

Aging Services for Communities Staff Policies and Procedures

MISSION

Aging Services for Communities will assist older adults and disabled persons to remain in their own homes as long and safe as possible.

VISION

When people hear the words Aging Services for Communities, they will know it is a quality centered homemaker service, transportation service, and respite service.

We are focused on having what is considered best practices of ASC.
We aim to be a financially viable agency and a great employer.

VALUES

Aging Services core values are as follows:

- Treating our clients with dignity, respect and compassion.
- Maintaining confidentiality
- Showing respect for all religions, ethnicities, sexual orientation, cultures, ages, ethnicities, disabilities, and gender.
- Training staff to be competent in all of their tasks
- Remembering that our staff is our greatest asset and giving them support and letting them know that we appreciate them.
- Creating a work environment that encourages personal enjoyment and enhances job satisfaction and performance through recognition and reward.
- Develop and maintain positive relationships with the many counties we serve as well as other service organizations.
- Strive to keep our client's quality of life central in the delivery of our current services and development of services to come.
- ASC will conduct its business in an honest, responsible, and accountable manner.
- Continuing to apply quality improvements to all areas of our agency.

Conduct Standards

Compliance

All Members of Aging Services for Communities (which includes all Drivers, Homemakers, Office Staff, Management, and Board Members) must comply with the federal, state, and local laws to ensure that care provided to its clients and business interactions reflect integrity and ethical conduct.

Fraud

The following are fraudulent activities that no staff may undertake:

1. Bill for services that have not been provided.
2. Submit any fraudulent claims which include;
 - a. Claims processed for services not preformed.
 - b. Making false representations to keep program benefits or remain eligible for program benefits.
 - c. Bill for services that differ from the services actually delivered.
 - d. Any false representation in order to receive payment.
3. No one can be compensated for referring a new client.
4. All medical claim forms must be filled out with accurate information on them.

Any fraud that is discovered needs to be reported at once to the Executive Director or the Board of Directors.

Abuse

The Definition of Abuse per Webster's Dictionary

1. a corrupt practice or custom
2. improper or excessive use or treatment
3. a deceitful act :deception
4. language that condemns or vilifies usually unjustly, intemperately, and angrily
5. physical maltreatment

All employees must avoid any actual or perceived misconduct and must report any noted non-compliance or potential risk to the Executive Director or Board of Directors.

Concerns regarding abuse should be directed to the Compliance Officer/Designee.

Kickbacks

ASC is committed to following federal and state anti-kickback laws and regulations which prohibits members of the board of directors, management and employees from accepting money or anything of value to:

1. Refer ASC clients to other service providers; and/or,
2. to influence decisions pertinent to ASC operations.

Improper Conduct

ASC shall consider unacceptable conduct to include, but not be limited to the following actions:

1. Falsifying personal education and/or experience information during the Job Application Process;
2. Falsifying job and character references during the Job Application Process;
3. Falsifying any dates of service, time of service, client information, mileage reported, or hours served on Task or Time sheets or mileage sheets;
4. Falsifying information on billings for client services;
6. Destroying or altering ASC or client records without authorization;
8. Exhibiting any behavior that reflects poorly on ASC;
9. Using, possessing and/or being under the influence of alcohol and illegal substances while working on ASC time;
10. Being discourteous to clients, co-workers, health care professionals and members of the community-at-large;
11. Possessing dangerous weapons or guns while on ASC time;
12. Doing malicious damage to the clients' property;
13. Stealing from ASC or its clients;
14. Conducting actions/activities, which are dishonest in any way;
15. Disclosing clients' names, addresses, phone numbers and other personal information to non-Agency employees, without the clients' permission;
16. Disclosing confidential information without authorization or legal direction to do so;
17. Accepting inappropriate gifts or money from clients;
18. Accepting appropriate gifts from clients without approval from the Executive Director of ASC.
19. Engaging in financial transactions with the client other than those required for the performance of duties such as exchange of currency for errands to grocery shop or laundry for clients;
20. Bringing pets, children or any other unauthorized persons to clients' homes while performing job duties; and,
21. Being absent without permission or without advising Homemaker Manager , when able to do so.

Confidentiality

Aging Services for Communities is committed to the appropriate protection of confidential information and enforces its Confidentiality and Privacy of Information Policy. As an employee or driver for Aging Services, there is information that employees are exposed to that they have to know in order to perform quality care for the clients. This information will not be distributed to anyone outside the ASC staff.

Aging Services for Communities operations, activities, business affairs and finances are also confidential and will not be disclosed or made available to any unauthorized person or agency without the approval of the Executive Director or Board of Directors.

Business Ethics

Aging Services for Communities is committed to upholding the highest business ethics and integrity.

Members of the Board of Directors, Executive Director, Department Managers, Employees and Drivers are required to conduct themselves in a professional manner at all times. They shall not:

1. Falsely representing ASC;
2. Defraud individuals of money, property or services;
3. Make false or misleading comments about ASC clients, employees, services, business contacts, competitors or competitor's services;
4. Participate in any activity intended to, inappropriately, obtain ASC services
5. Engage in any corrupt business practice either directly or indirectly; or,

Reporting and Investigating

Staff shall be held responsible for reporting any violations of laws, regulations or Agency policies, procedures and Standards of Conduct. Any violation of the aforementioned, which an employee either knows about or thinks he/she knows about another person/organization, associated with the Agency, has committed, is committing or may commit must be relayed to the Executive Director or Board of Directors. That employee shall be assured his/her anonymity will be protected.

The Executive Director or Board of Directors shall investigate and document all allegations of misconduct or wrongdoing immediately by conducting an interview(s), reviewing relative documentation and evaluating the facts and circumstances. Factors to be considered during an investigation include, but are not limited to:

1. The degree to which behavior varied from the Standards of Conduct;
2. The seriousness of the behavior,
3. The employee's work history; and,
4. other data and information deemed to be relevant.

The complete reporting and investigation forms and policies can be found in the 245D licensing documents.

Working with Vulnerable Adults

Definition

A ‘vulnerable adult’ is any person, 18 years of age or older, who is a resident or patient of a facility such as a hospital, group home, nursing home, day service facility, day activity center, adult foster care home or a person who receives services during the day from an agency that is licensed/certified by the Minnesota Department of Human Services or the Minnesota Department of Health such as a home care agency or a personal care service.

A vulnerable adult also includes a person who, regardless of where they live or what type of services they receive, possess a physical or mental infirmity or other physical, mental or emotional dysfunction that impairs the individual’s ability to provide adequately for their own care without assistance and because of the dysfunction or infirmity and the need for assistance, the individual has an impaired ability to protect themselves from maltreatment.

Maltreatment

Neglect –Failure or omission by caregiver to provide for basic needs such as:

- Food
- Health Care
- Clothing
- Shelter
- Supervision

Neglect may be committed by:

- Caregiver
- Self

Reporting maltreatment

Each county has a designated **Common Entry Point (CEP)**. Any incident of known or suspected maltreatment should be reported to the CEP. Contact your local human service agency for specific CEP information. Reports should be made to the CEP in the county where the maltreatment occurred. Nothing in the law prevents a reporter from also reporting to a law enforcement agency.

