee understands the terms and conditions of his or her employment as stated in the letter of employment, the Employee Handbook, and the employee job description and that he or she accepts these terms and conditions.

The letter of employment is signed by the Chief Executive Officer and by the prospective employee.

The original letter of employment is retained by the Society and placed in the employee's file. A copy of the letter is given to the employee for his or her records.

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## **Section 3      Terms and Conditions of Employment**

### **Topic 3.5      Supervision**

Each employee is assigned a supervisor. This supervisor is identified in the employee job description and Letter of Employment.

The supervisor is responsible for determining the employee's work schedule, conducting evaluations, ensuring that the employee is performing his or her job responsibilities, approving leave time, approving an employee's work-related expenses, taking appropriate disciplinary action, if needed, and resolving employee complaints.

Supervisors are also responsible for letting employees know of changes in Society policies and practices.

Supervisors may delegate some of their responsibilities to other employees. Employees will be informed by their assigned supervisor of these circumstances.

Employees who are unclear as to whose direction they should be following in any given situation must notify their assigned supervisor immediately and get the matter resolved.

Supervisory assignments are subject to change.

Employees with suggestions for improving services or working conditions should pass their ideas on to their supervisor for consideration.

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## **Section 3     Terms and Conditions of Employment**

### **Topic 3.6     Evaluations**

The purpose of the employee evaluation is to evaluate the employee's job performance and to identify the strengths of the employee as well as areas that need improvement.

The evaluation also provides employees an opportunity to discuss concerns and problems with their supervisors and to relate how they feel about their job.

Evaluations should result in constructive suggestions for improved performance and a clear understanding on the part of the employee as to the supervisor's observations about his or her work.

Evaluations will be in writing and will follow a standard Society format. Evaluations must be signed by the supervisor and by the employee. The employee's signature simply means that he or she understands the content of the evaluation and does not necessarily signify agreement with it.

Employees may not change their evaluations but they may add written comments to them.

All evaluations, including the employee's comments, if any, will be maintained in the employee's personnel file.

Evaluations will be conducted annually.

More frequent evaluations may be conducted if the supervisor feels it is necessary and productive to do so.

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### **Section 3 Terms and Conditions of Employment**

#### **Topic 3.7 Personnel File**

The Society maintains a personnel file on every employee. The employee's personnel file contains documentation related to his or her employment with the Society. The items, which must be contained in the personnel file, include but are not limited to:

- The Employee Application Form
- At least three letters of reference
- Recommendation for Hire
- The letter of employment
- Employee evaluations
- A current job description
- A copy of the employee's degree
- A copy of the employee's college transcript
- Auto insurance verification
- A resume
- A copy of the W-4 and I.T. 104
- A copy of the Payroll Maintenance Form
- A copy of any notification to the employee related to changes in job responsibility or salary
- Copies of special permits that may be a job requirement
- A signed Statement of Confidentiality
- Chapter 49 understanding and agreement
- Statement of Criminal Record
- Verification of Criminal Investigation Bureau (CIB) check, FBI (NCIC) check, if applicable, and WVDHHR Protective Services Check
- A signed acknowledgement of receipt of Employee Handbook

Every employee is entitled to examine the contents of his or her personnel file or to formally designate others to review the file. However, nothing in the file may be changed or removed by the employee or the designee(s), nor may the file be removed from the Society's premises. The employee will give his or her assigned supervisor at least a five day notice so the supervisor can make appropriate arrangements to be present when the employee or designee reviews the personnel file. The personnel file must be reviewed in the presence of the assigned supervisor or his or her designee.



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The employee may designate another person to have access to the employee's file. This request must be submitted in writing to the appropriate supervisor and placed in the employee's personnel file.

Medical information must be maintained in a separate file with access limited only to those persons with a legal reason to know - the employee, the assigned supervisor, the Chief Executive Officer or designee.

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### **Section 3 Terms and Conditions of Employment**

#### **Topic 3.8 Travel and Other Business Related Expenses**

All employees are entitled to reimbursement of auto (per mile rate as established by the Board of Directors), meal and other expenses, which they are expected to incur in performing their job responsibilities. All such expenses are subject to the prior approval of the employee's supervisor.

Prior to approval, supervisors will consider the appropriateness of the activity generating the expense, the reasonable cost associated with the activity and any budget restraints.

Expenses not approved by the employee's supervisor will not be reimbursed.

Request for reimbursement of expenses must be made on the Society's Employee Expense Report Form. All Employee Expense Report Forms must be submitted to the assigned supervisor within thirty days of the conclusion of the month that the expense occurred. All information required on the form must be provided and the employee and his or her supervisor must sign the form. Receipts are required.

Employee expense reimbursement checks are usually distributed monthly.

Employees expected to incur significant expenses such as the cost of attendance at a conference or overnight travel may request an advance on their projected expenses. The employee's supervisor must approve such requests.

Refer to the Financial System Operations Manual (SOM) for further information concerning specific allowable expenses.

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## **Section 3 Terms and Conditions of Employment**

### **Topic 3.9 Automobile Use and Automobile Insurance**

The job responsibilities of many employees require that they are able to transport clients in their personal automobiles or in Society vehicles. Employees whose responsibilities include the regular or occasional transportation of clients are required to have a valid driver's license and an available automobile. They must also carry appropriate automobile insurance with minimum limits as required by state law, which covers the use of the employee's personal automobile while transporting Society clients in the performance of their job duties. The Society provides umbrella liability coverage for any claim in excess of the liability policy limits of the employee's personal insurance policy. It is up to the individual employee's discretion whether to carry collision and comprehensive insurance coverage on their personal automobile while it is being used to transport Society clients. Under no circumstances is the Society responsible for, nor does the Society provide insurance coverage for, collision or comprehensive damage or loss to the employee's personal automobile while it is being used to transport Society clients. An up-to-date copy of the portions of each employee's auto insurance policy describing coverage and limits and the time period covered must be submitted at the beginning of the employee's employment and at each renewal date thereafter.

The Society maintains appropriate insurance on all Society owned vehicles.

The protection and safety of the clients we serve is every employee's responsibility. Safe driving is important as is the proper care and maintenance of your car. All vehicles used for the transportation of clients shall be maintained in a safe condition, be in conformity with all applicable motor vehicle laws and be equipped in a fashion appropriate for the season. All passengers must wear seat belts.

Employees driving Society vehicles must follow established procedures for reserving the car and for record keeping. Any observed maintenance needs should be reported immediately.

All traffic violations occurring in a Society vehicle or in a personal vehicle during work must be reported to the employee's supervisor no later than the next working day. An incident report shall be completed and submitted to the assigned supervisor.

If an employee is cited for any traffic violations, he or she will be responsible for the payment of fines.

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## **Section 3 Terms and Conditions of Employment**

### **Topic 3.10 Background Checks**

Criminal Identification Bureau (CIB) checks, FBI (NCIC), WVDHHR Protective Services Check and a Statement of Criminal Record will be completed on Society employees as required by state licensing requirements or state law.

