



# HUMAN RESOURCES

## POLICIES & PROCEDURES

COMPASSION | ACCOUNTABILITY | INTEGRITY | RESPECT



**HUMAN RESOURCES POLICIES & PROCEDURES MANUAL**

**AS APPROVED BY THE UMC GOVERNING BOARD  
MARCH 2019**

**UNIVERSITY MEDICAL CENTER GOVERNING BOARD**

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## Human Resources Policies

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## **POLICY NO. 1**

## **OBJECTIVES AND SCOPE**

### **Section A. Objectives**

The objectives of the UMC Human Resources Policies are to:

1. provide UMC employees with consistent policies that support federal and state laws and regulatory agency standards;
2. recruit and retain qualified UMC employees; and
3. support opportunities for strategic growth and employee education and development;
4. authorize the implementation of these policies through Human Resources Procedures approved by the Chief Executive Officer of UMC.

### **Section B. Scope of Authority**

The Chief Executive Officer shall direct and promote Human Resources policy as revised and adopted by the appropriate UMC governing body. The Chief Human Resources Officer shall be the authorized representative of UMC in the ongoing administration of these policies and procedures. Department managers shall be held accountable for the enforcement of these policies and procedures in their respective departments. All employees are required to comply with these policies and procedures. Failure to comply will result in disciplinary action. These policies supersede previously approved Human Resources Policies and Procedures. Department heads may establish other policies specific to their department; however, such policies must be consistent with these Human Resources Policies and Procedures.

### **Section C. Positions Covered**

1. These policies shall apply to all UMC positions authorized by the appropriate UMC governing body or the Chief Executive Officer. These policies also apply to employees eligible for membership in the International Union of Operating Engineers, Local 501, AFL-CIO or the Service Employees International Union (SEIU), Local 1107; however, in situations where the terms of these policies may conflict with the collective bargaining agreement, the agreement shall prevail. Although covered by these policies and procedures, specific groups of employees may have compensation and benefits defined by a separate document (e.g. physicians, management) approved by the appropriate UMC governing body.

2. The following Human Resource policies apply to per diem and temporary employees:

Policy No. 1 – Objectives and Scope

Policy No. 3 – Position Classification and Compensation Plans (Section A and B)

Policy No. 4 – Recruitment and Selection Program

Policy No. 5 – Employee/Labor Relation Program (Sections C, I, K and L)

Policy No. 6 – Nepotism Policy

Policy No. 8 – Performance Review Program

Policy No. 11 – Employee Education and Development Program (Sections A, B, D, and F)

Policy No. 12 – Employee Assistance Program

Policy No. 13 – Substance Abuse Program

Policy No. 15 – Employee Records Program

Policy No. 16 – Recording Time Through Electronic Time Clocks

Policy No. 17 – Disclosure of Improper Governmental Action

3. These Human Resources Policies and Procedures do not provide per diem employees further protections and rights than the applicable collective bargaining agreement. Per diem employees may be removed from a current or future schedule at UMC's sole discretion for any reason.
4. Per diem employees have no grievance rights for any employment action unless specifically granted under an appropriate collective bargaining agreement covering the classification in force at the time of the employment action.

**POLICY NO. 2      RESPONSIBILITIES OF THE CHIEF HUMAN RESOURCES OFFICER**

**Section A. Responsibilities of the Chief Human Resources Officer**

In compliance with these policies, and under the authority of the appropriate UMC governing body and the Chief Executive Officer, it is the responsibility and duty of Chief Human Resources Officer to develop and administer:

1. A comprehensive personnel program in cooperation with department heads and the various recognized employee unions;
2. An employee-employer relations program;
3. The position classification and compensation program;
4. The recruitment and selection program;
5. A performance evaluation program;
6. A comprehensive Human Resource management and data management system through a cooperative effort with the Clark County Enterprise Resource Planning (ERP) Function, Department of Fiscal Services and the Department of Information Systems;
7. An employee education and development program;
8. An employee assistance and wellness program;
9. An employee benefits program; and
10. Other duties as may be prescribed by these policies or may be ordered from time to time by the Chief Executive Officer or appropriate UMC governing body.

**Section B. Appeal of Chief Human Resources Officer's Decision**

Any department manager may request the Chief Executive Officer or his/her designee to review any decision of the Chief Human Resources Officer which involves the interpretation and/or administration of these policies. The decision of the Chief Executive Officer is final.

## **POLICY NO. 3      POSITION CLASSIFICATION AND COMPENSATION PLANS**

Human Resources shall administer a Position Classification and Compensation Plan to provide a fair, equitable, and competitive pay program, and to attract and retain a highly qualified and diverse workforce.

### **Section A. Position Classification Plan:**

1. Human Resources shall develop and maintain a Position Classification Plan consisting of specifications describing all positions in the UMC service.
2. Each classification description shall include:
  - a. The official title of the classification to be used by UMC in all official records, payrolls, and communications. The title shall be indicative of the general nature of the work performed by employees in that classification.
  - b. A general definition of the type of work performed by employees in the classification, the level of supervision received, and extent of supervision exercised over other employees, when applicable.
  - c. Standards and criteria-based evaluations regarding job performance with specific examples of work performed by employees in the classification (it is not to be assumed that each example listed shall be performed by all employees nor that any one employee shall perform only the examples listed. Department managers or supervisors retain the right to assign employees duties not included in the examples, provided such duties are similar in nature to those enumerated).
  - d. The employment standards – minimum qualifications an applicant should possess to be considered for the classification. These standards shall serve as a guide for rejecting or admitting applicants to recruitment examinations.

### **Section B. Job Evaluation:**

1. Human Resources may conduct a job evaluation when a new job is developed or when the scope of an existing job has changed.
  - a. Human Resources shall conduct audits and make recommendations regarding requests for classifying new and existing positions. (*See Human Resources Procedure “Classification Audits”*)
  - b. Human Resources shall conduct audits and determine if pay grade adjustments or reclassifications are warranted. (*See Human Resources Procedure “Classification Audits”*)

### **Section C. Salary Ranges and Grades:**

Human Resources shall maintain a Position Compensation Plan of designated salary ranges and grades for all of the classifications in the UMC service.

1. The minimum of a salary range is normally the lowest rate paid to an employee in a given pay grade. The maximum of a salary range is the highest rate normally paid to an employee in a given pay grade.
2. The Compensation Plan shall be adjusted, when necessary, to comply with provisions of applicable collective bargaining agreements and/or as approved by the appropriate UMC governing body.
3. Human Resources will develop alternative salary ranges when they are necessitated by market conditions or other circumstances. These ranges may be approved by Hospital Administration, and submitted to the appropriate bargaining unit or appropriate UMC governing body (whichever is applicable) for final approval.

### **Section D. Overtime:**

1. Eligible employees shall be compensated for overtime worked in accordance with applicable federal and state laws and collective bargaining agreements. Employees exempt from overtime compensation under the Fair Labor Standards Act (FLSA) shall not be eligible for overtime or compensatory time.
2. All overtime must be approved in advance of its use. Failure to comply with advance approval may result in disciplinary action. Overtime compensation may be through cash payment or compensatory time at UMC's discretion.

### **Section E. Benefits Provision:**

1. The Hospital may implement employee incentive, compensation, employee suggestions, and performance bonus programs.
2. Except as otherwise identified in these policies and procedures or modified by some other approved agreement, non-probationary UMC employees not covered by any collective bargaining agreement shall be granted at a minimum those economic benefits provided for in the current SEIU Agreement which do not relate to employee discipline, discharge or grievance procedures. Economic benefits may include, but are not limited to salary, paid and unpaid leaves, retirement, overtime, longevity, shift differential and acting pay.



## **Section F. Employment Actions:**

Employees not covered by any collective bargaining agreement shall, at a minimum, receive the same administrative procedures and benefits represented in the SEIU agreement unless specified in this policy.

1. **Promotion:** The promotional rate of pay will be commensurate with the employee's years of experience in the new pay range following current hire-in rate pay practices. The employee shall receive no less than 4% above their current rate, provided the new rate of pay does not exceed the maximum of the new pay range. Any exception requires a form to be submitted and approved by Human Resources.
2. The employee's salary review date will change to the date of the employee's promotion and the employee may be eligible for a salary increase upon completion of one (1) year of service in the new position or classification.
3. **Demotion:** Demotions may be implemented as part of a reorganization or reduction in force, at the request of the employee as the result of a position reclassification, or for cause. Both voluntary and involuntary demotions may be made only upon the recommendation of the department head and approval by Human Resources.
  - a. Any full-time or part-time employee who, during the qualifying period, either voluntarily or involuntarily is demoted to the classification previously held, shall have his/her salary reduced to the salary the employee would have received if the employee had remained in the lower classification. However, the lower rate will be inclusive of any across the board adjustment the employee would have been entitled to, if he/she had remained in the lower classification. The employee's eligibility date for future salary increases shall be based on the previous review date. However, if that date has passed, the employee is not eligible for a salary increase until that date in the following year.
  - b. A full-time or part-time employee who has completed the probationary and/or qualifying period and is later demoted involuntarily to a position in a classification with a lower pay grade shall have his/her salary reduced by four percent (4%), unless that reduction would result in the employee being paid in excess of the pay grade demoted into, in which case, the rate shall be reduced to the maximum of the demoted pay grade. The employee's eligibility for salary increase shall be based on the date of the demotion.
  - c. A full-time or part-time employee who has completed the probationary and/or qualifying period and later demotes voluntarily to a position in a classification with a lower pay grade shall have his/her salary reduced only to prevent being paid in excess of the maximum of the lower pay grade. If the employee's salary is within the pay grade of the classification demoted into, the employee shall not receive a reduction in his/her rate of pay. The employee's eligibility for

future salary increases shall be based on the date the employee voluntarily demoted into the lower classification.

- d. An employee whose position is reclassified to a lower pay grade will be demoted to the appropriate title and pay grade on a date as specified by the Chief Human Resources Officer. If an employee's pay rate exceeds the maximum rate of the new pay grade, it shall be reduced to the maximum level of the new pay grade. No change in the salary review date will occur.
4. **Reclassification:** A reclassification is made when it has been determined that the duties and responsibilities assigned to the position have significantly changed from the parameters of the original job classification. It is the purpose of a reclassification to ensure that job classifications are compensated equitably in relation to similar levels of responsibility and duties. An employee selected to fill a reclassified position shall be promoted or voluntarily demoted into the new classification.
- a. Promotional opportunities created by the reclassification will be filled by a competitive recruitment in accordance with established competitive recruitment actions, except for non-competitive promotions as delineated below.
  - b. A non-competitive promotion of an employee whose position has been reclassified to a higher pay grade because of the addition of duties or responsibilities may be made when it is determined open competition is not warranted. All of the following circumstances must be met in order to exempt the promotion from competitive procedures:
    - i. There are no other employees in the department, supervised by the selecting official, who are in the same classification and performing identical duties to those performed by the employee prior to the addition of the new duties and responsibilities.
    - ii. The employee continues to perform the same basic function(s) as in the former position and the duties of the former position are administratively absorbed into the new position.
    - iii. The addition of the duties and responsibilities does not result in an adverse impact on another incumbent position.
    - iv. The selecting official desires the position to be filled non-competitively, or Human Resources determine that the position should be filled non-competitively given the circumstances outlined previously.
5. **Transfer:** A full-time or part-time employee who transfers from one allocated position in a cost center to another allocated position in a different cost center, but in the same classification or in another classification assigned to the same pay grade, shall continue to receive the same salary rate. The employee's salary review date will remain the same

if the classification remains the same. The employee's salary review date will change to the date of the transfer if the classification title is changed.

6. **Management Reassignments:** A department head may reassign employees from one position to another position if:
  - a. The positions have the same salary range; and
  - b. The employee is determined by Human Resources to meet minimum qualifications for the classification under consideration.
7. **Position Titles:** New titles may be established when it has been determined that the new title is more descriptive of the nature of the work being performed. New titles may be established when new or additional functions are undertaken by UMC. No change in the salary review date or compensation level will occur when only a position's title and job code are changed.
8. **Salary Grade Adjustments:** A salary grade adjustment is made when it has been determined that a classification is either under or over compensated in relationship to comparable positions in the job market. In addition, grade adjustments are required to ensure equity between positions within UMC. The purpose for adjusting the salary is to remain competitive in hiring and retaining the best qualified employees in a classification. Salary grade adjustments result in the assigned employee's salary grade being changed. The salary review date will not change as a result of the grade adjustment. Employees affected by an adjustment may be eligible for a merit increase on their next salary review date. Employee pay rates that equal or exceed the maximum rate of the new grade will not receive salary adjustments until their actual pay rate falls below the highest rate of the new pay grade.
9. **Training Under-Fill:** An employee who is hired into a training under-fill position (*see Human Resources "Recruitment and Selection Program"*) will receive an adjustment to their salary at the following time(s):
  - a. Upon hire into the training under-fill position (if the position is at a higher pay grade than the pay grade the employee is changing from)
  - b. Upon completion of training under-fill.
  - c. The amount of the promotional increase upon completion of the training under-fill requirements will follow the outlined promotional pay practice in Section F.

### **Section G. License/Certification:**

All staff in positions that require a state of Nevada provider license/certification/registration will be responsible to maintain a current license/certification/registration when hired and when renewed.

1. Failure of the employee to show verification of a renewed license/certification/registration as of 12:00 midnight of the 7<sup>th</sup> day before expiration shall result in suspension pending confirmation of renewal or termination after 30 days.
2. An exemption from suspension can be made for employees who provide proof of registration for a renewal course within that seven (7) day window and proof of renewal prior to the actual expiration date.
3. When an employee has not renewed and primary source verification is not available, the employee will be suspended without pay. Per diem employees will not be scheduled to work.