A mandated reporter may meet the reporting requirements by reporting to an internal reporting system; however, the facility remains responsible for complying with immediate reporting requirements. A facility may not prohibit a mandated reporter from reporting externally and is prohibited from retaliating against a mandated reporter who reports in good faith.

Mandated reporters must make oral reports to the CEP or through their internal reporting system. To the extent possible, all reporters should be prepared to identify the vulnerable adult and the caregiver; the nature and extent of the suspected maltreatment; any evidence of

previous maltreatment, the time, date and location of the incident; and other information regarding the situation.

Employees of Aging Services for Communities are mandated reporters and should make a report to their Supervisor who will contact the CEP. If, for some reason, the employee is unable to report to their supervisor they can directly contact the CEP at the County's Human Services Department.

Discrimination and Harassment

Aging Services for Communities is committed to treating all persons equally without bias or prejudice. ASC does not discriminate about race, color, national or ethnic origin, age, religion, disabilities or sexual orientation. All management is required to promote and maintain a productive work environment that is free from harassment, discrimination and disruptive activity. No form of harassment or discrimination will be tolerated. Anyone who experiences forms of harassment or discrimination must report it to the Executive Director or Board of Directors. ASC is not allowed to retaliate against anyone who makes a complaint of harassing or discriminatory conduct.

The complete reporting and investigation forms and policies can be found in the 245D licensing documents.

Retaliation

Because employees have a responsibility to report actual or potential wrongdoings, the Agency shall not permit any consequential retaliative, revengeful or harassing actions/activities to be taken against the reporter. . Anyone who is involved in retaliation measures shall be subject to disciplinary action, in accordance with the 245-D licensing Disciplinary Action Policy and/or as dictated by law.

Competition

ASD is committed to complying with state and federal antitrust (monopolies) laws and regulations. ASC shall not establish charges in collusion with competitors and shall not share confidential information with competitors. Additionally, staff shall not share confidential information with competing service providers, such as salaries or charges for services rendered. The Agency shall not take anticompetitive measures to reduce its competition without first obtaining legal counsel. Communication with competitors about matters that could be interpreted as an attempt to reduce competition or an attempt to fix prices, shall take place only after consultation with legal counsel.

Inducements

Staff are prohibited from accepting, offering or soliciting anything of value from anyone doing business with the ASC including clients, contractors or third party payers. Small gifts and gratuities might be acceptable but only if the Executive Director gives authorization and if the acceptance meets the conditions delineated in the Agency's Acceptance of Gifts Policy. See 245-D licensing Policy on Acceptance of Gifts.

Employees must notify the Executive Director immediately, if anyone:

1. Offers an inducement to the employee;
2. Offers anything of value because of the employee's employment with ASC; or,
3. Has insinuated, solicited or requested compensation for referrals of business.

External Audits

The Agency is committed to cooperating with government investigators, as required by law. If an employee receives a subpoena, search warrant or other similar document, he/she shall immediately contact the Executive Director or Board of Directors, or Department Manager, before taking any action. The Executive Director or Board of Directors, or Department Manager is responsible for authorizing the release of, or the copying of, documents. If a government investigator, agent, or auditor comes to ASC, the Executive Director or Board of Directors, or Department Manager, should be contacted before an employee discusses any matters with such investigator, agent or auditor.

False Claims Act

As a deterrent against the submission of fraudulent claims to the federal government for programs such as *Medicare* and *Medicaid* and to provide incentive to report such fraudulent claims, ASC shall advise its employees about the federal "*False Claims Act*", which states that: "*Any person who knowingly:*

1. *presents, or causes to be presented, to an officer or employee of the United States Government or a member of the Armed Forces of the United States a false or fraudulent claim for payment or approval;*
2. *makes, uses, or causes to be made or used, a false record or statement to get a false or fraudulent claim paid or approved by the Government;*
3. *conspires to defraud the Government by getting a false or fraudulent claim paid or approved by the Government;*
4. *makes, uses, or causes to be made or used, a false record or statement to conceal, avoid, or decrease an obligation to pay or transmit money or property to the Government; or,*
5. *submit, or cause another person or entity to submit, false claims for payment of government funds are liable for three times the government's damages plus civil penalties of \$5,500 to \$11,000 per false claim."*

The terms "knowing" and "knowingly" mean that a person, with respect to information:

1. *has actual knowledge of the information;*
2. *acts in deliberate ignorance of the truth or falsity of the information; or,*

3. *acts in reckless disregard of the truth or falsity of the information and no proof of specific intent to defraud is required.”*

“The False Claims Act contains “qui tam”, or whistleblower, provisions. “Qui tam” is a unique mechanism in the law that allows citizens with evidence of fraud against government contracts and programs to sue, on behalf of the government, in order to recover the stolen funds. In compensation for the risk and effort of filing a “qui tam” case, the citizen whistleblower or “relator” may be awarded a portion of the funds recovered, typically between 15 and 25 percent.”

Content taken from the US Government website on the “False Claims Act”

Assets Usage

Aging Services for Communities shall provide its staff with the necessary assets and equipment to perform their duties. All ASC Clients are required to provide all cleaning products and equipment to ASC Homemakers. ASC is not responsible for providing cleaners or equipment in the home.

Employees shall be prudent and efficient in their usage of ASC equipment, products and supplies. ASC property shall not be used for personal purposes.

Compliance Training

Aging Services for Communities is dedicated to the training of all its employees on the 245-D licensing policies and procedures, applicable laws, rules and regulations. In addition, the Executive Director or Department Managers will advise employees that:

1. compliance with these policies and procedures is a condition of employment; and,
 2. violation of policies and procedures could result in accordance with the Agency's Disciplinary Action Policy, up to and including termination of employment
- Employees shall be given information on Aging Services Compliance Program during the Orientation process and shall receive regular compliance reviews and/or education at least annually. Subsequent training shall also be provided as new policies and procedures are developed and implemented.

The Executive Director will be responsible for presenting new or revised compliance information to all employees as soon as the information is received.

Employee participation in compliance training shall be documented in accordance with the 245-D licensing requirements. Attendance and participation in training programs shall be a condition of continued employment. Failure to comply with the training requirements may result in disciplinary action, in accordance with the Agency's Disciplinary Action Policy.

Non Compliance Consequences

All Agency staff shall:

1. perform their duties in a manner consistent with Aging Services policies; and,
2. report violations of local, state or federal laws, rules or regulations to the Executive Director or Board of Directors.

If an employee fails to report violations, and is aware that not reporting violates a legal obligation, then that person could be subject to disciplinary action, in accordance with ASC Disciplinary Action Policy and/or could be terminated from employment.

ASC may also take disciplinary action if its investigation determines that a misconduct or wrongdoing has taken place, depending on the severity of the misdemeanor.

Disciplinary actions shall be in accordance with ASC Disciplinary Action Policy, which could consist of 4 stages:

1. verbal warning;
2. written warning;
3. work suspension; and,
4. termination of employment.

All violations of the Standards of Conduct, compliance policies and federal, state and applicable local laws and regulations may be disciplined in a manner deemed appropriate by Department Manager in an attempt to prevent similar misdemeanors from taking place in the future.

Disciplinary actions shall be applied consistently and fairly and shall not be influenced by the individual's position at ASC, i.e. Employees and management personnel shall all be held accountable to the same extent and to the same degree.