The hiring and continued employment of a person is contingent on a clear background report. In cases where a background check or Statement of Criminal Record reveals criminal charges or convictions, or maltreatment of a child or adult, the Society will take action consistent with licensing requirements and state law. An employee shall be terminated when the employee does not accurately report criminal charges or convictions on the disclosure form at the time of hire or required updates, and a CIB check, FBI check or Statement of Criminal Record reveals criminal charges or convictions different than those indicated by the disclosure.

An employee must report any arrest or conviction within 24 hours of such arrest or conviction to his or her immediate supervisor.

Refer to the Society's Background Check Procedures for further information.

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### **Topic 3.11 Physical Examinations**

Society employees will have physical examinations as required by state licensing requirements or state law. Society actions as a result of the findings of these examinations will be consistent with licensing requirements and state law. The employee may use a physician selected by the Society to complete the physical. The Society will assume the cost of the selected physician's physical.

When the employee decides to use a physician other than the one selected by the Society, the cost of the annual physical will be paid by the Society up to a set fee. The balance of charges of a privately selected physician will be at the expense of the employee.

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## **Section 3      Terms and Conditions of Employment**

### **Topic 3.12    Employment Eligibility Verification**

Employees hired after November 6, 1986, must complete and submit an Immigration and Naturalization Service Employment Eligibility Verification Form (I-9) for the purpose of establishing their eligibility to work in the United States. All new employees must submit the completed Form I-9, with supporting documentation, to their supervisor within three (3) days of the start of their employment. The Form I-9 and supportive documentation will be securely retained separate from the personnel file.

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## **Section 4 Rules and Discipline**

### **Topic 4.1 Attendance**

Work schedules are designed to meet the needs of our clients. Providing services on a 24-hour per day basis requires careful coordination of the work schedules of all employees. His or her assigned supervisor or his or her designee establishes the schedule of each employee.

Regular attendance at work is a condition of employment with the Society, and is considered an essential function of every job. All employees are expected to be at work each scheduled day, to start their jobs at the assigned time each day, and to continue working until the assigned quitting time.

Time off for any reason must be approved and scheduled by the employee's supervisor.

If an employee must take an unscheduled absence for any reason, the employee should call in and let his or her supervisor know of the inability to come to work. The call should be made, if possible, no later than the employee's regular starting time.

An employee shall be deemed to have abandoned his or her job when the employee has failed to call in and directly notify the supervisor of the reason for absence from work for three consecutive work days. Job abandonment will also occur when an employee fails to return to work or directly notify the supervisor of the reason for absence within three consecutive working days after any approved leave of absence or disciplinary suspension.

When an employee has abandoned his or her job, that employee's employment shall be immediately terminated. Such termination shall be considered and treated as a voluntary resignation and shall not be subject to the grievance policy (see Section 7.3).

Employees who must take time off because they are too ill to report to work or who must leave work because of illness should notify their supervisor or follow established on-call procedures as soon as possible so that alternative arrangements can be made.

Exempt employees who, for any reason, are going to be late reporting to work or will be leaving work early must obtain approval of their supervisor.

Non-exempt employees who, for any reason, are going to be late reporting to work or will be leaving work early must obtain approval of their supervisor. This includes late reporting for work due to severe weather conditions, personal crisis, etc. An absence of this type will be deducted from the employee's paid time off or by adjusting the employee's work schedule within the work week. If the employee does not have enough paid time off to cover the absence and the employee's schedule cannot be adjusted, then the absence will be



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### **Topic 4.1 Attendance**

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deducted from the employee's paycheck. Refer to Employee Handbook Section 6.10 for further information.

Time sheets are provided to all employees for the purpose of recording actual hours worked each day and the use of paid time off and extended sick leave. Time sheets must be completed and signed by the employee and submitted to his or her supervisor.

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## **Section 4 Rules and Discipline**

### **Topic 4.2 Treatment of Clients**

Clients are to be treated with dignity and respect. All activities, services, and programs are to be conducted in a manner that is sensitive and shows respect for the culture and ethnicity of the clients the Society serves. All policies and procedures related to their treatment and care must be strictly followed.

The needs and safety of the families and children we serve is the first responsibility of each employee. The Society expects employees to be assertive in ensuring that our clients' needs are met, that they are protected from harm, and that their legal rights are not violated. The needs and safety of our clients will be the first consideration given in the interpretation and implementation of all our organizational policies and procedures including those that are personnel related.

The Society requires that all employees report suspected abuse or neglect of children and adults.

Employees are mandated reporters of suspected abuse or neglect of children and adults under Chapters 49 and 9 of the West Virginia Code must familiarize themselves with the provisions of this law and abide by its requirements.

Employees aware of suspected incidents of abuse, neglect, exploitation, or other client rights violations must report the matter to their assigned supervisor immediately. Failure to do so may result in disciplinary action, termination, and possible prosecution under applicable state laws.

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## **Section 4 Rules and Discipline**

### **Topic 4.3 Confidentiality**

All matters related to clients of the Children's Home Society are confidential. The Society commits to clients and to our licensing and funding sources that strict confidentiality will be maintained.

Every employee of the Society has a responsibility to help maintain confidentiality. This includes a commitment to personally avoid disclosure of confidential information as well as actively protecting such information from inadvertent disclosure or disclosure by others.

All employees must maintain confidentiality in all matters related to the clients of the Society as described in a Statement of Confidentiality. All employees must sign the Statement.

Any employee who has a question about his or her responsibilities as outlined in the Statement of Confidentiality should consult his or her supervisor.

An employee must inform his or her supervisor immediately if he or she has any reason to believe that confidential information has been or has the potential to be disclosed in any manner. Employees who violate rules of confidentiality are subject to immediate termination and possible prosecution under applicable state laws.

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## **Section 4 Rules and Discipline**

### **Topic 4.4 Alcohol, Drugs, and Controlled Substances**

This policy is designed to help ensure a drug and alcohol-free workplace.

Any employee or volunteer who: (1) reports to work under the influence of alcohol, drugs, and/or controlled substances (2) consumes, possesses, manufactures, distributes, dispenses, sells or purchases alcohol, drugs, and/or controlled substances at any Society facility, office, or vehicle, (3) consumes, possesses, manufactures, distributes, dispenses, sells or purchases alcohol, drugs, and/or controlled substances while having the responsibility for care of children or other Society clients, or (4) is under the influence of alcohol, drugs, and/or controlled substances while being responsible for the care of children or other Society clients, will be suspended immediately and will be subject to further disciplinary action, including possible termination.

The presence of any individual, including but not limited to employees, with alcohol, drugs and/or controlled substances in their body for nonmedical reasons on Society property or in Society vehicles is strictly prohibited.