### **Section H. Working Out of Classification:**

1. Managers should make every effort to fill assignments without the need for working an employee outside his/her classification. In those rare incidents where it becomes necessary, for the good of the hospital, to work an employee out of his/her classification, the following procedure must be followed:
  - a. Working out of classification in a different classification outside an employee's normal work schedule is strictly prohibited without the advance written approval of the CEO.
  - b. Only non-probationary full and part-time employees in classifications established at pay grade A13 or below are eligible to work out of classification as a Patient Attendant (per diem employees are not eligible).
  - c. The manager of the employee's home cost center and the manager making the request both must agree to allow the employee to work out of classification. The home cost center manager should consider the performance and conduct of the employee and any operational issues before granting approval.
  - d. The employee working out of classification must voluntarily agree to work extra shifts on a date and time that he/she is not scheduled to work in his/her home cost center. Employees are prohibited from calling off or using leave time to work in another classification. In addition, working in another classification cannot impact his/her regularly scheduled shifts in his/her home cost center. Such conduct will result in severe disciplinary action including suspension pending termination.

- e. Working out of classification must be at a time that does not create a double back situation.
2. All expenses incurred for working an employee out of classification will be paid by the cost center where the employee worked. The employee is to be compensated at the regular rate of pay of his/her permanent classification including any differential (based on the hours worked) or overtime premiums, if applicable.

## **POLICY NO. 4**

## **RECRUITMENT AND SELECTION PROGRAM**

Human Resources shall administer a recruitment and selection program for the recruitment of applicants for employment with UMC in accordance with all applicable federal and state laws and regulations, and affirmative action programs.

### **Section A. Recruitment**

1. Recruitment shall be one of the following types:
  - a. **INTERNAL RECRUITMENT:** a promotion, demotion or transfer opportunity opened to current full-time, part-time or per diem UMC employees only.
  - b. **REGULAR RECRUITMENT:** open to all interested applicants.
2. Human Resources shall determine the methods to be used in recruitment and may postpone, cancel, extend or otherwise modify the recruitment efforts as circumstances indicate.
3. The filing period for a non-union represented job announcement will be determined by Human Resources. These positions may close without notice once a sufficient number of qualified applications have been received.
4. When anticipated that the applicant group will greatly exceed the anticipated vacancies, Human Resources may restrict recruitment to limit the number of applicants by:
  - a. establishing a shorter filing period; and/or
  - b. specifying a maximum number of applications that will be accepted and closing the recruitment when that number is reached.
5. Job listings for all recruitments shall available in Human Resources, on the job posting board near the cafeteria and on the UMC website. Announcements shall be given such other publicity as deemed warranted to attract a significant number of qualified candidates to compete.

Job announcements shall describe the duties of the position, minimum qualifications, salary range as deemed necessary, open and closing date for accepting applications and such other information as Human Resources considers appropriate.

### **Section B. Applications**

1. An official application form must be filled out completely and signed by the applicant. Applicants who complete online applications must attest that all information contained therein is true and accurate. Filed applications become the property of UMC and shall

not be returned to the applicant. A separate and complete application is required unless otherwise specified in the job announcement.

2. Applications are only received by Human Resources for posted positions during the filing period. All applications must be received prior to the recruitment closing date and time.
3. All applicants must meet the minimum requirements and preferences, when applicable, as stated on the job announcement to be eligible for the position. Applicants may be required to submit evidence of education, training, licensure or special qualifications used to determine eligibility for the position.
4. Human Resources may disqualify an applicant, refuse to certify an applicant for an interview or remove an applicant who:
  - a. is determined to lack any of the job requirements stated on the job announcement for the recruitment; or
  - b. has committed conduct not compatible with UMC employment; or
  - c. has made false or misleading statements or omissions of material fact on the application; or has used, or attempted to use, any unfair method to obtain an advantage in a recruitment or appointment; or
  - d. has directly or indirectly obtained confidential information regarding the content of interview; or
  - e. has failed to submit an accurate and fully completed application within the prescribed time limits; or
  - f. has been dismissed for cause from a position at UMC or any other public or private employer similar to the position applied for at UMC; or
  - g. has a recent criminal conviction, which is substantially related to the qualifications, functions or duties of the position for which an application is being made. UMC acknowledges that a record of conviction alone will not necessarily bar someone from employment and will consider factors such as: 1) the length of time that has passed since the offense; 2) age at the time of the offense; 3) the severity and nature of the offense; 4) the relationship of the offense to the position for which was offered; and 5) evidence of rehabilitation; or
  - h. has, within the past two (2) years, unsuccessfully completed a pre-employment drug screen for UMC, except as provided for under the American's with Disabilities Act of 1990; or

- i. is identified as ineligible due to sanctions by the Office of Inspector General or by the Excluded Parties List System; or
  - j. has been disqualified from a previous position during the background check process; or
  - k. has made a verbal or physical threat to staff, harassing communications, disparaging comments or other unprofessional conduct.
5. A person whose application is rejected for failure to meet minimum qualifications shall be notified of the reason for rejection. Applicants who believe they meet the minimum qualifications for a position and receive the above cited notification may request in writing to the Human Resources recruiter within seven (7) calendar days of the date of the notification to have their application re-evaluated. Human Resources will notify the applicant within seven (7) calendar days of receipt of the written request, of the decision based on the re-evaluation. Decisions reviewed and approved by Human Resources Director or Chief Human Resources Officer are considered final.

### **Section C. Inquiries into Minority Status**

1. At the request of UMC, all applicants are asked to complete the Affirmative Action Questionnaire to comply with the United States Government EEO requirements.
2. The applicant's completion of the questionnaire is voluntary and failure to complete this section of the application will not adversely affect future employment opportunities.
3. The information requested will be made available to authorized personnel to be utilized for research and reporting purposes only.

### **Section D. Eligibility Lists**

1. The names of applicants for employment who qualify for the recruitment shall be placed on the appropriate eligibility lists.
2. Eligibility lists will usually remain in effect for ninety (90) calendar days, but may be changed at the discretion of Human Resources and the appropriate department manager.
3. Eligibility lists for all recruitments shall be in effect from the date the applicant was placed on the eligibility list.
4. The duration of recall eligibility lists due to layoffs shall be a maximum of two (2) years based on length of service.



5. The Chief Human Resources Officer, or designee, may remove from eligibility lists the names of applicants who:
  - a. request to have their names removed from an eligibility list or state that they are not interested in employment in that classification; or
  - b. fail to respond to an invitation for a pre-employment interview; or
  - c. are appointed to permanent positions in the classification for which their names were on an eligibility list. This does not apply to those eligible who are appointed to temporary positions; or
  - d. declines two (2) interviews for the same job classification within one (1) year; or
  - e. for any of the reasons listed in Section B.4 of this policy.
6. Eligibility Lists for permanent positions will be established in the following manner:
  - a. **Department Recall List:** The departmental recall eligibility list for each classification shall consist of employees and former employees of the department having permanent status and who were laid off or who were reduced in grade as a result of layoff. Such lists shall take precedence over all other eligibility lists.
  - b. **Recall List:** The general recall eligibility lists for each classification shall consist of the names of employees and former employees of UMC who are on active recall lists. Such lists shall take precedence over all other eligibility lists, except departmental recall lists.
  - c. **Active Lists:** The names of applicants who meet at least the minimum qualifications shall be placed on eligibility lists for that position. The eligibility list will normally remain in effect for approximately ninety (90) calendar days, unless the position is re-posted sooner at the request of the hiring authority or at the discretion of Human Resources.
  - d. **Certification List:** The names of the most qualified applicants who meet the minimum and the preferred skills for the position will be placed on an active certification list for that position and will be forwarded to the department for an interview.

### **Section E. Candidate Referral**

When a vacancy is to be filled, other than by demotion or emergency appointment, the hiring authority shall notify Human Resources. Following receipt of an approved requisition, Human

Resources shall determine which candidates to be referred, based on bona fide occupational qualifications or special skills required by the position. Human Resources will determine the method and standards used to evaluate applicants' qualifications.

1. Eligible candidates shall be referred to fill permanent vacancies in the following order:
  - a. Departmental Recall Eligibility List
  - b. Recall Eligibility List
  - c. Certification List

If a departmental recall eligibility list is used, Human Resources shall refer personnel in accordance with the recall section of the appropriate collective bargaining agreement or this manual. Human Resources may remove from a departmental recall list the name of any person who waives employment after referral.

2. Only applications of the most qualified candidates will be referred to the department initially for hiring manager or SME review. All applicants on the certification list should be interviewed unless documented and proper justification is approved by Human Resources prior to declining the candidate for interview. The written justification should explain the applicant lack of at least one of the following: experience, education, knowledge, skills, abilities, certifications, licensures or other job competency specific reasons related to the specific recruitment. Documentation will be made in the applicant tracking system for record keeping purposes of the justification made by the hiring department.
3. All current UMC employees who are certified for interview in a specific recruitment must be interviewed unless disqualified due to other reasons outlined in this policy.
4. If more than one vacancy is to be filled, the base number of candidates to be referred shall be determined by Human Resources. The names of the most qualified candidates will be certified to the department. All applicants certified to a department will be interviewed.
5. Human Resources will submit the certification list to the hiring department and the hiring authority shall notify applicants chosen for pre-employment interviews.
6. When an applicant has been passed over a total of two (2) times for employment or in the past one hundred and eighty (180) days for the same position by the same hiring authority, with the appropriate justification, Human Resources may remove the name of that applicant from the certification list to that hiring authority.
7. Human Resources may refer qualified persons from sources that are deemed appropriate to fill temporary positions.
8. Pre-employment assessments or testing may be required for some positions, prior to job offer.

## **Section F. Interviews**

1. An interview schedule for those on the certification list should be provided to Human Resources or be accessible for viewing through the self-scheduling option in the ATS prior to the commencement of the interviews.
2. The hiring authority will notify and interview, or provide a reasonable opportunity for an interview to each applicant whose name appears on the certification list prior to making a selection. Initial contact with the candidate must be made within three (3) business days by the hiring department for interview scheduling. Those candidates not selected for interview must be clearly identified using Section E, Paragraph 2 guidelines.
3. All interview notes, questions, rating guides, responses, score sheets and related materials generated during the interview process will be submitted to Human Resources. Job offers may not be extended until all selection documentation is submitted.
4. No testing/examinations will be administered by the hiring department without involvement and approval by Human Resources.

## **Section G. Selections and Appointments**

1. The Chief Executive Officer or designee must approve vacancies to be filled prior to appointment (see Human Resources Procedure “*Requisition for Personnel*”).
2. The hiring authority shall interview each applicant referred before making a competitive selection.
  - a. If two (2) unsuccessful documented attempts to contact a candidate occur, then the hiring authority shall notify Human Resources in order to remove candidate from consideration.
  - b. After making a selection, Human Resources shall notify each applicant interviewed of the results.
3. With the approval of Human Resources, a person may be appointed temporarily to fill a regularly established benefitted position. No person shall achieve full time, part time, or per diem status solely as a result of appointment to a temporary position.
4. Per Diem Appointments: Beginning with the 2081<sup>st</sup> hour worked, a part-time or per diem employee, upon written request, shall be entitled non-competitively to the next available regular full-time or part-time position in his/her classification. Restrictions may apply in accordance with the appropriate collective bargaining agreement.

5. In the event that the standard recruitment procedure would, in an emergency situation, delay or impair efficiency of UMC operations, the hiring authority, with approval from Human Resources and the Chief Executive Officer, may make emergency appointments for the duration of the emergency and for a time thereafter sufficient to permit an orderly return to the normal conduct of business. When such emergency appointments are made, the hiring authority shall immediately notify Human Resources, naming the appointees, dates of appointment, classification in which hired, duties of the positions to which appointed and the nature of the emergency. No person shall automatically achieve full or part time status as a result of an emergency appointment.
6. Human Resources may make involuntary, inter-departmental transfer of employees in the same classification or salary grade for the purpose of reorganizations, changes in workload or for the well-being of UMC, after notification and approval of the affected Administrator and department head.
7. UMC may appoint employees of an agency whose functions have been assumed by UMC under the following conditions:
  - a. Human Resources has determined the proper classifications for the positions; and
  - b. employees of the agency shall serve a probationary period; and
  - c. no time served in the agency prior to appointment as a UMC employee shall apply toward the computation of seniority without the written authorization of the Chief Executive Officer and based on a recommendation from Human Resources.

#### **Section H. Offers of Employment**

1. All offers of employment will be made by Human Resources.
2. The hiring authority will return the certification list and interview questions/responses to Human Resources. A tentative offer of employment will be made in compliance with the pre-employment/post offer protocols.
3. Salary recommendations will be made by Human Resources following current internal pay practices. Human Resources or the department/unit managers requesting a salary rate above the salary rate parameters established by Human Resources must submit the request in writing to Human Resources who will make a recommendation of approval or denial to the Division Head and CEO or designee. The CEO or designee has final approval on any salary above the normally established rate to be offered.
4. Once the tentative offer of employment has been made to a non-UMC employee, the selected candidate will be required to complete pre-employment drug testing within 48 hours, background check consent paperwork and a pre-employment physical.

5. The tentative offer of employment shall be withdrawn if:
  - a. the applicant fails to complete the pre-employment drug screen within forty-eight (48) hours of date and time the tentative offer was made without an approved extension, or
  - b. the applicant fails to submit to a background check during the hiring process, or
  - c. the applicant fails either the pre-employment drug screen or the background check or pre-employment physical, or
  - d. is unable to attend new hire orientation within a specified period of time mutually agreed upon by Human Resources.

### **Section I. Training Under-Fills**

1. Training under-fills are alternate staffing patterns that establish entry or intermediate duty levels when:
  - a. it is consistently difficult to attract sufficient numbers of qualified applicants at the full performance level; or
  - b. significant gaps exist in normal career patterns for occupations unique to UMC's service; or
  - c. by hiring manager or Human Resources request
2. Training under-fills must comply with the following requirements:
  - a. The under-fill position level must be established at or below the pay grade of the full performance/budgeted level; and
  - b. The position must be recruited as a training under-fill. The announcement must clearly indicate that the position is an under-fill position and that upon satisfactory performance and completion of the training agreement, within a specific time frame, will lead to a noncompetitive promotion. The higher level classification of the position must also be indicated on the announcement; and
  - c. The selected applicant does not have to meet all of the experience and education requirements of the higher level position at time of hire into the under-fill position. However, he/she must meet the critical, directly related position requirements determined by Human Resources to be essential to acquiring, through on-the-job training, the skills and knowledge of the higher level classification; and

- d. The under-fill position cannot exist beyond two (2) years. Employees hired into a training under-fill position will serve in the under-fill classification no more than two (2) years, except for specified classifications as determined by Human Resources.
3. Applicants hired into training under-fill position(s) shall serve a probationary period. Employees promoted into training under-fill positions shall serve a qualifying period. Should an employee who has successfully completed the probationary and/or qualifying period then fail to meet the training requirements, he/she may be terminated following the process as outlined in the appropriate collective bargaining agreement or Human Resources Policies and Procedures.