The Executive Director shall not have any authority or responsibility for disciplinary measures. He/she will be responsible for investigating, evaluating and making recommendations consistent with the ASC policies and procedures to the Department Manager. Any disciplinary action shall be determined and enforced by the Department Manager in accordance with ASC Disciplinary Action Policy.

Conclusion

Aging Services for Communities will constantly take measures to ensure that all its activities and actions, and those of its employees, comply with applicable laws and ethical standards. The purpose of these Standards of Conduct is to provide direction to employees to enable them to meet their responsibilities. Employees are expected to comply with all applicable laws, even if they are not dealt with in these Standards of Conduct.

Employees are encouraged to contact the Executive Director or Department Manager if they have any questions or concerns about their obligations.

All ASC staff shall sign attesting to the fact that they are responsible for knowing and adhering to these Standards of Conduct. The signed document shall be placed in their personnel file. In addition, each time new or revised Standards of Conduct are issued, employees will be asked to sign a statement certifying that they have received, read, and understood the Standards of Conduct.

Work Ethics

ASC is committed to the highest standards of ethical and professional conduct. All employees must adhere to the ASC's policies and procedures relative to their job functions and must comply with legal and regulatory requirements.

Any breaches of this policy may be subject to disciplinary action and/or termination, depending on the severity of the incident.

Procedures

Employees shall, at all times, conduct themselves in a professional manner and comply with this policy by:

1. conducting themselves in a manner that does not have a negative impact on the Aging Services for Communities;
2. only relaying/distributing information that is accurate, when representing the ASC;
3. not promising care/services, which the ASC doesn't provide;
4. not borrowing money from clients/families or lending money to them;
5. not trading or purchasing items from clients/families;
6. not accepting gifts from clients/families except in special circumstances wherein a relationship with a client could be damaged if a gift was rejected; (e.g. Employees may accept a gift that is of a token nature such as a box of chocolates but must first obtain authorization from the Department Manager or Executive Director.)
7. not giving gifts to clients/families without first obtaining authorization from the Executive Director or Department Manager;
8. not using ASC property for personal benefit without authorization;
9. displaying appropriate dress, grooming, hygiene and etiquette;
10. wearing an approved uniform, when required;
11. being aware of their personal strengths, weaknesses and feelings;
12. having a good and positive attitude;
13. being pleasant on the job site;
14. displaying appropriate verbal and non verbal skills;
15. keeping moodiness, bad temper and unhappiness out of their demeanor;
16. reporting to work on time, beginning delegated duties immediately and working continuously except for scheduled breaks;
17. working the designated hours and seeking additional tasks if their assigned work is completed sooner than predicted;
18. completing tasks in the expected timeframe, combining tasks for greatest effectiveness and avoiding idle time;
19. completing their work assignments as scheduled by the Department Manager;
20. contacting the Department Manager as quickly as possible, if they need to leave the job site in the event of an emergency;
21. keeping in touch with the office to confirm schedules and to receive direction;
22. completing any and all paperwork correctly and in a timely manner;
23. ensuring their quality of work is of a high standard and not expecting anything but the best from themselves;
24. keeping all obligations and promises;

25. being cooperative by displaying leadership skills and maintaining appropriate relationships with other employees;
26. being considerate to clients, families, friends, colleagues and professionals;
27. displaying loyalty, honesty, trustworthiness, dependability, reliability, initiative, self responsibility and self-discipline;
28. respecting the rights of others;
29. being a cooperative and participative team member;
30. dealing appropriately with diversity and treating everyone with respect;
31. looking at things from another's perspective and being empathetic towards their thoughts and feelings;
32. avoiding criticizing or denouncing others because their beliefs and values may differ;
33. respecting others for their individuality
34. conforming to all safety regulations for their own and other's protection;
35. keeping information confidential and not gossiping about the affairs of others;
36. being polite and courteous to clients, families, friends, colleagues and professionals;
37. following instructions and utilizing all knowledge and skills;
38. giving their best efforts at all times;
39. realizing and admitting to errors and learning from the experience(s) to avoid making the same mistake(s) again.
40. showing good organizational skills in managing themselves, in time management, in prioritizing, in flexibility, in stress management and in the ability to deal with change;
41. being truthful and accurate about care given, clients' progress, and events that occurred or did not occur;
42. avoiding complaining and negativity;
43. working cooperatively to achieve goals and being willing to help and support others;
44. complimenting others work and participating actively in the care team's endeavor;
45. submitting a written statement, outlining the facts of any arrest, indictment or conviction for a felony or misdemeanor (other than a minor traffic offense) to the Executive Director or Department Manager within 5 working days of the incident.
46. immediately reporting to the Department Manager any incidents wherein they observe another employee treating a client in a manner that is:
 - a. not consistent with ASC standards of conduct and ethical behavior; and/or,
 - b. physically and/or verbally abusive.
47. when working with clients/families,
 - a. not giving them their home phone numbers;
 - b. not giving personal opinions about them;
 - c. not offering medical advice;
 - d. not smoking in their homes;
 - e. not using their telephone except in cases of emergency or to call the office;
 - f. not taking anyone, including pets, into their homes without first obtaining consent from them and from the Department Manager;
 - g. not safeguarding a client's valuables;
 - h. not using a client's vehicle or other property for personal reasons;

- i. not consuming alcohol or using medication/drugs except for a medical reason(s) in their homes;
 - j. not accepting meals from them;
 - k. not taking advantage of their hospitality;
48. in regards to legal matters,
- a. not taking on assignments of a legal nature;
 - b. not becoming an appointee or having legal involvement with the client/family's property;
 - c. not becoming the beneficiary of a client's will;
 - d. not becoming a witness or an executor of a client's will; and,
 - e. not having Power of Attorney;

Job Descriptions

Homemaker Position

Description:

- The Homemaker will provide service to individuals in their own homes and communities, who need assistance caring for themselves as a result of old age, sickness, disability and/or other afflictions. Homemaker Services may include light housecleaning, laundry, meal preparation, transportation, companionship, respite or running errands.
- The Homemaker is responsible for ensuring that service is delivered in a caring and respectful manner, in accordance with relevant ASC policies and industry standards.

Reporting Relationship

1. Reports to Department Manager

Responsibilities/Activities:

- prepare meals for the freezer, routine housekeeping activities such as making/changing beds, dusting, vacuuming, washing floors, cleaning kitchen and bathroom, and laundry.
- Perform/assist with essential shopping/errands, which may include handling the client's money, in accordance with the County workers care plan and under the direction of the Department Manager.
- Assist with following a written, special diet plan and reinforcement of diet maintenance, which is provided under the direction of a Physician and as identified in the care plan. This is only if the client needs Meal Preparation done by the homemaker.
- Escort to medical facilities, errands, shopping and outings as specified by the County worker or Department Manager.
- Provide companionship, friendship and emotional support.
- Assist clients with communication by writing or typing correspondence for them or researching information for them.