The use of any legal drug, which adversely affects the employee's job performance or safety, is prohibited. This prohibition covers arriving at work after using any drug, which adversely affects the employee's job performance including the use of prescribed drugs under medical direction. Any employee with knowledge of another employee being either under the influence of alcohol, illegal drugs and/or illegal controlled substances during the course of his employment or otherwise violating this Policy shall notify their assigned supervisor immediately. In the event that the Society has reasonable suspicion that any employee may be in violation of this policy, testing for alcohol, illegal drugs and/or illegal controlled substances may be required in compliance with West Virginia law. The Society reserves the right to search an employee's personal effects brought on Society's premises as well as the employee's work area when there is reasonable cause or suspicion that an employee is involved in activities in violation of this Policy.

For purposes of this Policy, the term "controlled substance" means a controlled substance identified in schedules I through V of section 202 of the Controlled Substances Act, 21 U.S.C. § 812.

The use of medically prescribed drugs during working hours is allowed, provided there is no medically stated caution preventing the employee or volunteer from performing his or her job safely and adequately. Employees and volunteers must inform their supervisor that they are taking drugs prescribed by their treating physician prior to beginning work. The length of time needed to take the medication should also be discussed to avoid future misunderstandings.





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Failure to comply with this portion of the policy may result in disciplinary action, including possible termination.

Employees will notify the Society in writing of any criminal drug statute arrest and any such conviction no later than 24 hours after such arrest or conviction.

The Society will periodically provide information to current employees and volunteers on the risks of drug and alcohol use on the job.

All new hires and new volunteers will be informed of this policy during their orientation and/or training.

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## **Section 4      Rules and Discipline**

### **Topic 4.5      Use and Care of Society Property and Equipment**

Employees must be careful to protect the Society's equipment against breakage, accident, or loss. Damaged or malfunctioning equipment must be reported to the employee's supervisor.

All employees must refrain from personal use of Society owned equipment and consumable supplies unless it is permitted by the Society.

If personal use of Society equipment such as copy machines is necessary, the employee's supervisor must be notified for prior approval and appropriate reimbursement made. Personal telephone calls and facsimile transmissions should be limited and reimbursement made for the cost of any long-distance calls.

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## **Section 4 Rules and Discipline**

### **Topic 4.6 Use and Care of Society Property and Equipment Computer Usage and Voice and Electronic Mail**

Employees of the Society are provided access to the Society's voice mail system and computer system(s), which may include access to the Internet and/or electronic mail (referred to collectively as the "Society's system.") The Society's systems, including but not limited to the content of incoming and outgoing voice and electronic mail, are the private property of, and are intended only for use by, the Society and its employees. Access to and use of the Society's systems by anyone other than a user authorized by the Society is strictly prohibited.

The Society monitors and records all access to and use of the Society's systems, and reserves the right, in its sole discretion, to access, use and disclose any and all information on the systems, including disclosure to law enforcement authorities. By accessing and using the systems, each employee expressly consents to such monitoring, access, use and disclosure by the Society. Employees have no personal expectation of privacy with respect to any information on the Society's systems.

The Society's systems, including electronic and voice mail and Internet access, shall be used solely for Society related business. Employees shall not conduct personal business on the Society's systems. Further, the Society's systems are subject to the Society's no-solicitation rule, which encompasses solicitation for any purpose, whether charitable, personal or business-related.

The Society's systems, including electronic and voice mail and Internet access, shall not be used in such a way as to be disruptive or offensive to others and shall never contain racial or ethnic slurs or epithets or sexually explicit material. Electronic mail shall never be used to harass others on the basis of race, gender (sex), age, disability or any other protected status.

Inappropriate or illegal use of the Society's systems or any other violation of this policy shall result in disciplinary action up to and including termination of employment. All questions regarding use of or access to the Society's systems should be directed to the Society's Administrative office.

#### **Electronic Mail and Other Electronic Communications**

Any communications created, sent or retrieved by electronic and/or voice mail may be read by individuals other than the intended recipient. Deletion of an electronic and/or recorded voice communication or use of a password does not provide any assurance that the Society will not retrieve and/or monitor the content of such communications, and electronic communications may be subject to discovery in litigation. All computer passwords shall be



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divulged to the Society, and the use of unauthorized or undisclosed passwords is strictly prohibited.

Notwithstanding the Society's right to retrieve and read electronic and/or recorded voice communications, such communications shall be treated as confidential by all employees and may be accessed only by the intended recipient. Employees are prohibited from retrieving, reading and/or listening to any electronic and/or recorded voice communication that is not sent to them absent express permission of the Society.

#### **Internet Access**

The Society provides Internet access to many employees. Employees are permitted such access for Society business. The Society shall monitor use periodically, on an unannounced basis, to ensure that such use is followed. Downloading material from the Internet is prohibited without approval by the Society, and access to sexually explicit and "Hate" Internet sites is expressly prohibited. In addition to monitoring use to ensure compliance with this policy, the Society also shall monitor use to ensure that the system is working properly and that no viruses have been introduced.

#### **Confidential Information**

Certain employees may be provided access to financial and other confidential information regarding the Society (the "confidential information") maintained on the Society's systems. No employee provided such access is authorized to disclose confidential information to any other individual inside or outside the Society other than to individuals with the same access. Employees provided passwords for access to confidential information are expressly prohibited from disclosing such password to any other individual inside or outside the Society.

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### **Topic 4.7 Precautionary and Disciplinary Actions**

#### **Precautionary Actions**

In some instances where the need for disciplinary action cannot be readily determined, certain precautionary actions may be necessary for the protection of the clients, the Society, and the employee. Generally, these actions on the part of the Society involve temporary suspension of a salaried employee with pay.

The temporary suspension of the salaried employee with pay may be up to five scheduled working days for the purpose of investigating alleged violations of rules, policies, or procedures, or in response to state licensing requirements. The Chief Executive Officer must approve temporary suspensions of salaried employees with pay, which are greater than five working days. Salary will be discontinued unless further approval is received. If the suspended employee is brought back to work due to findings of the investigation, salary will be reinstated in full.

A Temporary Employee will be removed from the work schedule until the issue is resolved.

The decision as to whether a precautionary action is appropriate in a particular situation, or whether formal disciplinary or some other action is instead appropriate, lies solely within the discretion of Society management. Precautionary actions will be documented by the supervisor and placed in an administrative file, unless formal disciplinary action is taken. At that time, the documentation will also be filed in the employee's personnel file.

It is the Society's preference that employee problems be resolved between the employee and his or her supervisor without formal disciplinary action. However, when problems cannot be resolved in this manner, the supervisor may initiate disciplinary action.

#### **Disciplinary Rules**

Discipline and discharge of employees is and must remain solely within the discretion of the Society. In determining the appropriate action to be taken, the Society may consider the nature of the offense, the circumstances and the employee's previous record. This list below is not all-inclusive or complete, but is provided as examples of some of the most common infractions found in an employment setting. The Society retains the right to discipline or discharge any employee at any time with or without notice, cause, or compensation. Activities that may result in disciplinary action generally fall into the following categories:



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#### **Disciplinary Rules**

- Failure to adequately perform job responsibilities;
- Violations of Society rules, policies, or procedures and state and federal laws.