### **Section J. Employment Eligibility Verification Form I-9**

1. Human Resources shall administer the employment eligibility verification program to verify each employee's eligibility for employment in the United States in accordance with the Immigration Reform and Control Act (IRCA), as amended and the Homeland Security Act, as amended.
2. All new UMC employees must comply with the IRCA by completing Form I-9 to verify their eligibility for employment in the United States. Any employee rehired within three (3) years of the initial hire, need not complete a new I-9, provided the information on the old I-9 indicates that the person is still authorized to work.
3. Employees accepting a job with UMC shall be told at that time they will need to complete Form I-9 and present original copies of documents that establish identity and employment eligibility. The employee must bring acceptable documents as defined in the IRCA to the Human Resources Department and complete a Form I-9 within three (3) business days of the date of hire.
  - a. Human Resources will examine the document to ensure they are genuine and make copies to be attached to the completed I-9 form.
  - b. Employees who fail to comply with the law will not be placed on payroll (officially hired) until they have provided all required documentation and completed the I-9 form. Failure of an employee to abide by verification requirements or timelines will result in the employment offer being withdrawn or failed probation.
  - c. After hire, an employee who fails to provide Human Resources with current immigration documents seven (7) calendar days prior to the expiration of the previous immigration document shall be prevented from working until receipt of the required documents. Failure to provide the required document for more than 30 calendar days after the expiration date of the original documents shall

result in the employee being suspended pending termination. All immigration documents shall be presented in Human Resources at least seven (7) calendar days prior to the expiration of the current document to prevent the employee from being suspended.

### **Section K. Licensure, Certification, Registration**

1. Candidates for employment must possess and maintain current all required licensures, certifications and/or registrations identified as a bona fide occupational qualification.
2. Candidates for specific positions requiring licensure, certification and/or registration are responsible for providing the appropriate document(s) prior to employment. Human Resources will ensure appropriate and accurate documentation is provided before an applicant is hired.
3. The employee is responsible for presenting the original of the renewed license, certification and/or registration to his/her manager and a copy to Human Resources at least seven (7) calendar days prior to the expiration date. The department manager will make a copy for the department's files and will return the original to the employee.
4. Employees achieving licensure, certification and/or registration must report the achievement to their manager who will verify the accuracy of the documents. The employee will be required to produce evidence and submit it to Human Resources to be placed in the employee's official personnel file.

### **Section L. Residency and Vehicle Registration Ordinance**

1. Candidates hired into a benefitted position will be required to establish and maintain a principle place of residency within the boundaries of Clark County within 90 days of initial employment with UMC, provide proof that a Nevada driver's license has been obtained and each private vehicle has been registered with the State of Nevada Department of Motor Vehicles.
2. Human Resources will notify all new hires of acceptable documents and will examine the documents to validate residency and vehicle registration requirements at time of new hire processing.
3. After hire, an employee who fails to provide proof of residency and vehicle registration to Human Resources within 90 calendar days of hire shall result in the employee being terminated. Exceptions may apply to the following:
  - a. Employees who are unable to provide documents establishing proof of residency due to living with someone, will be required to sign a residential affidavit of exemption.

- b. Employees who do not drive in Nevada or do not own a motor vehicle subject to the motor vehicle registration laws will be required to sign an affidavit of exemption.
  - c. Employees who have been granted a waiver from the County Manager as approved by the Board of County Commissioners.
  - d. Employees covered by an applicable federal law that may qualify for an exemption.
4. In accepting employment with UMC, the employee agrees that authorized representatives of UMC may access the databases of the State of Nevada Department of Motor Vehicles to verify motor vehicle registration information and driver's license information.

#### **Section M. Employment Incentive Program**

1. Human Resources shall administer an Employment Incentive Program as a recruitment tool when qualified candidates are scarce. Eligible classifications will be defined by Administration in consultation with Human Resources.
2. Eligibility requirements shall be set by Administration on a case-by-case basis.

#### **Section N. Relocation Assistance Program**

1. Human Resources shall administer the Relocation Assistance as a recruitment tool. Classifications eligible for relocation expenditure reimbursement will be defined by Administration in consultation with Human Resources. Eligibility requirements shall be set by Hospital Administration on a case by case basis.



**POLICY NO. 5**

**EMPLOYEE/LABOR RELATION PROGRAM**

The Human Resources department shall administer an Employee/Labor Relations Program to strengthen relations between UMC and its employees, to enhance the cooperative relationship between management and union representatives, to promote communications between UMC and its employees, to administer collective bargaining agreements and to achieve mutual understanding by providing policy on matters of interest affecting employer-employee relations.

**Section A. Probationary Period**

1. All new employees initially hired into a benefited full or part-time position or rehired after over a 90-day break in service shall serve a probationary period not less than six (6) months or more than twelve (12) months.
2. The hiring authority may initiate action to complete an employee's probation at any time after completion of six (6) months of employment. An employee who completes a twelve (12) month probationary period shall automatically acquire regular, benefited status.
3. Probationary employees may be terminated without advance notice. The manager is not required to inform the employee of the reason for failure to complete probation at the time of termination.
4. A probationary employee may resign without advance notice. The employee is required to inform the manager of his/her intent to resign in writing.

**Section B. Qualifying Period**

1. Employees who have completed an initial probationary period and are selected for a voluntary transfer, promotion or demotion will be required to serve a qualifying period of not less than three (3) consecutive months, but may be extended up to a total of six (6) consecutive.
2. An employee who promotes, voluntarily transfers or demotes into another position retains the right to return to the previously held position if the request is made, in writing, within 80 hours worked in the new position. Within one hundred and sixty (160) hours of service in the new position, the employee may return to his/her previously held position if the position is still vacant.
3. If the employee fails to demonstrate satisfactory performance during the qualifying period, UMC may suspend the employee pending termination or offer the opportunity to return to his/her previous position.
4. If the employee returns to the previous position, a new qualifying period shall not be required in the former position if the employee's performance was rated satisfactory in

the previous position. If the employee was rated less than satisfactory in the previous position, a new qualifying period shall be served upon return to the previous position.

### **Section C. Truthfulness and Employment Conduct**

Employees have the responsibility to be truthful in all matters related to the scope of their employment and the operations of the hospital. Failure to be truthful in any matter is unacceptable behavior and will not be tolerated. Employees formally noticed of an official investigation conducted by the hospital who are found to be untruthful or deceptive during the investigation, will be subject to severe disciplinary action including suspension pending termination.

### **Section D. Progressive Disciplinary Action**

1. The primary objective of progressive discipline is to give the employee an opportunity to voluntarily improve behavior or work performance and to firmly inform the employee that stronger disciplinary action will be taken in the event the behavior or work performance is not corrected.
2. Appropriate and reasonable corrective action should be taken based on just cause. Progressive discipline may include any of the following: one or more written warnings, suspension(s) without pay, demotion or termination. The need for more severe initial disciplinary action may be necessary in the event of a major violation of established rules, regulations, industry standards or policies of UMC or the department.
3. Supervisors must document performance and/or conduct to determine if there is just cause for disciplinary action.

### **Section E. Grievance Procedures**

All UMC employees not eligible for bargaining unit membership shall be granted grievance procedures. See Human Resources Procedure “*Disciplinary Hearing Process.*”

Employees who are in at-will designated positions have no right to the suspension, pre-termination or post termination hearing procedures. See Human Resources Policy “*At Will Employment.*”

### **Section I. Layoffs, Recall and Appeal**

The below section is applicable to non-bargaining unit employees only. Layoff is defined as any involuntary separation wherein management eliminates a position without prejudice to the incumbent. The determination of the number of positions, classifications and cost centers to be affected by a layoff is a management right.

1. If it is determined that layoffs are necessary, employees will be laid off in the following order:

- a. Per diem employees in the affected classification(s) and cost center(s)
  - b. Temporary employees in the affected classification(s) and cost center(s)
  - c. Probationary employees in the affected classification(s) and cost center(s)
2. The employee(s) with the least classification seniority in the affected classification(s) and cost center(s) may be laid off first, except where it has been determined by UMC that the employee must be retained due to specific knowledge, skills, and abilities, and that the requisite knowledge, skills and abilities are necessary for the continued operation of that cost center.
  3. Employees (not covered under Paragraph 1 above) within that same classification and cost center, with a lower overall performance evaluation rating or who have active discipline in their file, may be laid off after those employees identified in Paragraph 1, regardless of their seniority.
  4. As a result of the layoff, UMC may cause the reassignment, transfer, reduction in grade, or any combination thereof, of any employee based on the needs of UMC.
  5. An employee targeted for layoff will have the right to elect a current reduction in grade to a lower classification in any classification within his/her cost center provided the employee completed a probationary period in that classification, the cost center has a vacant position, and the Cost Center Manager/Director determines the employee has the knowledge, skills, and abilities, and qualifications to perform the duties of the position.
  6. Outside of Paragraph 5 above, employees shall not have a right through the layoff process to any classification outside of his/her current classification or the right to displace any employee in a higher pay grade.
  7. An employee reduced in grade may have his/her salary reduced and in no event shall exceed the maximum for the classification, but shall not have his/her anniversary date adjusted.
  8. Separation due to layoff shall require the giving of at least fourteen (14) calendar days advanced written notice of the effective date of layoff to the affected employee(s). UMC reserves the right to provide payment in lieu of notice, of an equivalent amount of the employee's base salary.
  9. Recall:
    - a. Any benefitted employee terminated as a result of a layoff shall have his/her name placed on a recall list for one (1) year. Any benefitted employee reduced in classification/grade shall have his/her name placed on a recall list for one (1) year.

- b. Human Resources will maintain the official recall list. Any employee who has been laid off shall be notified via both phone and email to the last contact information on file, an offer of recall. Two attempts will be made to contact the employee within a forty-eight (48) hour period during Human Resources business hours. The employee shall, within forty-eight (48) hours from the initial contact made by UMC respond affirmatively over the phone or via email to the Human Resources designee of acceptance of the offer of recall. Failure to respond within the forty-eight (48) hour period after initial contact will constitute waiver of the right to recall and that person will be removed from the recall list. An employee must be available for work within two (2) weeks of acceptance of the offer.
  - c. When positions become available in a classification, employees who have been laid off in that classification shall be recalled based on classification seniority. In the event a classification has only had a change in title, employees on the old recall list shall be placed on the new respective list(s).
  - d. Upon recall after layoff, the time that the person was on layoff or lost benefitted position shall be counted as a break in service; however, the employee shall resume accruing all benefits at the same level as at the time of layoff unless restricted by applicable plan or governing documents
10. Appeal. Eligible employees identified for termination as a result of a layoff, may appeal his/her position elimination by written notice to the Chief Human Resources Officer within five (5) calendar days of the notice of the effective date of the termination. Because the dispute is not disciplinary in nature, the employee must establish in their appeal that UMC violated one of the provisions of this Section, Layoff, Recall and Appeal. The Chief Human Resources Officer or designee will review this appeal and render a decision within five (5) business days of their decision. The decision of the Chief Human Resources Officer or designee shall be final and binding upon the employee and UMC.

#### **Section J. Resignation/Retirement from UMC Employment**

- 1. When self-terminating, an employee should submit a written resignation to his/her department head. Current employees resigning due to acceptance of another position within UMC will follow the same notification time frames as required below in Section J-2 or J-3. New position effective dates beyond the required resignation period may be extended with the agreement of both the employee and the new (receiving) manager of the resigning employee.
- 2. An employee who has completed his/her probationary period or a per diem employee may be considered ineligible for rehire if written resignation notice is not submitted at least two (2) weeks in advance of the last day worked.

3. M-Plan level employees are required to submit four (4) weeks advance, written notice of resignation or retirement. M-Plan benefits may be withheld by the CEO if appropriate notice of resignation is not received.
4. An employee absent without authorized leave for more than two (2) consecutive shifts or portions thereof, shall be considered to have abandoned his/her position and may be suspended pending termination.

### **Section K. Medical Separations**

1. UMC may move to medically separate an employee who is not able to perform the essential functions of his/her classification and/or position. The determination of whether the employee can perform the functions of his/her position will be based on competent medical documentation compared to the current physical requirements of the position. The department head or designee may require the employee to provide medical documentation of his/her ability to perform the functions of the position. The requirement may be based on employee statements, observation of employee functioning, or other criteria.
2. During a period of absence to obtain medical documentation to determine the employee's ability to perform the job functions, he/she may be authorized to use CAL and/or EIB time.
3. Should the employee qualify for and comply with the provisions of any federal or state statutes, including the American's with Disabilities Act (ADA) or Family Medical Leave Act (FMLA), he/she will be granted job protection and/or benefits as defined in those statutes prior to medical separation.
4. Should an employee be medically separated, it will not be considered a disciplinary termination. The employee may be eligible for re-employment through the recruitment process.

### **Section L. Exit Survey and Interview**

1. Employees leaving UMC employment may participate in an exit survey to share information regarding the employee's overall experience with UMC. Information gathered from exit surveys and interviews may be summarized and communicated to UMC Administration or for other business related purposes.