- Participate with the Department Manager by providing input as to the state of mind of the client which would in turn be reported to the county worker in charge of the care plan.
- Ensure service is delivered in accordance with all relevant policies, procedures and practices.
- Monitor supplies and resources and report to the client when new supplies are needed.
- evaluate the client situation and contact Department Manager if changes need to be addressed.
- Follow the written task sheets.
- Carry out duties as assigned by the Department Manager.
- Observe the client's functioning and report to the Department Manager.
- Complete and maintain records of daily activities, observations, and direct hours of service.
- Attend orientation, in-service training sessions and staff meetings.
- Develop and maintain constructive and cooperative working relationships with others.
- Make decisions and solve problems.
- Communicate with Department Manager and co-workers.
- Observe, receive and obtain information from relevant sources.
- **Return Task and Time sheets to Department Manager thru e-mail at homemaker@aging-services.org or thru fax at 507-364-5454 or US Postal service at 212 1st Street S. PO Box 7, Montgomery, MN 56069. THE PREFERRED METHOD OF REPORTING IS BY E-MAIL to homemaker@aging-services.org. This goes directly to the payroll person so they can get the homemakers paid in a timely manner.**
- **Make sure you know the deadlines for Time and Task sheet return. They are due to the main office every other Monday by 10:00 AM. There is a due date sheet in the office and one is given to the homemaker at time of hire to keep close at hand.**

Required Knowledge

- Knowledge of home management skills.
- Knowledge of principles and processes for servicing client, including, meeting quality standards and evaluation of client satisfaction.
- Knowledge of the English language.
- Knowledge of information and techniques needed to diagnose and treat minor injuries including emergency first aid.

- Knowledge of clerical procedures such as maintaining records and completing forms in an accurate and timely manner.

Required Skills/Abilities

- The ability to be aware of other people's reactions and understand why they react as they do.
- The ability to establishing and maintain relationships.
- The ability to teach others.
- The ability to identify problems and determine effective solutions.
- The ability to understand written and oral instructions.
- The ability to communicate information orally so others understand.
- The ability to communicate in writing so others understand.
- The ability to listen and understand the spoken word.
- The ability to work independently and in cooperation with others.
- The ability to determine or recognize when something is likely to go wrong.
- The ability to suggest a number of ideas on a subject.
- The ability to perform activities that use the whole body.
- The ability to handle and move objects less than 50 pounds.
- The ability to observe and recognize changes in clients and then report them to the Department Manager.
- The ability to establish and maintain harmonious relations with clients/families/coworkers.

Physical and Mental Demands:

- Good physical and mental health.
- Physical ability to stand, walk, use hands and fingers, reach, stoop, kneel, crouch, talk, hear and see.
- Mental fortitude and stability to handle stress.
- Physical and mental ability to drive a vehicle.

Qualifications/Education

- Current driver's license.
- Proper Vehicle Insurance Coverage.

Training/Experience:

- May require related experience.

Conflict of Interest

Aging Services for Communities is committed to ensuring its employees avoid possible conflict of interest situations by performing their duties in a professional and moral manner. The goals are to prevent clients from being taken advantage of, to reduce management risks, to manage human resources, to deliver services effectively and efficiently and to prevent actual or perceived conflict of interest.

Persons employed by Aging Services for Communities are responsible to their clients and coworkers to perform their duties at all times in a professional and ethical manner, without the intention of obtaining direct or indirect conflict of interest.

Definitions

1. *Conflict of Interest*

A person has a conflict of interest when he/she:

- a. is in a position of trust which requires him/her to exercise judgment on behalf of others (people, institutions, etc.); and/or,
- b. has interests or obligations of the sort that might interfere with the exercise of his/her judgment; and/or,
- c. is morally required to either avoid or openly acknowledge.

Procedures

1. Clients shall be advised of their rights to be free from conflict of interest behaviors and conducts which take advantage of them and/or their situations.
2. Employees shall not do anything that could result in a conflict of interest for ASC such as buying and selling.
3. Employees shall be advised that the following are some of the situations that may be considered as conflict of interest:
 - a. taking advantage of the professional relationship with a client, which results in personal gain for the employee and/or their family/friends;
 - b. entering into an employment relationship with another service provider which infringes on the employment relationship with ASC unless that relationship has been sanctioned by ASC.
 - c. agreeing to provide service to any client where there is a personal/familial relationship, unless such a relationship has been disclosed to ASC and has been reviewed and authorized.
4. Employees are to be provided with information on how to report potential/actual conflicts of interest.
5. Employees may not accept gifts, money, discounts or favors including a benefit to family members, friends or business associates for doing work that the company pays them to do.
6. Employees may not use, or permit the use of the Company's property, facilities, equipment, supplies or other resources for activities not associated with their work without authorization first from ASC.
7. Employees may not disclose confidential or privileged information for any purpose about Aging Services for Communities, co-workers, clients/families, or use confidential information to advance personal or others' interests.

8. Employees shall advise the Department Manager/Executive Director or Board of Directors, in writing, of all other employment and possible conflict of interest situations.

Acceptance of Gifts

Aging Services for Communities discourages its employees from accepting gifts from clients but will, in some cases, permit the occasional acceptance if:

1. rejecting the gift will negatively affect the client; and,
2. providing the gift:
 - a. is not made in cash;
 - b. does not exceed \$20 in value;
 - c. is not given on a regular or frequent basis;
 - d. is not given in an attempt to influence conduct or decision making; and,
 - e. does not compromise, or appear to compromise, in any way the integrity of ASC or the employee.

Procedures

1. All gifts shall be considered on a case-by-case basis.
2. The *Acceptance of Gift* Policy shall be consistently applied.
3. Employees shall report any gift received to the Department Manager or Executive Director, who will:
 - a. assess the circumstances in which it was made; and,
 - b. determine whether it shall be accepted or whether it shall be politely refused.
4. Department Manager or Executive Director will record receipt of the gift in:
 - a. a log, if the gift is made to ASC; or,
 - b. the employee's personnel file, if the gift is made to an individual employee.
5. Documentation of gifts received shall include, but not be limited to, the following:
 - a. name, address and phone number of client giving the gift;
 - b. name of employee, if gift is given to an individual employee;
 - c. statement advising gift was given to ASC, if gift is made to ASC;
 - d. date the gift is given;
 - e. description of the gift;
 - f. value of the gift, if known; otherwise, assign an approximate value to the gift;
 - g. circumstances in which gift was made; and,
 - h. whether gift was accepted or returned to client.

These procedures follow the same guidelines of the 245-D licensing.

Benefits and Compensation Procedures

1. ASC will provide the following federal, mandatory benefits to its employees:
 - a. Social Security and Medicare;
 - b. Unemployment Insurance; and,
 - c. Worker's Compensation.
2. ASC will provide additional mandated benefits:
 - a. statutory holidays;
3. ASC provides discretionary benefits including direct deposit.
4. Mandatory contributions for Social Security, Medicare and Unemployment Insurance, shall be deducted from employees' pay checks, in accordance with regulations.
5. The Agency shall contribute the regulated employer payments for Social Security, Medicare, Unemployment Insurance, and Worker's Compensation for each and every employee.
6. The Agency shall research and maintain currency for minimum wage regulations established by the State.
7. Wages shall be based on, but not limited to, one or more of the following:
 - a. industry wage standards;
 - b. regulated pay rates;
 - c. days of week; and,
 - e. statutory holidays

Compensation Policies

1. Employees shall be paid on a bi-weekly basis according to the pay rate sheet provided in the hiring packet.
2. Employees' wages shall be in accordance with their job descriptions.
3. Mandatory payroll deductions include:
 - a. Federal and State Income Taxes (based on an individual's W-4 filing status);
 - b. Social Security taxes; and,
 - c. Medicare taxes.
4. Personnel files shall be maintained at the ASC office for all employees.
5. All personnel salaries/wage rates shall be authorized by the Board of Directors.
6. Changes in employment shall be authorized by the Department Manager or Executive Director.
7. Employees shall accurately record all hours worked using the ASC *Employee Time Sheet*
8. *****All hours worked by homemakers, in a specific time period, shall be documented on the ASC Employee Time Sheets, along with the ASC client task sheets which will be verified and signed by the client and homemaker upon the completion of the day's tasks, before the Employee Time Sheet is submitted to the ASC Payroll Department. Time sheets are due every other Monday by 10:00 a.m.*****
- 9.