Forms of disciplinary action that a supervisor may take include but are not limited to:

- A Plan for Positive Change - A discipline form, which cites the problem and the corrective action necessary;
- Temporary suspension of the employee without pay (up to five scheduled working days) and the corrective action plan necessary;
- Indefinite suspension of the employee with pay with the immediate recommendation to the Chief Executive Officer that the employee be terminated;
- Termination;
- Legal and criminal prosecution in appropriate cases.

Some examples of offenses that could result in an oral warning for the first offense, a written warning for the second offense, and suspension or discharge for a third offense:

- Inappropriate care or interaction with clients
- Chronic tardiness; poor attendance
- Unauthorized absence from job or work area
- Use of foul, abusive, offensive, threatening, indecent or discourteous language
- Inefficiency or negligence in the performance of duties
- Inability or unwillingness to work with others
- Insubordination

Some examples of offenses that could result in immediate suspension with or without pay or immediate discharge:

- Inappropriate interaction with clients
- Careless or improper use or neglect of Society property and equipment
- Sleeping on the job
- Two days' absence without notification
- Excessive absenteeism
- Committing, participating in, and/or failing to report illegal discrimination or sexual or other unlawful harassment



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- Unlawfully using, manufacturing, selling, distributing, dispensing, possessing, transporting, trafficking in, or being under the influence of any alcoholic beverages, drugs or controlled substances during the course of employment, including but not limited to while on Society property, while in Society vehicles, or as part of or in connection with any Society activities, or otherwise violating the Alcohol, Drugs, and Controlled Substances Policy set forth in this Handbook
- Assault of a fellow employee, representative of management, customer or member of the general public while at work or representing the Society.
- Refusal to perform assigned lawful tasks or performing in an insubordinate manner
- Destruction or unauthorized use of Society property
- Unauthorized possession of firearm on Society property
- Gross insubordination, defined as:
  - ✓ Failure to follow Society rules, regulations, policies or procedures including but not limited to those set forth in this Handbook;
  - ✓ Willfully disobeying the instructions of a supervisor and/or member of management;
  - ✓ Using abusive threatening, or profane language in speaking with a supervisor and/or member of management; or
  - ✓ Assaulting a representative of management
- Deliberate or careless conduct
- Unethical conduct
- Violation of Society, rules, regulations, policies and procedures, including but not limited to those set forth in this Handbook
- Violation of any State or Federal criminal statutes

Some examples of offenses that could result in immediate discharge:

- Disclosure or violation of confidential client information
- Harm to a client or failure to protect a client
- Theft
- Sabotage
- Unauthorized releases or disclosure of any confidential information
- Misappropriation of Society property



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- Falsification of records or reports of any kind, including but not limited to records of time worked, records of work performed, reports required by regulatory agencies, or reports of injury
- Assault
- Violation of Society rules, regulations, policies or procedures including but not limited to those set forth in this Handbook

The Chief Executive Officer must approve suspensions of salaried employees, which are greater than five working days as well as employee terminations.

Formal disciplinary action will be documented by the supervisor and placed in the employee's personnel file. All formal disciplinary action will be transmitted to the employee in writing.

Suspensions without pay will affect some benefits. See Topic 6.10 Leave.

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### **Topic 4.8      Employee Suggestions**

The Society welcomes suggestions by employees particularly as they relate to improving services or improving working conditions of employees.

Generally, suggestions should be in writing and should be made to the employee's supervisor. However, suggestions may also be made directly to the Chief Executive Officer.

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### **Topic 4.9 Employee Concerns**

The Society encourages communication between employees and management through an effective problem review. This review provides a forum whereby misunderstandings or feelings of unfairness can be resolved. Remember, it is difficult to correct a problem if no one knows it exists.

Almost everyone has a problem or complaint at some time. Some people speak right up, while others prefer to keep it to themselves. It is usually better to get things out in the open so that they can be resolved. Fewer misunderstandings occur when people are honest and open in dealing with each other. The Society is interested in knowing about each employee's complaints.

Employees should feel free to discuss any complaint they have with the Chief Executive Officer without fear of reprisal. It is the policy of the Society to treat every individual with courtesy and fairness. Complaints need not be in writing.

If employees have work-related concerns, the best solution is usually for the employee to discuss the matter with his or her assigned supervisor and work with the supervisor toward a resolution. If the concern is still not resolved after discussion with the supervisor or, if for good reason shown, an employee does not feel he or she can approach his or her supervisor, the employee may advance to the next level of supervision. Employees supervised by the Chief Executive Officer may take such matters to the Society's Executive Committee if they so desire.

Employees have the responsibility to immediately report concerns related to discrimination or harassment to the appropriate supervisor.

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## **Section 4 Rules and Discipline**

### **Topic 4.10 Grievance Policy**

All persons affiliated with Children's Home Society have the right to file a grievance by means of the Society's grievance procedure. Any grievance filed, resolution, or other information required in this grievance process must be in writing and maintained in the grievance file. The following procedural steps will be adhered to for all grievance matters.

1. The complainant and involved person should discuss the grievance and attempt to reach resolution within five days of the incident.
2. If, after discussion with the involved person, resolution has not been achieved, the complainant may forward the matter to their assigned supervisor.
  - a. The complainant has ten calendar days to contact the assigned supervisor. The complaint must be in written form. The assigned supervisor has ten calendar days to resolve the grievance.
3. If, after discussion with their assigned supervisor, resolution has not been achieved, the complainant may forward the matter to the next level of supervision.
  - a. The complainant has ten calendar days to contact the next level of supervision. The supervisor has ten calendar days to achieve resolution. If resolution has not been achieved, then the complainant has three calendar days to contact the Chief Executive Officer. All contacts must be in writing.
4. The Chief Executive Officer may then uphold, modify, or rescind the action taken by staff and notify the complainant in writing within thirty calendar days of receipt of the grievance.
  - a. Employees directly supervised by the Chief Executive Officer may forward their grievance to the Executive Committee of the Board of Directors.

Documentation of the grievance procedure and status of resolution shall be filed in the appropriate personnel file and grievance file.

Persons filing grievances shall not be subject to punitive actions, harassment, disciplinary action, or termination of employment based solely on the exercising of his or her right to file a grievance.

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## **Section 4 Rules and Discipline**

### **Topic 4.11 Conflict of Interest and Confidentiality**

As a condition of hiring and continued employment, employees of the Society are required to adhere to the following guidelines as they apply to their individual job positions with the Society.

#### **Conflicts of Interest**

Employees shall remain free of any investment, employment, or association that might interfere, or give the appearance of interfering, with their independent judgments. Employees shall not give or receive money or anything beyond a nominal value, either directly or indirectly, as a result of participation in any transaction on behalf of the Society.