## **POLICY NO. 6      NEPOTISM POLICY (HIRING OF RELATIVES)**

1. Relatives for purpose of this directive are defined as: parent, child, sibling, spouse, spousal equivalent, guardian, grandparent, stepparent, stepchild, brother, sister, father-in-law, mother-in-law, brother-in-law, sister-in-law or more distant kin living within the same household to include, but not limited to aunt, uncle, niece, or nephew.
2. No relative will directly supervise or assume a lead role over another relative (as outlined in Paragraph 1) whether by classification or acting capacity.
3. Relatives may work in the same cost center with the advance approval of Human Resources. Human Resources will approve those cases where a potential conflict of interest does not exist.
4. Relatives working in the same cost center will be restricted from assisting a relative where policy or protocol requires documentation supporting the witnessing of an event. For example, an employee may not witness the wasting of narcotic drugs for a relative. This does not preclude a relative from being called as a witness to the performance or conduct of a relative.
5. No preference will be given to relatives of hospital employees.
6. It is the responsibility of the applicant to list all relatives employed by UMC on the Application of Employment. Failure to do so may result in a failed probation/qualifying period or suspension pending termination.

**POLICY NO. 7**

**“AT WILL” EMPLOYMENT POLICY**

The Chief Executive Officer for the University Medical Center may specify select positions to be designated “at will.”

1. Individuals designated as “at will” are not required to be selected through the competitive process but may be appointed by the CEO. Likewise, individuals so designated may be released from their position at the discretion of the CEO and are not entitled to the grievance procedures as set forth in the Human Resources Policies and Procedures.
2. Specifically, the designated Administrative Council staff members will serve at the pleasure of the Chief Executive Officer. In addition, the CEO may designate employees covered by the UMC Management Compensation Plan as “at will” and may appoint and release those individuals from employment without being subject to UMC’s Human Resources Policies and Procedures.
3. All positions that are recruited as an “at will” position shall have the “at will” requirements clearly identified on the job posting, and the selected candidate must be offered the position as an “at will” status. This information shall be provided to the selected candidate at the point in time the offer of employment is made by Human Resources.
4. All employees designated as “at will” will be required to sign a letter acknowledging their understanding and acceptance of employment under the conditions of “at will” status.

## **POLICY NO. 8      PERFORMANCE REVIEW PROGRAM**

1. Human Resources shall administer a Performance Evaluation Program to appraise competency, assess skill development, reward meritorious performance, and outline a plan for performance development and improvement. Supervisors shall complete an annual performance evaluation by an employee's performance evaluation date (see Human Resources "*Performance Evaluation Process*"). An evaluation may be completed on other occasions as determined by the supervisor in compliance with these policies or as required by the applicable collective bargaining agreement.
2. An employee's performance evaluation date is normally the date of hire. Adjustments to the evaluation date shall be made when an employee is promoted, demoted, transferred, reinstated or reassigned.
3. Salary adjustments shall not be awarded until the complete performance evaluation is submitted to Human Resources indicating the employee demonstrated meritorious service for the appraisal period. If a salary adjustment is not to be awarded due to an unacceptable rating on the performance evaluation, the employee is not eligible to be considered for a salary adjustment until his/her next performance evaluation date.
4. If the awarding of a salary adjustment is to be deferred pending further evaluation, the performance evaluation report shall be submitted to Human Resources indicating the employee is not recommended for a salary adjustment now, and must also specify a date or time period to reevaluate the employee. This deferral period shall not be extended beyond nine (9) months. Deferring a salary adjustment does not change the employee's annual performance evaluation date, and the employee will be eligible for consideration for a salary adjustment on his/her next performance evaluation date regardless of the date the extended review is awarded. Deferred salary adjustments cannot be made retroactively to the performance evaluation date.
5. Any merit increase or salary adjustment greater than the reviewer's signature authority requires pre-approval from the appropriate signature authority prior to discussing the review with the employee.



## POLICY NO. 9

## BENEFITS PROGRAM

1. Human Resources shall administer the following benefits offered to all benefit eligible employees (must be either a full-time or part-time employee):
  - a. Basic Insurance (Health, Accident and Life) – Human Resources shall administer open enrollment, assist with problem resolution, payment of premiums, calculation of new premiums and associated dependent health insurance coverage programs.
  - b. COBRA - Human Resources shall administer the notification and processing of the continuation of health coverage via COBRA (Consolidated Omnibus Budget Reconciliation Act, as amended). This will include the processing of the COBRA Enrollment election forms along with the processing of the self-payments submitted by the COBRA participant.
  - c. Supplemental Life Insurance – Human Resources shall continue to provide information on supplemental life insurances and ensure the automatic premium deduction when elected by the employee.
  - d. Section 125 (Cafeteria Plan) – Human Resources shall provide information to new hires and employees requesting information regarding Section 125 programs and provide for the automatic payroll deduction when elected and authorized by the employee.
  - e. If a qualifying event (as defined by the applicable plan documents) occurs, the employee is required to notify Human Resources within thirty (30) calendar days in order for appropriate processing to occur.
2. Human Resources shall administer the Management benefit plan as approved and modified by the appropriate UMC governing body.
3. Human Resources shall also administer all other employee benefit programs which may be created and/or dictated by the plan administrator, Clark County Risk Management.
4. Adoption Program- UMC employees are encouraged to consider adopting a child in the custody of the County Department of Family Service (DFS) or other public agency in Nevada. UMC will reimburse the employee up to \$1,000 of the adoption costs per child; to a maximum of two children (see Human Resources Procedure “*Adoption Expenditure Reimbursement*”).

**POLICY NO. 10**

**EMPLOYEE LEAVE PROGRAM**

UMC shall provide eligible employees with paid and unpaid leave benefits. Employees not covered by any collective bargaining agreement shall, at a minimum, accrue benefits, maintain benefit balances and follow the same administrative procedures for the above benefits as represented in the SEIU collective bargaining agreement unless specified in this policy or another UMC agreement or policy.

**Section A. Consolidated Annual Leave (CAL)**

Employees may be compensated for existing balances of their Consolidated Annual Leave (CAL) by submitting a written request to Payroll. Payment will be made on the employee's paycheck on or before the second full pay period following receipt of the employee's request and taxed at the current supplemental tax rate.

Employees must have sufficient CAL accrued at the time of both the request and payment processing. Requests exceeding the employees CAL balance will not be processed. Donor CAL will not be eligible for sellback purposes. It is the employee's responsibility to be aware of CAL available to them and communicate with management necessary adjustments to upcoming leave as a result of the withdrawal process.

**Section B. Family Medical Leave Act (FMLA)**

1. FMLA information shall be posted in the hospital and be available to employees on the UMC intranet.
2. To be eligible, the employee must have been employed for at least 12 months, worked at least 1,250 hours in the 12-month period immediately preceding the commencement of leave, have his/her FMLA allotment available in the rolling 12-month period, and have a qualifying event as listed below in Paragraph 3.
3. An eligible employee's FMLA leave entitlement is limited to a total of 12 work weeks of leave during any 12-month period for any one or more of the following reasons:
  - a. The birth of an employee's son or daughter, and to care for newborn child;
  - b. The placement with the employee of a son or daughter for adoption or foster care, and to care for the newly placed child;
  - c. To care for the employee's spouse, son, daughter, or parent with a serious health condition (defined in the FMLA regulations).
  - d. Because of a serious health condition that makes the employee unable to perform one or more of the essential functions of his or her job

- e. Because of any qualifying urgent or unforeseen situation arising out of the fact that that the employee's spouse, son, daughter or parent is a covered military member on active duty (or has been notified of an impending call or order to active duty) in support of a contingency operation. Qualifying situations may include attending certain military events, addressing certain financial and legal arrangements, and attending post-deployment reintegration briefings.

UMC uses the rolling 12-month period measured backward from the date an employee uses any FMLA leave to determine the "12-month period." For example, each time an employee takes any approved FMLA leave, the remaining leave entitlement for any/all approvals is the balance of the 12 work weeks, which has not been used during the immediately preceding 12 months.

4. An eligible employee's leave entitlement is limited to a total of 26 work weeks during a "single 12-month period" to care for a covered service member with a serious injury or illness. The "single 12-month period" is measured forward from the first date that leave is taken for the covered service member.
5. Refer to Human Resources Procedure "*Family and Medical Leave*" for the process of applying for and using FMLA leave.
6. Benefitted employees will not be eligible for the catastrophic or 30 and/or 60 day extensions beyond the expiration of the FMLA hours.

### **Section C. American' with Disabilities Act, as amended (ADA)**

Time off work may be a reasonable accommodation for an employee who is determined to be a qualified individual with a disability within the meaning of the ADA. Hospital staff will work with the Equal Opportunity Program Manager in all matters relating to the application of the ADA.

### **Section D. Military Leave**

Military leave and reinstatement shall be granted in accordance with applicable state and federal laws. Any permanent full or part-time employee who is a member of the organized U.S. Army, Navy, Air Force, Coast Guard, Nevada National Guard or Marine Corps Reserves shall be released from his/her duties, upon presentation of the appropriate orders, and shall continue to receive his/her regular rate of pay from UMC as prescribed by NRS 281.145, and any pay and benefits as provided in the Uniformed Services Employment and Re-employment Rights Act of 1994, for a period of not more than fifteen (15) working days per any one (1) calendar year.

## **POLICY NO. 11      EMPLOYEE EDUCATION AND DEVELOPMENT**

UMC Human Resources shall administer an Organizational Development Program to assist UMC employees in obtaining educational opportunities for job related skills development, professional, leadership, and/or career enhancement. In support of UMC's mission of being the hospital of choice in the community, the Organizational Development Program will promote internal and external communications, professional development, career advancement and community involvement by providing comprehensive programs focused on quality professional, clinical, and management, learning opportunities.

### **Section A. Annual Mandatory Education**

1. In support of providing our patients with safe, quality patient care and maintaining regulatory compliance, annual mandatory education is required for all staff at UMC. These topics are determined by UMC Administration, regulatory agencies, governmental agencies and new healthcare science and/or technology. The topics are reviewed and updated each calendar year by January 1<sup>st</sup> and are available to all of UMC staff on the UMC intranet.
2. All UMC employees are required to complete the annual mandatory tests by the end of fiscal year (June 30) for that calendar year. Failure to comply with this deadline will be addressed by department leadership, and may result in disciplinary action. Exceptions to this deadline must be pre-approved by department leadership.
3. Department leadership will verify that the employee's education record shows completion of the annual mandatory tests with their annual evaluation. Evaluations will not be processed by HR unless the department has confirmed that all required mandatory education has been completed.

### **Section B. New Employee Orientation**

1. All newly hired benefited employees are required to complete New Hire Orientation within 60 days of hire. UMC's New Hire Orientation provides an efficient, organized method for communicating pertinent information and initial mandatory education to all new employees.
2. Refer to Human Resources Procedure "Education Development Program" for application of the New Hire Orientation program.
3. All per diem hires are required to complete the online New Hire Orientation prior to start date and submit to HR the certificate of completion for their personnel record.
4. Refer to Human Resources Procedure "Education Development Program" for application of the New Hire Orientation program.
5. Newly hired employees may be required to attend IT Orientation.

6. Epic training is required for all classifications whose responsibilities mandate electronic health record read and/or write access. Depending on the classification, the length of Epic training will vary and must be completed prior to using Epic in a work capacity.
7. Care Provider Orientation is required for all nurses and other patient care providers, as necessary.
8. It is the responsibility of the employee's supervisor to complete the Badge Access Form and either submit it directly to the Badge Office or to the employee. It will be the responsibility of the employee to obtain the permanent identification badge.

### **Section C. UMC Associates Orientation Training**

“UMC Associates” include: volunteers, vendors, students, contracted employees, and allied health professionals providing services or receiving experience at UMC. Such associates are required to complete UMC's Associates Orientation prior to reporting for duty in their assigned work area. A UMC identification badge will be issued upon successful completion of this orientation process.

Associate staff may also be required to complete other orientations or training prior to reporting to their assigned work area.

### **Section D: Department Specific Orientation**

1. The department manager will assess and confirm the new employee's experience, education, credentials, qualifications and abilities as they relate to the specific job description.
2. Department specific orientation will occur for all new employees and when an employee changes departments, stations, duties, etc.
3. Any employee that is new to a department/service and not to the organization, or who routinely or frequently works in more than one department/service, must receive orientation to each department/service that he/she will work.
4. Any employee who is absent from the workplace for more than 30 days must complete a department re-orientation that addresses changes and/or additions to the above requirements.

### **Section E: Competency Assessment**

1. Initial Competency Assessment. All job classifications requiring an annual competency will require an Initial Competency Assessment, which is based on the core expectations of the classification's job description. The assessment is completed as part of the probationary process.

2. Annual Competency Assessment. Each Division Head or designee, in conjunction with Human Resources, will determine which classifications by department require competency assessment. Any classifications whose core job functions require one or more of the following may necessitate an annual competency assessment:
  - Credentialing, licensure, or certification;
  - Regulatory agency competency requirements;
  - Direct patient care;
  - Specialty specific advanced skills that require independent judgment and continual education or improvement.
3. Each Division Head or other designated staff will maintain the list of specific skills needed for each competency assessment.

### **Section F: Tuition Reimbursement and Initial Certification Program**

The intent of the Tuition Reimbursement Program is to provide financial assistance to UMC employees desiring to advance their formal education or enhance their professional development by taking courses at an accredited college or university. This program is not intended to finance degree programs or to reimburse for seminars and symposiums.

1. Classes covered under this program must be job-related, intended for job enhancement or lead to promotional opportunity for the employee at UMC. The employee will provide documentation to verify the applicability of the requested course.
2. A benefited employee may apply for tuition reimbursement upon satisfactory completion of the UMC probationary period. Per diem employees are not eligible for tuition reimbursement.
3. The maximum reimbursement for a full-time (0.8-1.0) employee is \$1,000.00 per half fiscal year (January-June/July-December). The maximum reimbursement for a part-time (0.1-0.7) employee is \$500.00 per half fiscal year (January-June/July-December).
4. The maximum reimbursement shall be paid prorated based on an employee's FTE status at the completion of the course, program or test.
5. This program is limited to the amount budgeted and approved each fiscal year.
6. Tuition reimbursement is contingent upon satisfactory completion of an approved educational class along with proof of payment. "Satisfactory" completion is defined as a passing grade of "C" or better for undergraduate courses and a "B" or better for graduate courses.
7. Initial certifications under the reimbursement program are for a promotional opportunity only. Required certifications for current positions are the employee's responsibility.