10. *****All volunteer drivers must turn in transportation sheets prior to every other Monday by 10:00am in order to get paid by the following Wednesday.*****

Employee Breaks

Aging Services for Communities provides break periods for employees subject to the following conditions:

1. Each employee is authorized one break period for each four-hour work period. Each break period may be up to fifteen minutes in length.
2. Department Manager and individual employee shall work out suitable break schedules, depending on job assignments.
3. Breaks shall be scheduled in a manner, which does not interrupt services to the clients or other office staff.
4. Breaks may not be combined with lunch times.
5. No breaks may be taken at the end of the day.
6. Employees will not accumulate or save paid break time.
7. Employees shall be assigned a one-half hour unpaid meal break about mid-point during their shift. If more than one-half hour is needed for lunch, it must be cleared through the Department Manager in advance.
8. Employees shall take a meal break, regardless of shift worked.

Overtime Policy

Aging Services for Communities provides overtime pay according to labor law and legislation. The Department Manager or Executive Director will develop working schedules, which keeps the number of weekly hours worked by individual employees within the limits wherein overtime is not needed on a regular basis.

Employee Dress Code

Aging Services for Communities requires that its employees present a professional appearance at all times and that they wear the photo identification badge provided to them when applicable.

Procedures

1. Employees shall use good judgment in choosing appropriate attire when on duty. Attire, which is deemed to be inappropriate includes, but is not limited to the following:
 - a. clothing in disrepair;
 - b. jogging suits;
 - c. clothing with inappropriate language;
 - d. shorts;
 - e. revealing or tight clothing;
2. Clothing shall be kept in good repair, be of an acceptable length and fit properly.
3. Employees shall be well groomed and have good personal hygiene and cleanliness.

4. Department Manager or Executive Director will ensure employees wear proper attire and maintain good personal hygiene and cleanliness.

Employee ID Badges

Procedures

1. The Agency shall issue Identification Badges to all employees.
2. Employees shall wear the Identification Badges, which are provided to them by ASC, whenever they are delivering services on behalf of ASC.
3. Identification Badges shall display the following information:
 - a. Employee first and last Name
 - b. Agency's name
6. Identification Badges shall not be worn on belts, sleeves, pockets, footwear, etc.
7. Identification Badges shall be updated to reflect current information, such as name or position changes.

Privately Owned Vehicles

Aging Services for Communities requires that its employees:

1. possess driver's licenses, which are valid, current and permit client transportation;
2. have privately-owned vehicles for their on-the-job usage; and
3. carry adequate insurance for transporting clients

Procedures

Privately Owned Vehicles

1. Department Manager will ensure that each employee or volunteer has a valid driver's license and the appropriate automobile liability insurance prior to starting work. This will be verified on an annual basis.
2. Department Manager will advise employees or volunteers what rate per mile they will be paid for use of their privately-owned vehicles, prior to commencing work.
3. Employees or volunteers, who use their own automobiles in the delivery of services, shall be required to carry 100/300/100 per the workers comp insurance requirements for ASC. It is unlawful for an insurance company to increase its premium due to volunteer participation.
4. Employees or volunteers shall provide the Department Manager with copies of their driver's licenses and insurance coverage for privately-owned vehicles used for conducting job duties. This documentation shall be kept in the employee's personnel file.
5. Employees or volunteers shall provide the Department Manager with copies of renewals for expired driver's licenses and expired insurance coverage for privately-owned vehicles used for conducting job duties.
6. Employees or volunteers, whose driver's licenses are suspended or restricted and may affect their job duties, shall advise the Department Manager immediately.
7. Employees or volunteers, who are driving privately-owned vehicles shall:
 - a. wear their seat belts at all times;

- b. ensure all passengers wear seat belts at all times;
 - c. adhere to all traffic and safety regulations;
 - d. exercise caution and responsibility;
 - e. not consume alcohol and/or drugs;
 - f. not drive recklessly.
 - g. report any accidents or related injuries to the proper authorities, as regulated by law, with a written report of the incident being given to the Executive Director or Department Manager within 24hours; and,
 - h. report any citations or charges against their drivers' records to the Department Manager. Employees who violate any of the above may be subject to discipline and/or termination.
8. Employees or volunteers, who require medication that might impair their ability to drive, shall obtain written confirmation from their Physician that they can safely operate a motor vehicle.
 9. Employees or volunteers who receive parking tickets, speeding tickets and other traffic violations or who are arrested for driving-related offences shall assume total responsibility for any resulting fines.
 10. Employees or volunteers, who use private vehicles for delivering service to clients shall also complete and submit the ASC Mileage sheets pertaining to the specific transport be it BR,MA, Medica, or UCare for mileage payment . These sheets must be signed by clients and will be verified by transportation staff.
 10. Employees or volunteers will turn in all paperwork from transports Every Other Monday by 10:00am.

Probationary Period

Aging Services for Communities requires that all its employees be on probation starting as soon as employment begins for a period of three months for purposes of retention or dismissal, as warranted.

Procedures

1. Department Managers responsibilities during the probationary period include:
 - a. informing new employees, verbally and in writing, at the beginning of the probationary period, about the performance expectations and standards that are being evaluated during the probationary period;
 - b. setting up a review schedule to discuss performance with the employees;
 - c. orientating and training new employees to their job duties;
 - d. providing full guidance and support to employees;
 - e. meeting more frequently with employees if they are having difficulty and/or if they are not meeting expectations;
 - f. identifying any performance issues to employees both verbally and in writing;
 - g. communicating continuously with employees throughout the probationary period;
 - h. providing feedback to employees and giving them the opportunity to improve any borderline or weaker aspects of their performance;

- i. seeking assistance from other resources to help employees meet acceptable performance levels;
 - j. where extending probation or rejecting on probation may be necessary;
 - k. advising employees as early as possible if an extension to the probationary period is required;
 - l. documenting a rationale for any request to extend the probationary period;
 - m. consulting with Executive Director, as early as possible on situations
 - n. notifying employees, verbally and in writing, of any approved extension to the probationary period;
 - o. Initiating termination of employment at any time during the probationary period if employees fail to demonstrate the ability and/or willingness to perform the duties of the assigned position.
 - p. formally evaluating employees' performance at the end of the probationary period;
 - q. providing employees with a letter confirming conclusion of the probationary period, once they have successfully completed it;
 - r. rejecting employees for continued employment if they fail to meet performance standards.
2. Employee responsibilities during the probationary period include:
- a. demonstrating acceptable performance standards for the position;
 - b. meeting the ASC standards for conduct, attendance and policies;
 - c. demonstrating suitability for the position and compatibility with co-workers and clients; and,
 - d. communicating continuously with the Department Manager throughout the probationary period.