#### **Confidential Information**

Employees shall not use, publish or otherwise disclose (except as their Society duties may require), either during or subsequent to their employment, any secret or confidential information or data of the Society or any information or data of others that the Society is obligated to maintain in confidence. The use, publication or other disclosure of such information may violate client privileges or other privacy rights, as well as expose the Society to financial loss, competitive disadvantage and/or embarrassment. Employees are required to take adequate care to ensure that confidential information is not used, published or otherwise disclosed by others. Failure to maintain client confidence can result in immediate termination of employment.

Upon any termination of employment, employees shall deliver to the Society promptly all items that belong to the Society or that by their nature are for the use of Society employees only, including, without limitation, all written and other materials that are of a confidential nature relating to the business of the Society.

For purposes of this policy, the term "confidential" is used in the ordinary sense and does not refer to official security classifications of the United States Government. Without limitation, examples of materials, information and data that may be of a secret or confidential nature are: notes, client documentation, photographs, drawings, manuals, notebooks, reports, machines, compositions, computer programs, accounting methods, business plans and information systems including such materials, information and data that are in machine readable form.

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## **Section 4 Rules and Discipline**

### **Topic 4.12 Fees for Services and Gifts**

All services of the Society are offered to eligible clients either free of charge or subject to a published fee for service schedule.

No personal payment or other personal consideration shall be requested or accepted:

- For referral of clients to any Society program;
- For referral of clients to the program(s) of any other social service agency, or related service provider;
- From clients of Society programs.

Gifts from other service providers, vendors, or clients may be made to and accepted by the Society or one of its programs. Any such gift becomes the property of the Society and will be recorded on the contribution log for the month in which it is received.

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## **Section 4 Rules and Discipline**

### **Topic 4.13 Political Activity**

Employees of the Society shall not engage in partisan or non-partisan political activity of a personal nature while at any Society facility or office, while having the responsibility for care of Society clients, or while representing the Society in any other manner. No employee of the Society shall engage in political activity on behalf of the Society without formal permission in advance from the Chief Executive Officer.

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### **Section 4 Rules and Discipline**

#### **Topic 4.14 Safety**

Employees are required to exercise good judgment and caution in their work. No job is so important that time cannot be taken to perform it safely. Employees are to be alert and aware of any hazards and report them to their assigned supervisor immediately. It is every employee's responsibility to perform his or her job safely.

It is the policy of the Society to provide safe working conditions for all employees, to provide complete instructions covering safe working methods, and to make available special equipment required to protect employees against particular hazards. The Society will not knowingly permit unsafe conditions to exist, nor will it permit employees to indulge in unsafe acts.

A supervisor will recommend corrective action, discipline employees who habitually create unsafe practices, assess new or changed situations for inherent dangers, and follow up on employee suggestions for corrective action so that unsafe conditions are not instituted or permitted to exist.

All employees will attend safety training meetings arranged by the Society. Violations of Society's safety rules and regulations may result in disciplinary action, up to and including termination of employment.

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# THE CHILDREN'S HOME SOCIETY OF WEST VIRGINIA EMPLOYEE HANDBOOK

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## **Section 5 Employee Classifications**

### **Topic 5.1 Overtime**

Adequate records of overtime hours must be maintained.

Generally, non-exempt employees are scheduled to work the number of hours per week stated in their job description and letter of employment. However, on occasion, emergencies may occur which will require that additional hours be worked. Working of additional hours requires authorization from the employee's supervisor.

Non-exempt employees must not exceed forty hours in any work week without their supervisor's approval. Non-exempt employees who violate the Fair Labor Standards Act (FLSA) are subject to immediate disciplinary action including but not limited to termination.

Exempt employees are considered professional employees and their annual salaries and schedule of benefits are considered to be appropriate remuneration for their total job responsibilities. Thus, exempt employees will not receive additional compensation for hours worked in excess of the hours stated in their job description and letter of employment.

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## **Section 5 Employee Classifications**

### **Topic 5.2 Past Service**

Rehired employees will receive credit for past employment as a Regular Employee with the Society if they are rehired within one year of their most recent Society employment. Regular Part-time employees will have service credited based on the percentage of their prior employment work hours. One full year of service equals 2,080 hours worked.

The effects of this provision vary with respect to each type of employee benefit. Affected employees should consult with their supervisor or the Society's administrative office for a determination of the effects of this provision on their individual benefits.

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## **Section 6 Salaries and Benefits**

### **Topic 6.1 Salaries**

Salaries are established by the Society with consideration of job responsibilities, education, experience, and available funds.

The starting salary for each employee is stated in his or her letter of employment. Notification is given of annual salary increases or decreases as they occur.

The Society attempts to give periodic raises based on cost of living increases and job performance. However, the nature and limits of Society funding do not make it possible to ensure adequate and timely raises.

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## **Section 6 Salaries and Benefits**

### **Topic 6.2 Payroll Deductions**

The Society will make deductions from employee pay as required by relevant state and federal laws. These deductions include the employee's share of Social Security (FICA), federal withholding tax, state withholding tax, and the Employment Security Assessment.

Other deductions from payroll may include the employee portion of the monthly health insurance premium, contributions to United Way or other charities approved by the Society, employee contributions to any Society retirement plan and garnishees.

Employees are required to accurately complete the forms necessary to authorize appropriate payroll deductions, and each employee should periodically review his or her payroll check to ensure that the mandatory and voluntary deductions are accurate.

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## **Section 6 Salaries and Benefits**

### **Topic 6.3 Health Insurance**

Eligible employees may choose to participate in group health insurance coverage. The Society currently pays three-fourths (3/4) of the monthly premium; the employee pays one-fourth (1/4) through payroll deduction. Premiums withheld in one month cover the cost of the next month's coverage.

Group health insurance coverage is open to all regular employees working 30 hours a week or more.

Temporary employees are not eligible to participate in the health insurance plan.

Enrollment must take place in the first 30 days of employment to be guaranteed admission to the group health plan. A 30-day waiting period is in effect for all new hires. Coverage will begin on the first day of the month following completion of the 30-day waiting period. Enrollment forms are available through each of the Society's program supervisors. The enrollment form must be completed, signed in ink and returned to the Society's Administrative office on or before the 25<sup>th</sup> day of employment to ensure the employee is properly enrolled before the 30-day enrollment window closes.

An enrolling employee who has had insurance coverage for any part of the previous 12 months should contact their prior insurer for a Certificate of Credible Coverage and submit that certificate with the completed health insurance enrollment form to avoid preexisting condition exclusions.

Employees or dependents who wish to join the group plan after the 30-day enrollment period for reasons other than marriage, birth or adoption of a child, or the involuntary loss of other coverage are considered delayed applicants. Following HIPAA (Health Insurance Portability and Accountability Act) guidelines, an annual open enrollment date is held for late additions at the time of the group's plan anniversary date. Delayed applicants are postponed until the open enrollment date. Once their coverage begins, they are subject to a pre-existing condition exclusion for up to 12 months. They can submit an application at any time to begin their postponement period. The pre-existing condition exclusion will be no longer than 18 months. The length of the pre-existing condition exclusion is reduced for any documented credible coverage.