8. The same eligibility, online application, and documentation requirements for tuition reimbursement apply for certification reimbursement.
9. The Certification program or organization sponsor must be pre-approved.
10. The maximum certificate reimbursement for benefitted employees is \$500.00 per fiscal year.
11. Exceptions to this policy will require approval from Administration and the CEO. See Human Resources Procedure “*Educational Development.*”

### **Section G: Educational Leave – Paid vs. Non-Paid**

The intent of educational leave is to encourage employees to develop and expand their professional knowledge base.

1. Full-time and Part-time Employees (paid hourly):
  - a. Hours spent in training required to maintain a license necessary for a position will NOT be paid.
  - b. Hours spent in training mandated and provided by UMC due to a special assignment (e.g., BLS, ACLS, PALS) will be paid as long as the training is sponsored by UMC. Hours spent in training will NOT be paid if the course is sponsored by an entity other than UMC and/or not required by UMC as mandatory training.
  - c. Hours spent in a mandated training class sponsored by UMC (e.g., UMC mandates that all employees attend a customer service class) will be paid.
  - d. Hours spent in training requested by an employee and approved by the employee’s supervisor (e.g., time management class, computer skills class, etc.) will be paid IF the class is held during the employee’s normally scheduled work hours. At the supervisor’s discretion, the employee may be excused and required to use CAL to attend the course instead of paid work time.
  - e. Employees may attend UMC sponsored training at no cost.
2. Per Diem Employees:
  - a. Hours spent in training required to maintain a license necessary for a position will NOT be paid.

- b. Hours spent in a mandated training class presented by UMC will be paid and considered time worked.
  - c. Employees may attend UMC sponsored training at no cost.
- 3. FLSA Exempt Employees (salaried):
  - a. No additional compensation beyond an employee's normal salary (40-hour work week) will be paid to exempt employees who attend training.
  - b. Exempt employees may attend UMC sponsored training at no cost.
- 4. Travel
  - a. Employees may be reimbursed for fees and travel expenses providing the training and travel were approved. Refer to Administrative Policy, I-12 "Travel Policy."

### **Section H: Educational Seminars and Conferences**

In support of providing excellence in health care, attendance at professional conferences and seminars is encouraged when financially feasible. Paid educational leave must be pre-approved by the employee's department manager.

### **Section I: Non-Completion of Mandatory Paid Classes**

- 1. Employees that elect to leave a mandatory class prior to its completion and leave without permission will be paid education leave for the portion of the class they attended but are subject to disciplinary action and attendance policies, as applicable.
- 2. Employees who leave a mandatory class prior to its completion and have made arrangements with the instructor prior to leaving will be paid education time only for the portion of the class they attended and are required to reschedule and complete the class.
- 3. The manager/division head and the Payroll Department will be notified of any non-completion of class.

### **Section J: Fees and Payments for Courses**

Organizational Development and Clinical Education may charge a course fee to both employees and non-employees. These fees are collected at the time of the course, or for large groups, will be invoiced by UMC Finance Department.



## **Section K: Clark County Organizational Development Center (CC-ODC)**

Clark County provides additional training opportunities to UMC employees through the Clark County Organizational Development Center (CC-ODC) to expand learning opportunities in leadership, supervisory development, customer service, business and computer skills. The CC-ODC offers a wide range of courses that will enhance professional growth and develop the skills necessary to meet the needs and expectations of patients, customers and staff.

1. All regular full and part time employees are eligible to attend training courses at the CC-ODC.
2. Training must be pre-approved by the employee's department head as job related.

**POLICY NO. 12**

**EMPLOYEE ASSISTANCE PROGRAM**

1. Human Resources shall administer an Employee Assistance Program available on a voluntary basis to UMC employees and their families to assist with personal and work-related problems that may affect job performance.
2. Members of UMC management may use the Employee Assistance program for consultation and mediation services for assistance with employee or organizational issues.
3. Employees and their spouse and dependents may receive in-house counseling through the EAP coordinator. The length of treatment is based on the employee's assessed circumstances and needs.
4. The EAP may assist with referring employees to appropriate community resources that are equipped to deal with a particular need. Such services may include: psychiatric assessment and treatment, addiction rehabilitation, individual long-term counseling, marital and family counseling, legal aid, physical and health programs, and financial counseling.
5. The EAP Coordinator may also provide educational workshops upon request to employees and managers to assist with personal, professional, and leadership development.
6. The EAP Coordinator provides training to all employees and management on UMC's Substance Abuse policy during new hire orientation and upon request.
7. Any contact with the Employee Assistance Program shall be treated confidentially and shall not be documented in the employee's personnel file.
8. No information about Employee Assistance involvement will be divulged to any entity, unless authorized by the employee or as required by mandated reporter laws.
9. Any counseling or other services conducted by the EAP Coordinator shall be at no cost to the employee. UMC reserves the right to set a maximum amount of counseling sessions provided to employees. The employee is responsible for any expense incurred from utilizing the services of a referred agency.

**POLICY NO. 13****SUBSTANCE ABUSE POLICY**

1. UMC is committed to providing a drug and alcohol free workplace for all employees. A drug and alcohol free workplace protects the safety of the public as well as UMC's valuable workforce. While UMC will be supportive of those who seek help voluntarily, UMC will be equally firm in identifying and disciplining those who continue to be substance abusers and do not seek help.
2. UMC may perform pre-employment, post-accident and/or reasonable cause substance abuse testing on employees or prospective employees. Substance abuse testing that discloses abuse may result in disciplinary action, mandatory attendance in substance abuse treatment and education programs, and/or referral to the Employee Assistance Program. Employees covered by a collective bargaining agreement are covered by the Substance Abuse Policy included in their collective bargaining agreement. All employees not covered by any collective bargaining agreement shall be covered by the Substance Abuse Policy included in the SEIU, Local 1107 collective bargaining agreement. The SEIU bargaining agreement substance abuse policy can be found on the UMC intranet through a link on the Employee and Labor Relations page.
3. Employees working in, and applicants for, safety-sensitive positions as defined by the U.S. Department of Transportation (DOT), including those employees who are required to hold a Commercial Driver's License, are required to comply with all DOT regulations, adhere to specific consequences for violations, and undergo pre-employment, pre-duty, post-accident, reasonable-suspicion and random substance abuse testing in accordance with DOT regulations.
4. The Employee Assistance Program is available to assist management and employees with substance abuse related issues. The EAP can provide management consultations, as well as employee assessment, treatment recommendations, and assistance with referral to an appropriate treatment provider.

**POLICY NO. 14**

**STRUCTURED RETURN-TO-WORK PROGRAM AND  
WORKERS' COMPENSATION**

UMC will provide employees with medical treatment and compensation for on-the-job injuries or occupational diseases arising out of, and in the course of, employment with UMC in accordance with the provisions of NRS 616 and 617 (*see Human Resources Procedure "On-the-Job Injury and Modified Duty"*).

1. Return-to-Work (RTW) Eligibility: To be eligible for participation in UMC's RTW Program utilizing modified duty, following an employment-related injury or illness, the benefited employee must provide a written statement from their treating physician stating that the employee is:
  - a. temporarily unable to perform his/her regular essential job duties; and
  - b. capable of carrying out work of a lighter/modified nature from their regular essential job duties; and
2. Job assignments under the Return-to-Work (RTW) Program will be made:
  - a. in accordance with medical limitations as determined by the employee's treating physician; and
  - b. after receipt of evidence of RTW Program eligibility; and
  - c. based on the availability of an appropriate assignment; and
  - d. and the costs of the employee's salary will be absorbed by the home cost center regardless of the work assignment cost center location.
3. Non-UMC Work-Related Injuries
  - a. UMC may provide viable temporary modified duty for a non-industrial injury/illness by a treating physician if such work is available. Initial request for temporary assignments will always be made to the home department. If home department is unable to offer modified duty, HR will forward request to other departments that may need assistance for projects and short term assignments. The employee's home department will be responsible to absorb salary costs for modified duty personnel (non-work related) when working outside of the home cost center for modified duty purposes. If no work is available, employee will be required to stay off work and use any available leave time per policy.
4. Modified/Restricted Duty Assignments

Per Policy, benefited employees released to modified duty by an authorized Workers' Compensation Physician may be able to work a temporary modified assignment up to 90 consecutive calendar days per claim/injury/illness. HR Worker's Compensation department will make every effort to find suitable temporary modified assignment. An employee will not be assigned a modified position if such an assignment would place the employee or others in danger or would displace another current employee. If home department is unable to provide an assignment, other departments will be contacted. Injured worker assigned to modified duty will be required to provide written notification from their treating physician of the work and physical limitation status after each visit or a minimum of every 30 days to continue on modified duty.

While assigned modified/restricted duty, work hours will be limited to actual budgeted hours per week/month and injured worker cannot work more than 8 hours a day. Employees with more than one employer may not work beyond their physical restrictions at any other employment or within UMC.

Modified duty assignments can only be in the form of physical limitations. Employees must be available to work varied shifts and days based on actual need of the hospital and physical limitations of the injured worker.

**Terminology:**

- Employment Related Injury: An injury or occupational disease arising out of the course and scope of their employment with UMC.
- Treating Physician: A doctor of medicine, osteopathy, optometry, dentistry, podiatry, or chiropractic who is licensed and authorized to practice medicine in the state of Nevada.
- Medical Treatment: All medical care rendered by a practitioner licensed to provide such medical care, hospitalization, medication, and medical supplies including artificial members as prescribed by the licensed practitioner.
- Modified Duty: A temporary position assigned to an employee when they are unable to return to their regular position following an injury or illness.

## **POLICY NO. 15    EMPLOYEE RECORDS PROGRAM**

Human Resources shall administer an Employee Records Program to maintain accurate records of Human Resources and payroll information for each employee, ensure proper timing and procedures are followed in personnel actions involving an employee, provide summarized information to managers to assist in decision-making related to personnel matters, provide disclosure while maintaining confidentiality as required and provide communication and coordination of system changes as required by federal, state and local governments, accreditation agencies, and collective bargaining agreements.

### **Section A. Record Keeping Requirements**

1. An official file shall be maintained for every UMC employee in Human Resources. The file will include, at a minimum, the employee's name, current and former position titles, rates of pay, all changes in employment status and other pertinent data.
  - a. Employees must report immediately to Human Resources, changes in name, marital status, withholding tax information, telephone number, address and final paycheck beneficiary.
  - b. Employees wanting to change their name or marital status; add or delete dependents; change beneficiaries for retirement, final check, life insurance and/or group health insurance are required to bring the legal document(s) authorizing such change to Human Resources within thirty (30) days of the event. Failure to produce these documents and make the necessary changes within the prescribed time frame may adversely affect the employee's benefits. Any questions should be immediately addressed to Human Resources.
2. Upon initial employment Human Resources is responsible for ensuring the completion of the appropriate forms required by the Public Employees Retirement Board, the group life and health insurance provider and federal tax programs.

### **Section B. Access of Personnel Files**

The only official permanent personnel file shall be maintained in Human Resources for each current and former employee.

Human Resources' staff is directly responsible for the input of personnel information to the Human Resources Information System (HRIS) and has responsibility for general maintenance of the employee personnel files.

Failure to adhere to this policy by an employee whose job duties and responsibilities require having access to employment records may result in disciplinary action, up to and including termination.

1. File Maintenance

- a. The employee or his/her authorized representative who has a written consent may view his/her official personnel file by appointment with a Human Resources' staff member present.
  - b. The employee's department head, immediate management level supervisor, or prospective supervisors of employees being considered for promotion, demotion or transfer, are authorized to view the employee's personnel file with a member of Human Resources present.
  - c. An employee may sign an authorization form to release a copy of his/her personnel file to other than his/her own management.
  - d. All files may be viewed by outside auditors or designated officials at the request of the Chief Human Resources Officer or designee.
  - e. Unsigned disciplinary conference notes and non-routine documents will not be placed in the personnel file without the explicit authorization of the Chief Human Resources Officer or designee.
  - f. Only a Human Resources staff member (or person designated by the Chief Human Resources Officer) may add, remove or copy items from the file.
  - g. Absolutely no employment file is to be taken from Human Resources without the explicit authorization of the Chief Human Resources Officer or designee.
2. Removal of Discipline:
- a. Disciplinary actions shall be removed from the employee's personnel file as outlined in the Collective Bargaining Agreement and shall not be used in future disciplinary matters, provided that no ensuing discipline occurred.
  - b. Signed Last Chance Agreements are exempt from removal from the personnel file as they do not constitute discipline but relate to the resolution of an employment related issue. However, when a Last Chance Agreement expires, it shall be moved to the administrative section of the personnel file and shall not be used in future disciplinary matters, providing no ensuing discipline has occurred. Further, in the event the union or the employee proposes a Last Chance Agreement as a form of settlement for an employment related issue, UMC reserves the right to produce the last chance agreement as evidence that UMC has previously provided the employee an opportunity to change the identified behavior.

### **Section C. Confidentiality of Personnel Files**

Only Human Resources is authorized to release information regarding the work history of a current or former employee within defined and established guidelines and Nevada Revised Statute. It is

important that dissemination of information regarding a former or current employee be handled uniformly and within the guidelines of the law.

1. Under no circumstances will a supervisor/department head or another employee respond to reference inquiries. All inquiries are to be referred to Human Resources.
2. Supervisors/department heads shall not discuss personal characteristics or other traits relative to a current or former employee when a decision to hire or not hire may be based on such discussion.
3. Human Resources will not release information other than dates of employment and the last position title held to any individual or organization without the specific authorization of the Chief Human Resources Officer or designee or the signed authorization of an employee indicating additional items of information to be released, accompanied by a written statement holding UMC harmless for release of such information.
4. Former employees may request to inspect their personnel file within 60 days after their date of separation with UMC.
5. Any requests from businesses, law enforcement agencies or the news media for information from employee records shall be referred to Human Resources. Release of employee information to outside agencies and individuals is restricted to public information only and as defined by Nevada Revised Statute.
6. All requests to serve subpoenas and other legal documents to UMC employees must be signed for by the employee directly. Human Resources will not be held liable for such documents and or to receive them on behalf of the employee.
7. A third party request can be processed if it is in writing and or received in the HR Office. A valid ID must be presented at the time of pick up.