Competency Evaluations

Aging Services for Communities requires that all its employees undergo an evaluation. – upon completion of probation, annually and on an as needed basis.

Procedures

1. Department Manager shall obtain or prepare a checklist of the job functions for each job classification, which will be evaluated.
2. During probation, Department Manager shall observe all new employees performing the job functions listed on the checklist.
3. Department Manager will conduct annual evaluations to determine employees' competency in performing and rendering services according to ASC policies and standards of practice.
4. Department Manager will conduct as-needed evaluations whenever there appears to be a performance problem.

Disciplinary Action

Aging Services for Communities is committed to establishing and maintaining a formal system of employee discipline, which ensures that the rules of the workplace and the standards of conduct are adhered to by all employees; and, that discipline is equitably and uniformly administered.

Procedures

1. Disciplinary action shall be taken in the following situations:
 - a. practicing unethical behavior;
 - b. displaying professional misconduct;
 - c. being negligent;
 - d. being incompetent;
 - e. being dishonest;
 - f. showing insubordination;
 - g. conducting illegal activity;
 - h. being absent from work without reason;
 - i. breaching confidentiality;
 - j. being willfully disobedient;
 - k. causing willful damage to property;
 - l. having poor job performance;
 - m. violating the Human Rights Code;
 - n. creating a disturbance in the ASC office or in a client's home;
 - o. being idle;
 - p. being in possession of intoxicants or non-prescription narcotics;
 - q. being under the influence of intoxicants when reporting for duty or when on duty;
 - r. falsifying employment records;
 - s. falsifying job-related documentation such as time sheets, billing records and/or client records;
 - t. stealing;
 - u. misusing ASC or client's property deliberately or negligently;
 - v. not following ASC policies and procedures;
 - w. altering ASC policies and procedures;
 - x. displaying obscene or indecent conduct;
 - y. smoking in ASC office or in the client's home;
 - z. soliciting;
 - aa. possessing weapons or explosives;
 - bb. threatening or interfering with the work of others;
 - cc. being excessively absent from work or late for work;
 - dd. endangering the welfare of others;
 - ee. divulging confidential information concerning clients/families/other employees/the Agency;
 - ff. leaving work without authorization;
2. Where appropriate, disciplinary action shall be implemented until the investigation is completed.

3. Department Manager/Executive Director and/or Board of Directors will be involved in the determination if disciplinary action is required.
4. Professional standards of practice guidelines shall be used for disciplinary action where appropriate.
5. Legal authorities shall be contacted if there is any suspicion of illegal activities.
6. ASC will cooperate fully with the legal authorities in any investigation relating to illegal activities.
7. In determining the appropriate disciplinary action to take, the following factors will be considered:
 - a. the employee's length of service;
 - b. the employee's past discipline record;
 - c. the seriousness of the misconduct;
 - d. the employee's explanation; and,
 - e. any other pertinent facts.
8. Disciplinary actions shall consist of the following stages:

- a. Verbal Warning

Department Manager/Executive Director and/or Board of Directors will:

- i. clearly explain the reasons for the verbal warning;
- ii. outline expectations and behavior standards;
- iii. describe the disciplinary process for infractions; and,
- iv. record the date and reason for the verbal warning in the employee's personnel file.

- b. Written Warning

- i. Department Manager/Executive Director and/or Board of Directors will issue a written warning after the second offense, if the infraction is a minor one. If the infraction is a major one, the written warning shall be issued after the first offense.
- ii. The written warning will be dated and will clearly outline the reasons for the warning and the disciplinary action for the next infraction.
- iii. If the written warning is for reasons of incompetence or lack of performance, it shall also include the terms and conditions which must be met to continue employment.
- iv. A probationary period may be imposed to give employee time to improve.
- v. The written warning shall be hand delivered to the employee and reviewed with the employee.
- vi. Employee shall sign the written warning verifying that the warning was discussed with him/her and that he/she received a copy.
- vii. A copy of the written warning shall be placed in the employee's personnel file.

- c. Suspension from Work

The employee may be suspended from work until the investigation of the incident is completed or after the investigation is completed.

- d. Termination

- i. The employee shall be terminated:
 - if, after receiving verbal and written warnings, further infractions occur, or,

- after a very serious offence has occurred and at ASC discretion.
- ii. Dated, written notification, which outlines the reason(s) for termination, shall be hand delivered to the employee or sent to him/her via registered mail. A copy shall be placed in the employee's personnel file.

Termination of Employment

Aging Services for Communities utilizes a formal and just process for terminations, both voluntary and involuntary, which is comprehended by all personnel and is adhered to by all management staff.

Definitions

1. *Involuntary Termination (Dismissal)*
Involuntary termination means that an employee has been fired (dismissed) for any number of reasons.
2. *Voluntary Termination (Resignation)*
An employee quits his/her job for a variety of reasons.
3. *Dismissal Process*
The dismissal process consists of steps to take when an employee is not following standard/policies/procedures and/or is exhibiting behavior, which is inappropriate.
The purpose of the dismissal process is to provide an opportunity and timetable to correct misunderstood directions, eliminate incorrect assumptions and resolve conflicts.
4. *Gross Negligence*
Gross Negligence is the failure to use even the slightest amount of care in a way that shows recklessness or willfully disregards the safety of others. It is a way of violating others rights.
5. *"At Will Employment"*
"At-will employment" is a creation of American law, applicable in Minnesota, that enables either party to terminate the relationship with no liability if there was no express contract for a definite term.
Under this legal principle:
 - a. any hiring is presumed to be "at will"; i.e. the employer is free to discharge individuals "for good cause, or bad cause, or no cause at all" and,
 - b. the employee is equally free to quit, strike, or otherwise cease work.

Note: Although "at-will employment" allows an employee to quit for no reason, the general rule is that either party can terminate the relationship when an employer wants to fire an employee at any time. There are limitations upon the employer's ability to terminate without reason. As a means of downsizing, a company may fire large numbers of employees in one sweep.

Grievances and Complaints

Aging Services for Communities has a process in place for dealing with discrepancies in understanding, importance, direction and breach of practice in order that prompt and equitable resolution of complaints can be promoted.

Definitions

1. **Complaint**
A complaint is a concern which an employee wants to discuss with his/her Department Manager in an effort to resolve the matter. Complaints do not include personnel actions such as performance evaluations, rates of pay, position re-classifications, or position terminations due to reduction in work force.
2. **Grievance**
A grievance is an employee's formal complaint resulting from, but not limited to, working conditions, disciplinary action, dismissal and/or actions taken against the employee which violate:
 - a. policy or involves an inconsistent application of that policy;
 - b. state or federal discrimination statutes; and,
 - c. constitutional rights.

Procedures

1. All employees shall have access to grievance/complaint procedures.
2. Department Managers will inform employees about their right to file a grievance/complaint and their right to be protected from retaliation.
3. Employees, who intend to file or who file grievances/complaints, shall not:
 - a. be retaliated against or be discriminated against by other employees; and/or,
 - b. be coerced or have their actions interfered with by other employees.
4. Department Managers will ensure that employees, who intend to file or who file a grievance/complaint, are free from fear of retaliation, coercion and/or discrimination.
5. ASC will utilize the following procedure for grievances/complaints:
 - a. Employees shall prepare a written submission of the grievance/complaint within one week of the incident/issue. The submission shall contain the following information:
 - i. name and job position of employee
 - ii. reason for and details of the grievance/complaint;
 - iii. corrective action desired;
 - iv. date grievance/complaint is submitted;
 - v. name of Department Manager to whom the grievance/complaint is first submitted; and,
 - vi. signature of employee.
 - b. Department Manager discusses the grievance/complaint with the employee within one week of receiving it.