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## **Section 6      Salaries and Benefits**

### **Topic 6.3      Health Insurance**

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Each insured employee is responsible for notifying the Society of necessary changes to his or her coverage (i.e., addition of dependents, address change, name change) by completing a new enrollment form and returning it to the Society's Administrative office. "Change" forms must be received by the 20<sup>th</sup> of the month to ensure requested changes can be made effective the first day of the following month. A payroll maintenance form must be completed to generate any increase or decrease of deductions.

Employees wishing to refuse group health insurance participation must complete, sign and return the waiver section of the enrollment form within the first 30 days of employment.

The Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) provides employees and their families the opportunity for a temporary extension of health coverage, in some instances, should the employee or family lose coverage because of a reduction in work hours or termination of employment. See Section 6, Topic 6.4, Health Insurance – COBRA, for more information.

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## **Section 6 Salaries and Benefits**

### **Topic 6.4 Health Insurance - COBRA**

The Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) requires that most employers sponsoring group health plans offer employees and their families the opportunity for a temporary extension of health coverage (called "continuation coverage") at group rates in certain instances where coverage under the plan would otherwise end.

An employee of the Children's Home Society of West Virginia, covered by its group health plan, has a right to choose this continuation coverage should group health coverage be lost because of a reduction in work hours or termination of employment for reasons other than gross misconduct.

The covered spouse of a covered employee has the right to choose continuation coverage if group health insurance is lost for any of the following four reasons:

- The death of the covered employee;
- The termination of the covered spouse's employment for reasons other than gross misconduct or a reduction in the spouse's hours of employment;
- Divorce or legal separation from the covered employee; or
- The covered employee becomes eligible for Medicare.

In the case of a covered dependent child of an employee, he or she has the right to continuation coverage if group health insurance coverage is lost for any of the following five reasons:

- The death of a parent;
- The termination of a parent's employment for reasons other than gross misconduct or a reduction in a parent's hours of employment;
- Parents' divorce or legal separation;
- Parent becomes entitled to Medicare; or
- The dependent ceases to be a dependent child under the terms of the contract.

Under the law, the employee or a family member has the responsibility to inform the Children's Home Society of West Virginia of a divorce, legal separation, or a child losing dependent status under the plan. This notification must be made within 60 days of the date of a qualifying event, which would cause a loss of coverage. This notice must be in writing and should be sent to the Administrative office.



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### **Topic 6.4      Health Insurance - COBRA**

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When the Society is notified that one of these events has occurred, it will notify the health insurance carrier, who will in turn notify the affected member. Under the law, each party has at least 60 days from the date coverage would have ended because of one of the events described above to elect continuation coverage. If and when this election is made, coverage will become effective on the day after coverage would have been terminated.

If continuation coverage is not chosen, group health insurance coverage will terminate in accordance with provisions outlined in the plan description booklet.

If continuation coverage is chosen, this coverage will be identical to the coverage provided under the plan to similarly situated employees or family members. Continuation coverage may be maintained for three years unless group health coverage was lost due to a termination of employment or a reduction in hours. In that case, the required continuation coverage period is 18 months (an extension to 29 months is available under certain circumstances to disabled persons). However, the law also provides continuation coverage may be terminated for any of the following reasons:

- The employer/former employer no longer provides group health insurance to any of its employees;
- The premium for continuation coverage is not paid in a timely manner;
- The participant, after electing COBRA coverage, becomes covered by any other group health plan that does not contain an exclusion or limitation with respect to any pre-existing condition; or
- The participant, after electing COBRA coverage, is entitled to Medicare.

Persons electing COBRA continuation coverage must pay the entire premium plus a 2% administrative fee.

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## **Section 6 Salaries and Benefits**

### **Topic 6.5 Section 125 Plan**

Employees electing to participate in the Society's Group Health Insurance Plan and some Voluntary Benefit Plans are also eligible to participate in the Society's Section 125 Plan. Participation in the Section 125 Plan allows the employee to shield his or her share of the monthly Health Insurance premium from federal and state taxes, thereby lowering the employee's year end tax liability.

Employees wishing to participate in the Section 125 plan must complete, sign in ink, and return the Section 125 Plan Election Form within the first 31 days of employment. Employees may modify or discontinue Section 125 Plan participation annually on the Plan Anniversary Date, upon notice of premium or carrier change, or with any significant life change (marriage, divorce, birth/adoption of a child). Such a change must be requested in writing and include a newly completed Section 125 Plan Election Form.

Eligible employees who choose not to participate in the Section 125 Plan must sign and return the "waiver" section of the Section 125 Plan Election Form. In the absence of the completed, signed form, federal law requires the employee be placed on the Section 125 Plan for the balance of the plan year.

Eligible employees wishing to enter the Section 125 Plan after the initial 31 day enrollment period must wait until the next Plan Anniversary Date before admission.

Participating employees wishing to discontinue the Section 125 Plan must request such change in writing and include the signed "waiver" section of the Section 125 Plan Election Form. This request must be returned to the Society's Administrative office not later than 10 days prior to a scheduled payroll for the change to take effect with the next scheduled payroll.

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## **Section 6      Salaries and Benefits**

### **Topic 6.6      Group Disability**

Each regular employee working 30 hours or more per week is eligible for coverage through the Society's Long Term Group Disability Plan. Should an employee be disabled through illness or injury while actively employed by the Society, Group Disability benefits will be paid up to 60% of salary following a 90-day qualifying period. Long Term Group Disability benefits may be paid up to 24 months for the employee unable to return to work in his or her own job, and up to retirement age for the employee unable to work in any capacity. Costs of this plan are paid in full by the Society.

Enrollment must take place in the first 30 days of employment to guarantee admission to the group plan. Coverage will begin on the first day of the month following completion of the 30-day waiting period. Plan enrollment forms are available through each of the Society's program supervisors. The enrollment form must be completed, signed in ink, and returned to the Society's Administrative office on or before the 25th day of employment.

Employees who wish to join the group plan after the 30-day enrollment period is past must complete and submit an enrollment form. The insurance carrier has the option to refuse coverage for late applicants.

Employees who do not want to participate in the Long Term Group Disability insurance plan must complete and submit a waiver form.

Each insured employee is responsible for notifying the Society of necessary changes to his or her coverage (i.e., address change, name change) by completing and signing a "change" form and returning it to the Society's Administrative office.

The Summary Plan Description should be consulted for detailed information regarding rights and limitations affecting the participant under this plan. A copy of the Summary Plan Description is provided to each employee eligible to enter the plan.

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## **Section 6 Salaries and Benefits**

### **Topic 6.7 Retirement Plan**

The Children's Home Society of West Virginia Inc. Profit Sharing Plan (Retirement Plan) is open to all employees upon completion of the following requirements: the employee (1) is actively employed, (2) has completed one year of service as defined in the Summary Plan Description, and (3) is at least 21 years of age. Costs of this plan are paid by the Society. Currently the rate of payment into the plan is 6% of the employee's monthly earnings.