**POLICY NO. 16**

**RECORDING TIME THROUGH ELECTRONIC TIME  
CLOCKS**

All UMC employees are required to record their time through the electronic time clock system unless authorized by the Chief Executive Officer as exempt from clocking in or out. Employees exempt from overtime compensation must clock in but are not required to clock out. The following policy applies to employees who are required to clock in and out for all hours worked.

1. Hourly employees are required to clock in at the start of their shift (not more than seven minutes prior to the start of the shift) and are required to clock out at the end of their shift (not more than seven minutes after the end of the assigned shift).
  - a. Hourly employees who fail to clock in and are ready to perform work at the beginning of their assigned shift shall receive a tardy for that shift.
  - b. Hourly employees are not authorized to clock out prior to the end of their shift. Clocking out prior to the end of the assigned shift is considered stopping work prior to the end of the shift and the employee may receive disciplinary action. Employees are not authorized to clock out prior to the end of the assigned shift unless authorized to do so by their supervisor.
2. Hourly employees are required to clock out and clock back in for the lunch period and when leaving the hospital premises for non-work related reasons (i.e., family emergencies, doctor's appointments, etc.).
3. Any employee attending off-site training during scheduled work time, or attending other off-site hospital business are not required to clock in, unless or until, they report to their work place. If the employee is off-site for the entire shift, then there is no requirement to clock in. The employee's supervisor is responsible to ensure the employee's payroll records accurately reflect the reason for payment (and subsequent no clock in).

## **POLICY NO. 17      DISCLOSURE OF IMPROPER GOVERNMENTAL ACTION**

### **Section A. Definitions**

In the construction of this policy, the following definitions shall apply, unless the context clearly requires otherwise:

1. “Improper governmental action” means any action taken by a UMC officer or employee in the performance of his/her official duties, whether or not the action is within the scope of his/her employment, which is:
  - a. in violation of any applicable law or regulation of the state, any applicable ordinance of the county, or rule, regulation, policy or procedure of UMC;
  - b. an abuse of authority;
  - c. of substantial and specific danger to the public health or safety; or
  - d. a gross waste of public money.

Improper government action shall not be deemed to include any matter which is solely personnel or disciplinary in nature.

2. “UMC employee” means any person who performs public duties under the direction and control of a UMC officer for compensation paid by or through UMC.
3. “UMC officer” means a person elected or appointed to a position with UMC which involves the exercise of a public power, trust or duty, including:
  - a. actions taken in an official capacity which involve a substantial and material exercise of administrative discretion in the formulation and administration of UMC policy;
  - b. the expenditure of UMC money; and
  - c. the enforcement of laws and regulations of the state and ordinances and policies of the UMC.
4. “UMC” means University Medical Center of Southern Nevada.

### **Section B. Declaration of policy and purpose**

It is the declared policy of UMC that a UMC officer or employee is encouraged to disclose, to the extent not expressly prohibited by law, improper governmental action, and it is the intent of UMC to protect the rights of a UMC officer or employee who makes such a disclosure.

**Section C. UMC officer or employee prohibited from using authority or influence to prevent disclosure of improper governmental action by another UMC officer or employee**

1. A UMC officer or employee shall not directly or indirectly use or attempt to use his/her official authority to intimidate, threaten, coerce, command, influence or attempt to intimidate, threaten, coerce, command or influence another UMC officer or employee in an effort to interfere with or prevent the disclosure of information concerning improper governmental action.
2. For the purposes of this section, use of “official authority or influence” includes taking, directing others to take, recommending, processing or approving any personnel action such as an appointment, promotion, transfer, assignment, reassignment, reinstatement, restoration, re-employment, evaluation or other disciplinary action.

**Section D. Appeal for reprisal or retaliatory action against a UMC officer or employee who discloses improper governmental action**

1. If any reprisal or retaliatory action is taken against a UMC officer or employee who discloses information concerning improper governmental action within two years after the information is disclosed, the UMC officer or employee may file a written request for hearing to determine whether the action taken was reprisal or retaliatory action. The hearing must be conducted in accordance with the procedures set forth in Section F of this policy.
  - a. This section shall not apply to a UMC officer or employee who is an elected, appointed or per diem employee.
  - b. This section shall further not apply to a UMC officer or employee who elects to challenge the alleged reprisal or retaliatory action through alternative procedures available under a collective bargaining agreement or UMC’s policies and procedures. The hearing officer shall have no jurisdiction to consider whether the action taken was a reprisal or retaliatory action if the same action is the subject of a grievance, arbitration or disciplinary proceeding initiated by or on behalf of the UMC officer or employee requesting the hearing.
2. The hearing officer shall determine if there was a reprisal or retaliatory action. The hearing officer shall submit a copy of its decision to the appropriate UMC governing body and the Chief Executive Officer. The Chief Executive Officer shall take any necessary corrective action, provided such action is not inconsistent with any applicable law.

3. If a UMC officer or employee is found by the hearing officer to have engaged in a reprisal or retaliatory action or to have violated the provisions of Section C of this policy, a copy of the hearing officer's decision, together with the discipline administered by the hearing officer, shall be given to him/her and placed in his/her personnel file. Subsequent reprisals, retaliatory actions, or violations of Section C by such UMC officer or employee shall subject him/her to more severe disciplinary action, including the possibility of termination. If a UMC officer or employee is found by the hearing officer to have disclosed information concerning alleged improper governmental action which he/she knew or reasonably should have known to be untrue, or to have made such disclosure or brought an appeal for the purpose of harassing another UMC officer or employee, a copy of the hearing officer's decision, together with the discipline administered by the hearing officer, shall be given to him/her and placed in his/her personnel file. Further such action by the UMC officer or employee shall subject him/her to more severe disciplinary action, including the possibility of termination. The provisions of this subsection shall not apply to elected official and members of boards who are not subject to UMC disciplinary procedures.
4. For the purposes of this section, "reprisal or retaliatory action" includes:
  - a. the denial of adequate personnel or resources to perform duties;
  - b. frequent replacement of members of the staff;
  - c. frequent and undesirable changes in the location of an office;
  - d. the refusal to assign meaningful work;
  - e. the issuance of letters of reprimand or evaluations of poor performance;
  - f. a demotion;
  - g. a reduction in pay;
  - h. a denial of a promotion;
  - i. a suspension;
  - j. a dismissal;
  - k. a transfer; or
  - l. frequent changes in working hours or workdays, if such action is taken, in whole or in part, because the UMC officer or employee disclosed information concerning improper governmental action.

### **Section E. Hearing Officers – Appointment, Qualifications, Compensation**

1. The appropriate UMC governing body shall appoint one or more hearing officers to conduct hearings pursuant to this policy and procedure. Hearing officers shall serve at the pleasure of the appropriate UMC governing board.
2. Each hearing officer shall be appointed with regard to qualifications to conduct administrative or quasi-judicial hearings and must:
  - a. Be a resident of the state of Nevada, and
  - b. Be a graduate of an accredited law school or be a graduate of an accredited four-year college and have at least five (5) years' experience in public administration, and
  - c. Complete a course of classroom instruction in administrative law provided by the office of the district attorney.
  - d. The hearing officer shall not conduct or knowingly participate in any hearing or decision in which he/she or any of the following persons has a direct or substantial financial interest: any person who is related to him/her by blood, adoption or marriage within the third degree of consanguinity or affinity and any person with whom he/she has a substantial and continuing business relationship. The hearing officer shall not participate in any hearing concerning any business with which such officer is negotiating or has an arrangement or understanding concerning possible partnership or employment. Any actual or potential interest shall be disclosed prior to such hearing.
3. The hearing officer, unless employed by UMC, shall be entitled to compensation for services rendered. The fees of the hearing officer shall be borne equally by the UMC officer or employee requesting the hearing and UMC.

### **Section F. Hearing Procedure**

1. A UMC officer or employee who believes that he/she has been the subject of reprisal or retaliatory action shall have up to ten (10) working days from the date he/she has notice of the action to request a hearing. The request for hearing shall be made in writing to the Chief Human Resources Officer, who shall call for a hearing by the hearing officer.
2. The hearing officer shall convene the hearing within twenty (20) working days after receipt of the written request for a hearing. The hearing officer may extend the time limitation at the request of either party, or if there is a conflict with the schedule of the witnesses or participants of the hearing, in which case the hearing must be scheduled for the earliest possible date after the expiration of the twenty (20) days. If a bargaining

unit eligible employee is accused of a violation of this policy, he/she retains the right to be represented by the appropriate union.

3. The appeal hearing shall be an informal proceeding adhering to generally accepted principles of administrative law. Technical rules of evidence shall not apply at the hearing. Oral evidence shall be taken only upon oath or affirmation administered by a notary public. Hearsay evidence shall be admissible, but shall be given its appropriate weight in accordance with its character and applicability.
4. It shall be the burden of the UMC officer or employee requesting the hearing to prove by a preponderance of the evidence that he/she was the subject of a reprisal or retaliatory action. To meet this burden of proof, the requesting party must show that:
  - a. he/she disclosed information concerning improper governmental action;
  - b. the UMC officer or employee accused of reprisal or retaliation knew of the disclosure;
  - c. a reprisal or retaliatory action occurred within two years after the disclosure; and
  - d. there was a genuine nexus between the reprisal or retaliatory action and the disclosure.
5. Within five (5) working days from the conclusion of the hearing, the hearing officer shall render his/her written decision, setting forth the reasons therefore and the level of discipline to be administered (if applicable). The decision of the hearing officer shall be final and binding.

**Section G. Use of Provision of Harassment Prohibited; Disciplinary Procedures Authorized for Disclosure of Untruthful Information**

1. No UMC officer or employee may use the provisions of this policy and procedure to harass another UMC officer or employee.
2. The provisions of this policy do not prohibit a UMC officer or employee from initiating proper disciplinary procedures against another UMC officer or employee who discloses untruthful information concerning improper governmental action which he/she knew or reasonably should have known to be untrue.

## **POLICY NO. 18    Payroll and Salary Reduction Policy for Non-Union Exempt Employees**

This policy applies solely to non-bargaining unit covered exempt employees at UMC. Exempt employees may include, without limitation, administrative employees, executive employees, professional employees, computer professionals, and highly compensated employees. Exempt employees are paid on a salary basis and are not eligible for overtime compensation.

1. This Policy defines the payroll and wage deduction practices of University Medical Center of Southern Nevada (“UMC”) regarding those salaried employees exempt from the minimum wage and overtime pay requirements of the Fair Labor Standards Act (“FLSA”) and not covered under an applicable collective bargaining agreement (“Exempt Employees”). UMC’s policy is to make deductions from exempt employees’ pay only as authorized by, and in accordance with, applicable state and federal laws and regulations.
2. UMC exempt employees accrue personal leave and sick leave via UMC’s established systems of Consolidated Annual Leave (“CAL”) and the Extended Illness Bank (“EIB”). An exempt employee’s accrued leave may be utilized for hours that the employee is absent from work (e.g. absences due to personal reasons, illness, disability, holidays). This Policy seeks to establish the policy and procedures for the management of an exempt employee’s accrued Consolidated Annual Leave (“CAL”) when the exempt employee fails to maintain a sufficient CAL balance to cover his or her absence.
3. Refer to Human Resources Procedure “Payroll and Salary Reduction Policy for Exempt Employees” for the application process of this policy.

## **POLICY NO. 19**

## **DEFINITIONS**

Unless the context otherwise requires (or definitions are found in a collective bargaining agreement), the words and terms used in this Human Resources Policies manual shall have the meanings ascribed to them below. Any words or terms not ascribed below shall be interpreted in their context as they appear in this manual and, if no context is apparent, shall be given their plain and ordinary meaning.

**ACTIVE LIST:** current list containing the names of all applicants who meet the minimum or preferred qualifications for the position. This list is active for approximately ninety (90) calendar days, but may change based on position needs and Human Resources' discretion.

**ADMINISTRATIVE DIVISION HEAD:** The Administrator responsible for providing direction to a series of departments.

**ADMINISTRATIVE EMPLOYEE:** means any employee whose primary duties consist of work directly related to management policies, who customarily exercises discretion and independent judgment and regularly assists an executive. In addition, it includes the Chief Administrative Officer, his/her deputy and immediate assistants, Department Heads, their deputies and immediate assistants, attorneys, appointed officials and others who are primarily responsible for formulating and administering management policy and programs. (NRS 288.025)

**APPLICATION:** the form (paper or electronic) used to document an applicant's experience, education, licensure, special qualifications, etc. Starting salaries will be determined using the information submitted on the application.

**APPOINTMENT:** the process by which an applicant is chosen to fill a vacancy.

**BASE SALARY:** rate of pay provided to an employee as compensation reflected in the salary appendix(es) in exchange for services.

**BENEFITTED EMPLOYEE:** an employee occupying a budgeted position of .5 FTE or higher.

**BREAK IN SERVICE:** those periods during which an employee is not in pay status and ineligible to accrue CAL, EIB, longevity, and other benefits unless otherwise delineated in this manual.

**CERTIFICATE OF FITNESS:** a signed statement from a state licensed health care provider indicating whether an employee is medically able to perform regularly assigned duties without restriction or limitation.

**CERTIFICATE OF INJURY/ILLNESS:** a statement signed by a state licensed health care provider describing the type and extent of injury/illness causing absence from job duties.

**CERTIFICATION LIST:** the list of applicants who meet the minimum and the preferred skills for the position who are eligible for an interview.