- c. Resolution of grievance/complaint shall include:
 - i. presentation of the facts and/or materials by employees;
 - ii. investigation of the dispute; and,
 - iii. an attempt to find a solution.
 - d. If the Department Manager and employee have unresolved issues, after discussion, a written report of the unresolved issues and the original grievance/complaint will be submitted to the Executive Director or Board of Directors.
 - e. Department Manager and Executive Director reviews the grievance/complaint and unresolved issues and responds to the employee within one week.
 - f. If the Department Manager and Executive Director involvement fails to bring a resolution to the grievance/complaint, the employee has the right to consult with an external body; for instance, a court or a federal/state administrative body such as Equal Employment Opportunity Commission, Office of Civil Rights, or Human Right Commission.
 - g. Employees may withdraw a grievance/complaint, in writing, at any stage of the process.
- 6. Department Manager will prepare a semi-annual report, which includes a summary of the grievances/complaints received during the previous six months, including their numbers and types.
 - 7. Department Manager and Executive Director will review the semi-annual report and make corrective changes to offset future complaints/grievances from being files.
 - 8. Copies of grievances/complaints and accompanying responses and documentation will be kept in the Agency office for at least three years.

Drug-Free Workplace Policy

The use of drugs undermines the quality and safety of job performance, endangers coworkers and clients, and brings discredit to Aging Services for Communities and the care giver community. Aging Services for Communities will not tolerate the use of drugs by its employees in any job-related context and is committed to the eradication of drugs from the workplace. To this end, it is the policy of Aging Services for Communities that the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance on the job is strictly prohibited. Anyone in violation of this policy is subject to severe disciplinary action, including discharge.

If you are suspected of drug use while working for ASC you will be asked to submit to a drug test in our office. Failure to submit to the drug test will result in immediate termination of employment.

Policy Regarding Sexual Harassment in Employment

Statement of Company Policy

Aging Services for Communities is committed to providing a workplace that is free from all forms of discrimination, including sexual harassment. Any employee's behavior that fits the definition of sexual harassment is a form of misconduct which may result in disciplinary action up to and including dismissal. Sexual harassment could also subject this company and, in some cases, an individual to substantial civil penalties.

The company's policy on sexual harassment is part of its overall affirmative action efforts pursuant to state and federal laws prohibiting discrimination based on age, race, color, religion, national origin, citizenship status, unfavorable discharge from the military, marital status, disability, and gender. Specifically, sexual harassment is prohibited by the Civil Rights Act of 1964, as amended in 1991, and the Minnesota Human Rights Act.

Each employee of ASC bears the responsibility to refrain from sexual harassment in the workplace. No employee -male or female- should be subjected to unsolicited or unwelcome sexual overtures or conduct in the workplace. Furthermore, it is the responsibility of all Department Managers to make sure that the work environment is free from sexual harassment. All forms of discrimination and conduct which can be considered harassing, coercive or disruptive, or which create a hostile or offensive environment must be eliminated. Instances of sexual harassment must be investigated in a prompt and effective manner.

All employees of ASC, particularly those in a supervisory or management capacity, are expected to become familiar with the contents of this Policy and to abide by the requirements it establishes.

Definition of Sexual Harassment

According to the Minnesota Human Rights Act, sexual harassment is defined as: Any unwelcome sexual advances or requests for sexual favors or any conduct of a sexual nature when;

1. submission to such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment.
2. submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, or
3. such conduct has the purpose or effect of substantially interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment.

The courts have determined that sexual harassment is a form of discrimination under Title VII of the Civil Rights Act of 1964, as amended in 1991.

One example of sexual harassment is where a qualified individual is denied employment opportunities and benefits that are, instead, awarded to an individual who submits (voluntarily or under coercion) to sexual advances or sexual favors. Another example is where an individual must submit to unwelcome sexual conduct in order to receive an employment opportunity.

Other conduct commonly considered to be sexual harassment includes:

- Verbal: sexual innuendos, suggestive comments, insults, humor and jokes about sex, anatomy or gender-specific traits, sexual propositions,

- threats, repeated requests for dates, or statements about other employees, even outside their presence, of a sexual nature.
- Non-verbal: Suggestive or insulting sounds (whistling), leering, obscene gestures, sexually suggestive bodily gestures, "catcalls", "smacking", or "kissing" noises
- Visual: posters, signs, pin-ups or slogans of a sexual nature.
- Physical: Touching, unwelcome hugging or kissing, pinching, brushing the body, coerced sexual intercourse, or actual assault.

Sexual harassment most frequently involves a man harassing a woman. However, it can also involve a woman harassing a man or harassment between members of the same gender. The most severe and overt forms of sexual harassment are easier to determine. On the other end of the spectrum, some sexual harassment is more subtle and depends to some extent on individual perception and interpretation. The trend in the courts is to assess sexual harassment by a standard of what would offend a "reasonable woman" or "reasonable man", depending on the gender of the alleged victim.

An example of the most subtle form of sexual harassment is the use of endearments. The use of terms such as "honey", "darling", and "sweetheart" is objectionable to many women who believe that these terms undermine their authority and their ability to deal with men on an equal and professional level.

Another example is the use of a compliment that could potentially be interpreted as sexual in nature. Below are three statements that might be made about the appearance of a woman in the workplace:

"That's an attractive dress you have on."

"That's an attractive dress. It really looks good on you."

"That's an attractive dress. You really fill it out well."

The first statement appears to be simply a compliment. The last is the most likely to be perceived as sexual harassment depending on the perceptions and values of the person to whom it is directed. To avoid the possibility of offending an employee, it is best to follow a course of conduct above reproach, or to err on the side of caution.

Responsibility of Individual Employees

Each individual employee has the responsibility to refrain from sexual harassment in the workplace.

An individual employee who sexually harasses a fellow worker is, of course, liable for his or her individual conduct.

The harassing employee will be subject to disciplinary action up to and including discharge in accord with the company's disciplinary policy and the terms of any applicable collective bargaining agreement.

ASC has designated the Executive Director, to coordinate the ASC sexual harassment policy compliance. The Executive Director can be reached at (507) 634-5663 Ext 22.

The Executive Director is available to consult with employees regarding their obligations under this policy.

Responsibility of Department Managers/Executive Director and or Board of Directors

Each Department Manager is responsible for maintaining the workplace free from sexual harassment. This is accomplished by promoting a professional environment and by dealing with sexual harassment as with all other forms of employee misconduct.

The courts have found that organizations as well as supervisors can be held liable for damages related to sexual harassment by a manager, supervisor, employee, or third party (an individual who is not an employee but does business with an organization, such as a client, contractor, sales representative, or repair person).

Liability is either based on an organization's responsibility to maintain a certain level of order and discipline, or on the supervisor acting as an agent of the organization. As such, supervisors must act quickly and responsibly not only to minimize their own liability but also that of ASC.