On completion of the eligibility requirements, the employee will receive a beneficiary form and Summary Plan Description. The beneficiary form must be completed, signed in ink and returned to the Society's Administrative office within 30 days of receipt.

Beneficiaries may be changed at any time by filing a new beneficiary form with the Plan Administrator located in the Society's Administrative office.

Each participant will receive a Participant Benefit Statement containing a valuation of benefits under the plan on an annual basis.

The vesting schedule for the plan is as follows:

- 1 year of service 0% of employer provided benefits
- 2 years of service 20% of employer provided benefits
- 3 years of service 40% of employer provided benefits
- 4 years of service 60% of employer provided benefits
- 5 years of service 80% of employer provided benefits
- 6 years of service 100% of employer provided benefits

The Summary Plan Description should be retained and consulted for detailed information on rights and limitations affecting the participant under this plan.

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## **Section 6      Salaries and Benefits**

### **Topic 6.8      Life Insurance**

Each regular employee working 30 or more hours per week is eligible for coverage through the Society's Life/Accidental Death and Dismemberment policy. Should an employee die while actively employed by the Society, the employee's beneficiary is entitled to a payment equal to the annual salary in effect on the first of the month in which the death occurs. In addition to group life coverage, the employee or his or her beneficiary will receive certain benefits in the event of the employee's death or dismemberment as the result of an accident. Costs of this plan are paid in full by the Society.

Enrollment must take place within the first 30 days of employment to guarantee admission to the group plan. Coverage will begin on the first day of the month following completion of the 30-day waiting period. Plan enrollment forms are available through each of the Society's program supervisors. The enrollment form must be completed, signed in ink and returned to the Society's Administrative office on or before the 25th day of employment.

New employees who wish to join the group plan after the 30-day enrollment period is past must complete an enrollment form. The insurance carrier has the option to refuse coverage for late applicants.

Employees who do not want to participate in the life insurance plan must complete and submit a waiver form.

Each insured employee is responsible for notifying the Society of necessary changes to his or her coverage (i.e., change of beneficiary, address change, name change) by completing and signing a "change" form and returning it to the Society's Administrative office.

The Summary Plan Description should be consulted for detailed information regarding rights and limitations affecting the participant under this plan. A copy of the Summary Plan Description is provided to each employee eligible to enter the plan. Additional copies are available through the employee's supervisor.

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## **Section 6      Salaries and Benefits**

### **Topic 6.9      Social Security, Unemployment Compensation and Worker's Compensation**

The Society participates in the following statutory benefit programs:

#### **Social Security (FICA) and Medicare**

The Society contributes to Social Security and Medicare coverage for all employees.

#### **Unemployment Compensation**

The Society is a covered employer under the State Unemployment Compensation Law and maintains insurance coverage on behalf of employees.

#### **Worker's Compensation**

The Society maintains insurance coverage under the Worker's Compensation Law. This law provides for compensation in the event of an injury or illness that occurs in, or as a result of employment. Worker's Compensation will pay for the following if they rule the injury or illness compensable: (1) medical expenses, (2) monthly compensation, (3) travel expenses, and (4) lump sum survivor benefits.

Adequate documentation is necessary to ensure proper handling of Worker's Compensation claims. Thus, supervisors must be notified immediately in writing of all work-related accidents, even if no injuries are apparent at the time of the incident utilizing the in-house incident report form. When a Worker's Compensation claim is being filed an in-house incident report form must be completed, as well as the Worker's Compensation form. A copy of all incident reports must be sent to the Chief Financial Officer in the Society's Administrative office.

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## Section 6 Salaries and Benefits

### Topic 6.10 Leave

#### Paid Time Off

The Society provides full-time and part-time employees with Paid Time Off (PTO) for such activities as vacations, holidays, personal business, family concerns, bereavement, or illness. Temporary employees are not eligible for PTO.

PTO accumulates monthly for full-time employees. The monthly benefit is pro-rated for part-time employees. Full-time or part-time employees will be granted PTO according to the following schedule:

#### Months of Service Monthly Benefit

Months of Service	Exempt	Non-exempt
1 through 12	2.00	1.75
13 through 36	2.25	2.00
37 through 72	2.50	2.25
73 through 120	2.75	2.50
121 or more	3.00	2.75

Employees begin accruing PTO on the first day of the calendar month following the date of hire. However, PTO accrues only if the employee is on the payroll for the full calendar month. Employees who are on leave without pay or suspension without pay at any time during a calendar month do not accumulate PTO for that month.

An employee may not accumulate more than 30 PTO days at any point in time. Employees will not be granted more than ten (10) days of PTO during their initial six months of employment without approval of the Chief Executive Officer.



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### **Topic 6.10 Leave**

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PTO must be taken in half-day or full-day increments and must be approved and scheduled in advance by the employee's supervisor.

Employees who are too sick to perform their job responsibilities or who have an illness that may be contagious should not report to work and should seek medical attention if needed. Use of PTO for illness or injury requires notification of the employee's supervisor as soon as possible.

Upon termination of employment with the Society, the employee will be compensated at his or her regular rate of pay for accrued PTO. Employees who, upon termination, have used more PTO than earned will reimburse the Society for each day of unearned PTO taken based on their regular rate of pay.

#### **Extended Sick Leave**

PTO must be used during the first five (5) scheduled working days of a non-work-related injury or illness. If an employee does not have five days of PTO, then unpaid days must be taken to fulfill the 5 day requirement. Extended Sick Leave, with pay, may be granted by the Chief Executive Officer for an illness or injury that results in an employee not being able to return to work after the five (5) day qualifying period.

A request for Extended Sick Leave must be completed, along with a supportive memo from the immediate supervisor. The treating physician must complete a medical certification, like the one in the FMLA leave packet. This must be submitted to the Chief Executive Officer as soon as possible. Extended Sick Leave will not be granted without a physician's statement.

The supervisor must receive a medical release from the attending physician before a return-to-work determination may be achieved.

The Extended Sick Leave benefit begins to accrue at a rate of one-half (0.5) day per month on the first day of the calendar month following the date of hire. The monthly benefit is prorated for part-time employees. However, Extended Sick Leave accrues only if the employee is on the payroll for the full calendar month. Employees who are on leave without pay or suspension without pay at any time during a calendar month do not accumulate Extended Sick Leave for that month.



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### **Topic 6.10 Leave**

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An employee's total Extended Sick Leave benefit may not exceed sixty (60) days at any point in time.

Extended Sick Leave may be granted in full day or one-half day increments. The Chief Executive Officer must approve arrangements for partial return to work during Extended Sick Leave. Extended Sick Leave days will be deducted from the employee's total available Extended Sick Leave benefit as they are used.