**CLASSIFICATION:** the groupings of jobs into classes usually on the basis of the type of work or level of pay.

**CLASSIFICATION AUDITS:** a review of the duties and responsibilities comprising a position.

**CONFIDENTIAL EMPLOYEE:** an employee occupying a position which by the nature of its duties is involved in decisions of management affecting collective bargaining. Confidential employees are not covered by any collective bargaining agreement. (NRS 288.170 [6])

**CONTINUOUS SERVICE:** that service commencing with appointment to a permanent budgeted position and continuing until separation from UMC service minus any breaks in service.

**DEMOTION:** the movement of an employee from one classification to another classification with a lower pay grade.

**DEPARTMENT HEAD:** a subordinate to the Administrative Division Head who has administrative and operational responsibility for a work unit (normally an employee with the director, manager, or equivalent classification).

**ELIGIBILITY LIST:** a list establishing those applicants who meet minimum qualifications for vacancy recruitment purposes

**FULL TIME EQUIVALENT (FTE):** budgeted status for an employee based on 80 hours per pay period (40 regular hours per workweek). A 1.0 FTE is scheduled 40 hours per workweek. A .9 FTE is scheduled 36 hours per workweek. A .5 FTE is scheduled 20 hours per workweek.

**ILLEGAL DRUGS:** any drug (a) which is not legally obtainable; or (b) which is legally obtainable but has not been legally obtained. The term includes prescribed drugs not legally obtained and prescribed drugs not being used for prescribed purposes.

**LEGAL DRUG:** prescribed drugs and over-the-counter drugs which have been legally obtained and are being used for the purpose for which they were prescribed or manufactured.

**INTERNAL RECRUITMENT:** a recruitment open to current UMC employees only.

**JOB LISTING:** a list of all positions currently being recruited.

**JOB ANNOUNCEMENT:** a document (paper or electronic) that describes at a minimum the duties, minimum qualifications, and salary range (as needed) for an open position.

**JOB EVALUATION:** the process of examining and analyzing positions in order to identify the appropriate compensation plan, series, title, and salary range/grade for each position.

**LATERAL MOVE:** movement to another position within the same salary grade.

**MERITORIOUS:** that level of performance which has been established by the Department Head or his/her designee to be worthy of special recognition in the form of a merit increase for eligible employees.

**ON DUTY:** assigned work hours excluding paid and unpaid leaves

**OVERTIME:** scheduled or unscheduled hours worked in excess of assigned shift (8, 10, or 12) or in excess of forty (40) regular hours during the workweek.

**PAY STATUS:** any time employee is either receiving compensation for hours physically worked and/or benefits earned.

**POSITION DESCRIPTION QUESTIONNAIRE (PDQ) FORM:** a form used to request a classification audit of a new position or reclassification of an existing position. The basic tool for gathering information on job duties and responsibilities and provides the basis of justifying and documenting a reclassification action.

**NEW POSITION TYPES:**

1. There are six (6) types of employee groups at UMC:
  - a. Full-Time – an employee who is budgeted as a .8 FTE or greater. Full time employees are eligible for all benefits.
  - b. Part Time – an employee who is budgeted as a .5 to .7 FTE. Part time employees are eligible for benefits prorated based on the FTE status, as applicable.
  - c. Per Diem – an employee who adds to or substitutes for staff on a pre-scheduled basis (i.e., fill in for scheduled CAL/EIB or other absences, etc.), or as needed on a day to day basis, as determined by UMC. Employees are paid for hours worked.
  - d. Temporary – an individual employed in a position established for a specific period of time, or for the duration of a specific project or group of assignments, but not to exceed 119 days worked under any circumstance.
  - e. Limited Term– an employee hired to fill the needs of UMC for a special project or duties of a limited duration. The limited permanent employee shall be eligible to receive all benefits of employment (except seniority) based on the budgeted FTE status. However, the limited permanent employee shall be terminated without appeal rights upon completion of the project.
  - f. Grant – an employee hired to fill the needs of UMC for a special project or duties of a limited duration that are more than 50% funded by grant monies. The grant employee shall be eligible to receive all benefits of employment (except seniority) based on the budgeted FTE status. However, the grant

employee shall be terminated without appeal rights upon completion of the project or grant.

**PROBATIONARY EMPLOYEE:** an employee who is hired to fill a budgeted position, but has not completed the probationary period.

**PROMOTION:** the movement of an employee from one classification to another classification in a higher salary grade or market range.

**QUALIFYING PERIOD:** the initial period, served in a position by a regular full or part time employee as a result of a promotion, voluntary transfer or voluntary demotion.

**REASSIGNMENT:** any non-disciplinary movement of an employee from one position to another position within the same classification for which he/she qualifies as established in the job description. A reassignment may also take place by the non-disciplinary movement of an employee from one work unit to another for the purposes of staffing or operational needs of either work unit.

**RECALL:** the return of employees who have been laid off.

**RECALL LIST:** a list of current or former employees of UMC having benefitted status and who were laid off.

**RECLASSIFICATION:** the change of a position to a different classification based on significant changes in the duties and responsibilities assigned to the position.

**REGULAR RECRUITMENT:** a job opportunity opened to all interested applicants, both internal and external.

**REINSTATEMENT:** the restoring of an employee to a position under the provisions of a settlement and/or disciplinary agreement.

**SALARY ADJUSTMENT:** the progression from a lower pay level in a salary range to a higher pay level within the same salary range.

**SALARY RANGES AND GRADES:** the specified range/grade of pay established at the system level for a particular classification.

**SAMHSA:** Substance Abuse Mental Health Services Administration.

**SECOND SUPERVISOR:** a supervisor from any department, who has been through the supervisor training program specified in this policy, who is called in to assist in the assessment of the different or abnormal behavior of an employee.

**SALARY GRADE ADJUSTMENTS:** the movement of a salary range for a classification that is either under or over compensated in relation to comparable positions in the job market.

**SERVICE CONNECTED DISABILITY:** physical or mental incapacity resulting from an injury by accident or an occupational disease or injury arising out of and in the course of employment which prevents an employee from engaging in assigned job duties and for which he/she is eligible for Workers' Compensation benefits.

**SUBSTANCE ABUSE:** the misuse or illicit use of alcohol and/or drugs including controlled substances.

**SUPERVISOR:** any individual having authority in the interest of the employer to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline other employees or responsibility to direct them, to adjust their grievances or effectively to recommend such action, if in connection with the foregoing, the exercise of such authority is not of a merely routine or clerical nature, but requires the use of independent judgment. The exercise of such authority shall not be deemed to place the employee in supervisory employee status unless the exercise of such authority occupies a significant portion of the employee's workday. (NRS 288.075 (1))

**SUSPENSION:** a temporary break in service without pay resulting from a disciplinary action or an investigation into a potential disciplinary action.

**TRANSFER:** the movement of an employee from a position in one work unit of UMC to another work unit of UMC within the same classification or an equivalent classification.

**UNDER-FILL POSITION:** a position that is filled by an employee in a lower classification within the same classification series for a period of time due to limited knowledge, skills and abilities or gaps in the normal classification series.

**VERBAL COUNSELING NOTICE:** documented corrective counseling for the purpose of addressing employment/performance concerns of an employee and is not in any manner to be construed as a form of discipline.

**VOLUNTEER:** a person in a non-budgeted position who performs assigned duties without compensation.

**WORKDAY:** the official workday begins at 10:38 pm and ends at 10:37 pm the next night. A holiday workday begins at 11 pm and ends at 11 pm the next night.

**WORK WEEK:** seven (7) consecutive days beginning at 10:38 p.m. Sunday night and continuing to 10:37 p.m. the following Sunday, seven (7) days later.

**WRITTEN COUNSELING NOTICE:** documented corrective counseling including accompanying suspensions for the purpose of addressing employment concerns of an emplo

# Human Resources Procedures

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**UNIVERSITY MEDICAL CENTER**  
**Human Resources Procedures**

<b>Subject:</b>	<b>REQUESTING AND CONDUCTING A CLASSIFICATION AUDIT STUDY</b>	<b>HR Procedure No.</b>	<b><u>1</u></b>
<b>Effective:</b>	<b><u>07/05/95</u></b>	<b>Administrative Approval by:</b>	
<b>Revised:</b>	<b><u>09/13/02;</u> <u>01/01/15</u></b>	<b><u>Mason VanHouweling, CEO</u></b>	

**I. PURPOSE:**

To establish the procedure for requesting and conducting a Classification Audit Study.

**II. ORGANIZATIONS AFFECTED:**

All departments

**III. PROCEDURES**

A. Requesting a Classification Audit Study (departmental management and/or incumbent(s) may request a classification study).

1. Human Resources (HR) will confer with the department (manager, supervisor and administrator) to gather basic information regarding the need for and scope of the study.
2. HR will provide a Classification Study Request Form (justification and reason for study) and Position Description Questionnaire (PDQ) through their chain of command. Once completed, the packet will be submitted to HR.
3. The Classification Audit Study packet will be presented to the Chief Human Resources Officer for approval and may request the Classification Audit study to be reviewed by the Workforce Planning Committee or other Administration designee(s).
4. If requested, the Workforce Planning Committee or Administration designee(s) will review the request to determine if the request is viable.

5. Once approved, HR will begin the audit process. If denied, HR will inform the department.

B. Conducting the Study

1. Preliminary Research: Review all documentation included in the request. If the audit involves a filled position, review the incumbent's(s') PDQ and assigned classification and any proposed classification specification, in detail, for equivalency or distinction between the assigned classification and the proposed position.
2. Desk Audit/Interview: Contact the department and incumbent(s) to schedule approximately thirty minutes to one (1) hour at the incumbent's(s) work station for an interview regarding the position. Additional time may be required at the direction of the analyst. The interview is open-ended and comprehensive.
3. Analysis: Once the audit is completed, HR will make a recommendation regarding the classification, position and/or incumbent(s).

Some studies, such as external market salary (parity) surveys, may require contacting other local hospitals, local county or city jurisdictions to find appropriate classification matches and salary ranges or utilizing national salary data sources used to determine market status of a classification.

- C. Classification Study Results- Once HR determines the appropriate recommendation, a PDQ Audit Results will be submitted to the Chief Human Resources Officer for approval. The Classification Audit study may be reviewed by the Workforce Planning Committee or other Administration designee(s) for approval. Once the decision is received, HR will inform the department and take appropriate action to implement the recommendation.

**UNIVERSITY MEDICAL CENTER**  
**Human Resources Procedures**

<b>Subject:</b>	<b>REQUISITION FOR PERSONNEL</b>	<b>HR Procedure No.</b>	<b><u>2</u></b>
<b>Effective:</b>	<b><u>07/05/95</u></b>	<b>Administrative Approval by:</b>	
<b>Revised:</b>	<b><u>09/13/02;</u> <u>01/01/15</u></b>	<b><u>Mason VanHouweling, CEO</u></b>	

**I. PURPOSE:**

To establish the procedure to request approval of a vacant position to be filled by Human Resources.

**II. ORGANIZATIONS AFFECTED:**

All departments.

**III. PROCEDURES**

- A. A department head intending to fill a new or existing position, change FTE status of a position, reclassify a position and/or request temporary agency or contracted positions shall complete an online Requisition for Personnel and include all information as necessary for approval
- B. A Requisition for Personnel may be denied or returned for the following reasons:
  - i. Incomplete and/or incorrect information of the vacant position (incorrect job title, FTE information, cost center, etc);
  - ii. Failure to provide necessary justification and approvals as required by Budget and/or the Workforce Planning Committee;
  - iii. Incorrect or incomplete chain of command indicated and/or;
  - iv. Lack of corresponding separation documentation to vacate the position (*when applicable*).



The denied request will be electronically returned to the originator. The requisition may be corrected and resubmitted or it may be cancelled and a new requisition may be created.

- C. Upon receipt of the approved requisition, Human Resources will contact the requesting department and proceed with the recruitment and selection process. For temporary agency or contracted traveler positions, the requesting department will follow its division protocol to contact the Staff Agency.

Vacancies cannot be filled prior to the date of an approved requisition being received.

- E. Any conditions, comments, constraints or restrictions placed on the requisition by the Hospital Administrator shall be strictly adhered to.
- F. During the budget cycle, Human Resources shall forward a list of all vacant positions to the Fiscal Services department or the Workforce Planning Committee for review. Fiscal Services or the Workforce Planning Committee will notify Human Resources and the department manager of all positions which will require cancellation and resubmission for approval.

**UNIVERSITY MEDICAL CENTER**  
**Human Resources Procedures**

<b>Subject:</b>	<b>TRAINING UNDER-FILL RECRUITMENTS</b>	<b>HR Procedure No.</b>	<b><u>3</u></b>
<b>Effective:</b>	<b><u>01/01/15</u></b>	<b>Administrative Approval by:</b>	
<b>Revised:</b>	<b>_____</b>	<b><u>Mason VanHouweling, CEO</u></b>	

**I. PURPOSE:**

To establish procedures for administering training under-fill recruitments.

**II. ORGANIZATIONS AFFECTED:**

All departments.

**III. PROCEDURES**

- A. Upon selection of a candidate into a training under-fill position, a comprehensive training plan will be developed by the department, identifying essential key performance objectives that must be successfully completed by the employee during the defined training period. The training under-fill plan must be submitted to Human Resources for approval prior to the employee starting work. A signed copy of the training plan will be provided to the employee and the original will be placed in the employee's personnel file in Human Resources.
- B. The candidate hired or promoted into the training under-fill position shall serve a probationary period as outlined in HR Personnel Policy or the appropriate collective bargaining unit agreement.
- C. Upon successful completion of the training plan, the employee will promote, non-competitively, into the higher classification and receive a pay increase as outlined in HR Personnel Policy or the appropriate collective bargaining unit agreement. The employee's manager is responsible for submitting to HR all required documentation upon completion of the training under-fill requirements for the non-competitive promotion.
- D. Should an employee who has successfully completed the probationary and/or qualifying period fail to meet the training plan requirements, the employee may be demoted or terminated following the process as outlined in HR Personnel Policies or the appropriate collective bargaining agreement.