Specifically, a supervisor must address an observed incident of sexual harassment or a complaint, with seriousness, take prompt action to investigate it, report it, and end it, implement appropriate disciplinary action, and observe strict confidentiality. This also applies to cases where an employee tells the supervisor about behavior that constitutes sexual harassment but does not want to make a formal complaint.

In addition, supervisors must ensure that no retaliation will result against an employee making a sexual harassment complaint.

Supervisors in need of information regarding their obligations under this policy or procedures to follow upon receipt of a complaint of sexual harassment should contact the Executive Director at 507-364-5663 Ext 22.

Procedures for Filing a Complaint of Sexual Harassment

Internal:

An employee who either observes or believes herself/himself to be the object of sexual harassment should deal with the incident(s) as directly and firmly as possible by clearly communicating her/his position to the Department Manager, and to the offending employee. It is not necessary for the sexual harassment to be directed at the person making the complaint. Each incident of sexual harassment should be documented or recorded. A note should be made of the date, time, place, what was said or done, and by whom. The documentation may be augmented by written records such as letters, notes, memos, and telephone messages.

No one making a complaint of sexual harassment will be retaliated against even if a complaint made in good faith is not substantiated. Any witness to an incident of sexual harassment is also protected from retaliation.

The process for making a complaint about sexual harassment falls into several stages.

1. Direct Communication.

If there is sexually harassing behavior in the workplace, the harassed employee should directly and clearly express her\his objection that the conduct is unwelcome and request that the offending behavior stop. The

initial message may be verbal. If subsequent messages are needed, they should be put in writing in a note or a memo.

2. Contact Department Manager.

At the same time direct communication is undertaken, or in the event the employee feels threatened or intimidated by the situation, the problem must be promptly reported to the Department Manager or the Executive Director. If the harasser is the immediate Department Manager, the problem should be reported to the Executive Director.

3. Formal Written Complaint.

An employee may also report incidents of sexual harassment directly to the Executive Director. The Executive Director will counsel the reporting employee and be available to assist with filing a formal complaint. Aging Services for Communities will fully investigate the complaint, and will advise the complainant and the alleged harasser of the results of the investigation.

External

Aging Services for Communities hopes that any incident of sexual harassment can be resolved through the internal process outlined above. All employees, however, have the right to file formal charges with the Minnesota Department of Human Rights (MDHR) and/or the United States Equal Employment Opportunity Commission (EEOC). A charge with MDHR must be filed within 180 days of the incident of sexual harassment. A charge with EEOC must be filed within 300 days of the incident.

Guidelines for Companions Interacting with Clients with Differing Culture or Ethnicity

As a companion you will be caring for many people who have a different culture or ethnicity than you. It is important that all clients be treated with respect and compassion. The following guidelines should help you accomplish this. Make sure when working through Aging Services for Communities that you:

1. Convey respect for the individual and respect for his/her values, beliefs, and cultural and ethnic practices.
2. Learn about the major ethnic or cultural groups with whom you are likely to have contact.
3. Be aware of your own communication, e.g. facial expressions and body language, and how it may be interpreted.
4. Be aware of your own biases, prejudices, and stereotypes
When a client describes a belief that differs from your own, e.g. the cause of her swollen feet, try to relate the client's belief to your own, thus conveying interest and respect for the client's belief.
5. Recognize the cultural symbols and practices that can often bring a client comfort.
6. Support the client's practices whenever it is possible.
7. Do not impose a cultural practice on a client without knowing whether it is acceptable.
8. Be aware the color of a client's skin does not always determine his/her culture.
9. Take time to learn how a client views health, illness, grieving, and the health care system.

10. Be aware of your own attitudes and beliefs about health and objectively examine the logic of those attitudes and beliefs and their origins.
11. Be open to learning about different beliefs and values and learn not to be threatened when they differ from your own.
12. Contact ASC Office or Department Manager if you have any questions on any of the above prior to any actions you may take.

Equal Opportunity

Aging Services for Communities is an Equal Opportunity Employer and prohibits discrimination of any kind because of color, creed, national origin, sex, religion, handicap, marital status, communicable diseases, disability, veteran status, sexual orientation, gender reassignment, age (unless age is a factor necessary for the normal operation or achievement objectives), pregnancy (unless the performance of duties puts the client and/or employee at risk) and/or other characteristics protected by law.

Definitions

1. **Equal Opportunity**
Equal Opportunity is the right of all persons to be accorded full and equal consideration on the basis of merit or other relevant, meaningful criteria, regardless of protected group status.
2. **Affirmative Action**
Affirmative actions are good faith efforts to ensure equal employment opportunity and correct the effects of past discrimination against affected groups. Where appropriate, affirmative action includes goals to correct underutilization and development of results-oriented programs to address problem areas.

Procedures

1. Diversity, fairness and justice in the workplace shall be promoted.
2. Discrimination, prejudice and victimization in the workplace shall not be tolerated.
3. State and federal, non-discrimination rules and regulations shall be complied with.
4. Equal opportunity and respect shall be provided to all individuals in matters of service and employment.
5. Any conditions, procedures and/or behavior, which can lead to discrimination, shall be eliminated.
6. All ASC policies, procedures and guidelines shall be established/maintained to reflect and reinforce its commitment to equality.
7. The Department Manager/Executive Director/Board of Directors will assume responsibility for affirmative action's plans and may seek outside consultation from the Equal Employment Opportunity Office when necessary.
8. When selecting new employees, members of the selection committee shall:
 - a. agree on selection criteria to be used for the job position;

- b. provide information about the job position in the same manner to all applicants;
 - c. ask all applicants the same questions; and,
 - d. choose the successful candidate, based on the selection criteria.
9. All employees shall be recruited and promoted on the basis of ability and other objective relevant criteria.
10. Contractors, supplying services on behalf the ASC, will be expected to conform to the same non discrimination policies.

Human Rights

Aging Services for Communities will develop and maintain policies, procedures and standards which comply with all legislation that pertains to human rights and shall provide an environment that is free of harassment and discrimination.

Human rights are those basic standards without which people cannot live in dignity. To violate someone's human rights is to treat that person as though he or she were not a human being. To advocate human rights is to demand that the human dignity of all people be respected.

1. Employees/clients/families shall be monitored for illegal practices pertaining to:
 - a. race or religion;
 - b. gender or age;
 - c. color or ethnic origin;
 - d. ancestry, place or origin or citizenship;
 - e. sexual orientation;
 - f. record of offenses;
 - g. marital or family status;
 - h. physical, mental or social challenges; and/or,
 - i. medical history or condition(s).
2. There shall be no harassment of employees/clients/families based on:
 - a. race or religion;
 - b. gender or age;
 - c. color or ethnic origin;
 - d. ancestry, place or origin or citizenship;
 - e. sexual orientation;
 - f. record of offenses;
 - g. marital or family status;
 - h. physical, mental or social challenges; and/or,
 - i. medical history or condition(s).
3. Everything possible shall be done to provide an environment free of harassment and discrimination.
4. Quick and appropriate reaction to complaints will be initiated in order to enhance the chances of a quick resolution.
5. Harassments, which are sexual in nature, shall follow the company's policy on sexual harassment.

All of the above policies and procedures for Aging Services follow the guidelines of the 245-D licensing requirements.