Within the context of existing State and Federal laws, the Society may request a physician's statement at any time prior to or during Extended Sick Leave. An employee is required to submit a statement from a physician indicating an ability to return to work after either [1] an illness or injury that has kept him or her off the job for five (5) or more consecutive scheduled working days, or a request from his or her supervisor for a physician's statement.

Extended Sick Leave has no monetary value upon termination.

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## **Section 6      Salaries and Benefits**

### **Topic 6.11    Leave of Absence**

A leave of absence without pay for up to 90 calendar days may be granted to employees by the Chief Executive Officer. Reasons for such leave may include medical, education, military duty, and other circumstances.

Requests for a leave of absence without pay must be made through the employee's supervisor and must include the supervisor's recommendation.

To the extent possible, the Society will try to accommodate the needs of employees for leave without pay. However, many factors influence the granting of a leave of absence, including the impact of the employee's absence on the Society's ability to continue service to our clients, the feasibility of holding the job open, and the reason for the request.

Employees may be required by the Chief Executive Officer to use all paid time off (PTO) prior to requesting leave without pay.

The effect of leave without pay on employee benefits varies with each type of benefit and should be determined and understood by the employee prior to initiating his or her request.

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# THE CHILDREN'S HOME SOCIETY OF WEST VIRGINIA EMPLOYEE HANDBOOK

Issue Date: 11/01/2010  
Supersedes: 07/01/2009

## **Section 6 Salaries and Benefits**

### **Topic 6.12 Family and Medical Leave**

The Chief Executive Officer will grant to qualified employees family and medical leave without pay for up to 12 weeks within a 12 month period. Reasons for family and medical leave include: an employee's extended illness; the need to care for a child, spouse or parent with a serious health condition; the birth or adoption of a child; and placement of a child with the employee for foster care. Requests for family and medical leave without pay must be made through the employee's supervisor and must include the appropriate documentation.

The effect of leave without pay on employee benefits varies with each type of benefit and should be determined and understood by the employee prior to initiating his or her request.

Employment benefits accrued prior to the leave usage will not be forfeited. Employees are not entitled to accrue paid time off or extended sick leave during the period of time they are on leave without pay. Employees must continue to pay their share of premiums for employee benefits, and such benefits may be terminated if the employee fails to make the required premium payments.

If the leave is for medical reasons, medical certification of the nature and extent of the health condition will be required. When medical leave has been taken, the Society will require medical certification by the attending physician that the employee is able to resume his or her duties. The Society may request additional medical certifications during leave at reasonable intervals.

At the expiration of leave, an employee is entitled to return to his or her former position or an equivalent position, unless the employee's employment would otherwise have been terminated regardless of the employee's leave usage. Returning employees are entitled to full restoration of benefits.

#### **Basic Leave Entitlement**

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.



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#### **Military Family Leave Entitlements**

Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty that may render the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status; or is on the temporary disability retired list.

#### **Benefits and Protections**

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

#### **Eligibility Requirements**

Employees are eligible if they have worked for a covered employer for at least one year, for 1,250 hours over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Children's Home Society uses the "looking back" method of determining if an employee has already received their 12-week FMLA entitlement within the prior 12 months. Under this method, a "rolling" 12-month period is measured backward from the date an employee first uses FMLA leave.



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#### **Definition of Serious Health Condition**

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

#### **Use of Leave**

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

#### **Substitution of Paid Leave for Unpaid Leave**

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

#### **Employee Responsibilities**

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing



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treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

#### **Employer Responsibilities**

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility.

Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

#### **Unlawful Acts by Employers**

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA;
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

#### **Enforcement**

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer.

FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

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## **Section 6 Salaries and Benefits**

### **Topic 6.13 Voting and Jury Duty**

The Society expects all employees to perform their civic duties. All employees are encouraged to vote. Employees should have three hours between the opening of the polls and the time to report to work, or between the times they leave work and the closing of the polls.

Employees who feel their work schedule will not allow sufficient time for voting must notify their supervisor so that appropriate arrangements can be made.

The Society recognizes jury duty as a civic obligation and encourages service by its employees except when such service will be an undue hardship for the employee or the Society.

Full salary is paid for the term of jury service. The employee retains the juror's fee, if any.

Absence for jury service will not affect tenure, rate of pay, or benefits.

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## **Section 6      Salaries and Benefits**

### **Topic 6.14    Voluntary Benefits**

Voluntary health insurance is available for Society employees and their dependents, if desired. This insurance is normally effective 30 days following the first day of employment. The plan may be canceled at any time with appropriate notice. Employees select and pay for the premium for such insurance benefits. These payments are deducted from the employees' pay as a Section 125 Plan item. See Topic 6.5 Section 125 Plan.

The terms and conditions of the voluntary health insurance coverage are determined by the employee and are explained in a summary plan description provided to employees. If an employee needs a booklet or has any questions, the employee should contact the Society's Administrative Office.

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## **Section 7      Separation**

### **Topic 7.1      Employee Resignation**

Employees are to provide their supervisor written notice of their intention to resign their positions.

Non-exempt employees are requested to give at least two (2) weeks notice and exempt employees are requested to give at least four (4) weeks notice.

Employees who resign are entitled to compensation for accrued paid time off (PTO).

Employees who fail to give proper notice will have that fact noted in their personnel file and may be reflected in job references.

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## **Section 7      Separation**

### **Topic 7.2      Separation Due to Lack of Work**

Much of the Society's funding comes from time limited government grants and from private contributions. The nature of this type of funding many times results in the need to reduce employees, or in some instances, eliminate entire programs. The Society will make every effort to maintain the long-term employment of all regular full-time and regular part-time employees. However, factors beyond the control of the Society may result in the need to terminate employees with very little notice.

As described above, temporary employees are hired on a temporary basis with the understanding that their employment will be terminated on or near a predetermined date or upon completion of a particular project. Relief Employees are hired as an interim replacement, to temporarily supplement the Society's workforce, or to assist in the completion of a special project or assignment, are not guaranteed either that work will be available or any hours of work. They will be scheduled to work, if at all, on an as-needed basis and solely within the Society's discretion.

The Society will try to keep employees informed as to their employment status at all times and will give as much notice as possible if terminations are planned due to funding cuts or elimination of programs.

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## **Section 7      Separation**

### **Topic 7.3      Termination by the Society**

All employees of the Society are at will employees, and are employed for an indefinite period. The Society reserves the right to terminate any employee at any time, with or without notice, and with or without cause. Terminations from employment shall not be subject to the grievance policy.

The Chief Executive Officer must approve terminations of all employees. A final paycheck will be issued to employees who are terminated within 72 hours of their termination. Such employees are entitled to payment for accrued paid time off.

Employees whose employment is terminated by the Society, except in cases of separation due to lack of work, are not required to participate in an exit interview. However, they must return all Society property, their Society identification, and any client or Society records they might possess.

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## **Section 8     Individual Employee Information**

Use this section of your Handbook to file any documents pertinent to your employment with the Society, such as:

- Letter of Employment
- Job Description
- Evaluations

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