**UNIVERSITY MEDICAL CENTER**  
**Human Resources Procedures**

<b>Subject:</b>	<b>I-9 PROCESS</b>	<b>HR Procedure No.</b>	<b><u>4</u></b>
<b>Effective:</b>	<b><u>01/01/15</u></b>	<b>Administrative Approval by:</b>	
<b>Revised:</b>	<b>_____</b>	<b><u>Mason VanHouweling, CEO</u></b>	

**I. PURPOSE:**

To establish the procedure for the administration of compliance with the Immigration Reform Control Act (IRCA).

**II. ORGANIZATIONS AFFECTED:**

All departments

**III. PROCEDURES**

- A. Employees accepting employment with UMC will be instructed to complete an I-9 Form and present original copies of supporting documents to Human Resources that establish identity and employment eligibility, as defined in the IRCA, within three (3) business days of the his/her start date (i.e. first day of worked time). The employee will be notified of the consequences of non-compliance as stated in Section B, 2 below.
- B. All original documentation provided for the I-9 Form will be examined by Human Resources to evaluate whether they reasonably appear to be genuine and relate to the individual presenting them. The document(s) that do not meet this standard will not be accepted. Human Resources will make copies of acceptable document(s) to be attached to the completed I-9 Form.
  - 1. If an employee is rehired within three (3) years of his/her originally completed I-9 form and the employee is still authorized to work, UMC may complete only Section 3 of the applicable I-9 form.
  - 2. For newly hired employees, if the employee is not able to provide acceptable documentation within three (3) business days of the date employment begins, the employee may be terminated from employment immediately.
- C. For employees who are required to provide updated documentation after hire (i.e., re-verification), failure to provide Human Resources with current acceptable document(s) by the expiration date of the previous immigration document(s) shall

result in suspension, pending receipt of the documentation, for up to 30 calendar days. Failure to provide the required document(s) for more than thirty (30) calendar days after the expiration date of the original document(s) shall result in immediate termination from employment

**UNIVERSITY MEDICAL CENTER**  
**Human Resources Procedures**

<b>Subject:</b>	<b>PROGRESSIVE DISCIPLINE/ CORRECTIVE COUNSELING</b>	<b>HR Procedure No.</b>	<b><u>5</u></b>
<b>Effective:</b>	<b><u>07/05/95</u></b>	<b>Administrative Approval by:</b>	
<b>Revised:</b>	<b><u>09/13/02;</u> <u>01/01/15</u></b>	<b><u>Mason VanHouweling, CEO</u></b>	

**I. PURPOSE:**

To set forth the procedure for addressing progressive employee discipline, establishing when progressive discipline is not required and providing appropriate written documentation for steps of the progressive discipline process.

**II. ORGANIZATIONS AFFECTED:**

All departments.

**III. PROCEDURES**

- A. Supervisors intending to administer discipline shall complete a Corrective Counseling Notice (CCN) form or write a letter (or memo) to the employee outlining the corrective counseling. The form or letter shall be completed providing information relating to the offense and any corrective action being taken. Supervisors shall, if possible, meet with the employee who is receiving the corrective action. The employee shall have the opportunity to review the corrective action. Employees have the right to request another employee or their Union Representative (as applicable) present during the administration of discipline, if they so choose.
1. Suspensions pending investigation are not disciplinary actions.
- B. Discipline shall often be progressive for infractions identified in Section E below. More severe initial disciplinary action may be required in the event of major violations of established rules, regulations or policies of UMC or individual departments, especially if the infractions identified in Section F below. Sections E and F below are not all inclusive but examples of infractions that may lead to disciplinary action.
- C. The supervisor and the employee shall both sign the corrective action. The employee's signature only acknowledges that corrective action was discussed and the employee has read and received a copy of the corrective action. If the employee refuses to sign the corrective action document, another supervisory level witness may sign the corrective action verifying the meeting was conducted and the

employee received the counseling and that the employee refused to sign the corrective action. A Corrective Counseling Notice or letter of disciplinary action may be mailed and/or emailed to an employee if they are unreachable due to call-offs that are not covered under a protected leave at the time of occurrence. Confirmation of delivery will constitute notice of discipline.

- The department head or designee should sign all disciplinary suspensions.
- D. The Supervisor will forward the original copy of the corrective action to Human Resources (including the original signed receipt of the letter/memo), whether in person or via certified mail. For pre-printed Corrective Counseling Notice forms, the yellow copy will be retained by the department and the pink copy shall be given to the employee.
- E. The following are examples of infractions, while not inclusive, which may result in progressive disciplinary action:
1. Solicitation of any kind or the collection of contributions for any purpose on Hospital time without following the specific guidelines set forth by UMC Policies.
  2. Willful violation of safety rules or Hospital safety practices.
  3. Repeated failure to record time worked through the appropriate tracking system (i.e., electronic time clock).
  4. Unprofessional conduct on Hospital premises towards another employee, visitor and/or patient.
  5. Repeated tardiness including repeated failure to be at the work station and ready to begin work at the start of the assigned shift.
  6. Taking unauthorized and/or extending breaks and lunches.
  7. Lack of dependability or excessive absences from work, including but not limited to repeated unexcused absences or no call/no-show absences as defined by the appropriate collective bargaining agreement or these policies and procedures.
  8. Leaving the Hospital or place of work during working hours without permission of the supervisor (*does not apply to non-paid hours in regular scheduled shift period; i.e., non-paid meal breaks*).
  9. Engaging in gambling, lotteries or any other game of chance on Hospital premises, at any time.

10. Stopping or starting work before time specified. Repeated clocking out prior to the end of the employee's scheduled shift (i.e., there is no seven (7) minute window allowing employees to clock out prior to the end of their assigned shift).
11. Working overtime without prior authorization from the appropriate supervisor or working while not clocked in.
12. Loitering or loafing during working hours, including disrupting workflow in the unit.
13. Smoking on Hospital premises during any work shift.
14. Without advance permission of Administration, the posting, removing or defacing of notices or signs, or writing on bulletin boards or other Hospital property.
15. Contributing to or creating unsanitary conditions.
16. Sub-standard work performance or failure to complete work assignments.
17. Negligent mishandling or unauthorized use of hospital equipment and/or supplies.
18. Neglect of personal appearance, hygiene and/or violation of UMC's Dress Code policy.
19. Inability to cooperate and/or work effectively with co-workers, visitors and/or patients.
20. Altering, photocopying or unauthorized use of the employee identification badge.
22. Failure to clock in/out during working hours when leaving the facility for non-UMC related business, including but not limited to, lunch periods taken off-site, personal business and Consolidated Annual Leave (CAL).
23. Engaging in political activity during assigned work hours (see Administrative Policy "Ethical Standards").

- F. The following infractions are examples of those considered to be so serious in nature that immediate discharge may be warranted at the discretion of the manager. These examples are not all inclusive.
1. Abusive, negligent or inconsiderate treatment of patients, visitors or employees.
  2. Insubordination, including but not limited to, the refusal or failure to obey the clearly communicated direct orders of a supervisor of the employee; insubordinate conduct and behavior towards a supervisor.
  3. Unprofessional conduct by an employee towards a supervisor or manager at any time. Unprofessional conduct includes, but is not limited to, the use of profanity towards the supervisor, disparaging the supervisor, throwing items at the supervisor, etc.
  4. Destruction, loss (including theft) or damage to hospital property, supplies or equipment or destruction, loss (including theft) or damage to property of other employees, patients, visitors or guests.
  5. Unauthorized access, release or use of confidential patient, visitor, employee or Hospital information or other violations of department or hospital privacy rules. This includes sharing credentials and entering restricted areas without authorization or business reason.
  6. Concerted or deliberate restriction of output (e.g. work slow-down), blue flu or refusal of assignments.
  7. Falsification of any time records, including, but not limited to, attempting to be paid for time not worked at UMC, failing to correct his/her time record, altering time records, performing non-UMC related work while on the clock for UMC, recording time of another individual, etc.
  8. The unauthorized taking or personal use of property (including money, and money equivalents) belonging to the hospital, its employees, patients, visitors or others.
  9. Failure to comply with UMC's Drug and Alcohol policy.
  10. Falsifying the application for employment or other pre- or post-employment related data or information required by the hospital. This



includes any document presented to outside agencies regarding UMC employment or to gain and/or maintain employment with UMC.

11. Immoral or indecent conduct on Hospital premises at any time.
12. Possession or use of weapons on Hospital premises except as authorized in accordance with UMC policies.
13. Physical altercations (such as, but not limited to, fighting, unauthorized harmful or offensive physical contact with another person, etc.) on hospital premises at any time or disorderly conduct (i.e., unruly or disrupting behavior) on Hospital premises at any time.
14. Repeated refusal of overtime assignment requests.
15. Threatening, intimidating, bullying, coercing fellow employees, patients and/or visitors on the premises at any time, for any purpose.
16. Obscene language, abusive language, malicious gossip or the spreading of rumors designed to render ineffective Hospital operation, the quality of patient care, or undermine confidence in the institution.
17. Sleeping, dozing off or napping on the premises any time during scheduled working hours, including any break and/or lunch period.
18. Sexual harassment or inappropriate conduct (i.e., jokes, conversations, and/or depictions) of a sexual nature. This includes use of company equipment in the commission of the conduct.
19. Failure to comply with state and federal fair employment laws and the UMC Equal Opportunity, Non-Discrimination and Anti-Harassment Action Plan, to include discrimination or harassing behavior based on race, color, national origin, religion, sex, pregnancy, sexual orientation, gender identity or expression, age, disability and/or genetic information.
20. Failure to comply with the anti-bullying terms of the UMC Equal Opportunity, Non-Discrimination and Anti-Harassment Action Plan.
21. Bullying, harassment, verbal abuse or any other behavior toward non-employees that is harmful and unrelated to the business interests of UMC.
22. Falsifying patient records or any other hospital record.

23. Falsifying the reason for not reporting to work as scheduled (i.e., called off sick but took leisure time or worked another job).
24. Violence or threats of violence (even in jest) in the workplace.
25. Violation of the Corporate Compliance policy, including but not limited to, the unintentional or intentional fraudulent charging/billing, charging/billing for services not rendered, failure to follow generally accepted charging/billing practices of the industry
  - a. Self reporting questionable charging/billing practices to the Corporate Compliance Officer by the affected employee may result in corrective action, but not termination on the first event. However, continued violation of charging/billing practices shall result in termination.
  - b. Providers are not authorized to “no-charge” for services rendered at UMC. The provider is required to complete the appropriate documentation to support the charge/bill generated. All exceptions shall be approved by the appropriate Medical Director.
  - c. Providers are not authorized to “no charge” for services rendered at UMC so they may charge/bill privately, regardless of the reason.
26. Failure to gain and/or maintain necessary licensure or certification for employee’s classification. Violating licensure or certification requirements (i.e., violations of the nurse practice act).
27. Providing false, implausible, incorrect and/or misleading explanations during employment situations (includes being deceptive and untruthful during investigations).
28. Such other conduct that adversely affects an employee's ability to perform his/her duties or adversely affects the Hospital's ability to perform its functions.

**UNIVERSITY MEDICAL CENTER  
Human Resources Procedures**

<b>Subject:</b>	<b>DISCIPLINARY HEARING PROCESS</b>	<b>HR Procedure No.</b>	<b><u>6</u></b>
<b>Effective:</b>	<b><u>07/05/95</u></b>	<b>Administrative Approval by:</b>	
<b>Revised:</b>	<b><u>12/04/01;</u> <b><u>01/01/15</u></b></b>	<b><u>Mason VanHouweling, CEO</u></b>	

**I. PURPOSE:**

To set forth the procedure for administering disciplinary suspension hearings, pre-termination hearings and post-termination hearings for those employees not covered by a collective bargaining agreement.

**II. ORGANIZATIONS AFFECTED:**

All departments

**III. PROCEDURES**

**A. Suspension Hearing**

1. An eligible employee receiving a disciplinary suspension shall have up to three (3) business days (business days are defined as Monday through Friday, excluding UMC recognized holidays) from receipt of the action suspending him/her to submit a written request for a hearing to Human Resources. A suspension pending investigation is not deemed a disciplinary action. Failure to request a hearing within the deadline will result in a waiver of the employee's right to appeal the disciplinary action.
2. Human Resources will select a managerial employee outside the employee's chain of command to function as the hearing officer.
3. No hearing officer shall hear a case in which he/she has specific personal knowledge of the incident.
4. As a general rule, the hearing officer will conduct the hearing within fifteen (15) business days from the date of the request.

5. The hearing will be conducted in an informal manner and shall not follow formal rules of evidence. The employee may represent himself/herself or be represented by another employee at or above his/her classification level. The employee shall be given an explanation of the evidence against him/her and shall be given an opportunity to respond. Witnesses to the alleged infraction may be called to present evidence. The hearing officer may ask questions of any or all of the witnesses including the aggrieved employee. The employee and manager may not ask questions of each other, witnesses or the hearing officer. A representative from Human Resources may be present to ensure the hearing process is followed.
6. The hearing officer shall forward to the employee, management representative, department head and Human Resources his/her written decision within five (5) working days of the close of the hearing unless an extension is mutually agreed upon by both parties. The hearing officer may uphold, modify or reverse the issued disciplinary action. The hearing officer may not increase the disciplinary level. The employee may be granted back pay and allowances as identified in the hearing decision.

**B. Pre-Termination Hearing**

1. An eligible employee who has been suspended pending termination shall have up to three (3) business days (business days are defined as Monday through Friday, excluding UMC recognized holidays) suspending him/her to submit a written request for a hearing to Human Resources. Failure to request a hearing within the deadline will result in a waiver of the employee's right to appeal the disciplinary action
2. Human Resources will select a managerial employee outside the employee's chain of command, who will function as the hearing officer.
3. No hearing officer shall hear a case in which he/she has specific personal knowledge of the incident.
4. The employee shall be given at least ten (10) business days notice of the time and location of the pre-termination hearing.
5. The hearing will be conducted in an informal manner and shall not follow formal rules of evidence. The employee may represent himself/herself or be represented by another employee at or above his/her classification level. The employee shall be given an explanation of the evidence against him/her, and shall be given an opportunity to respond to all specified charges. The hearing officer shall admit all presented evidence and provide it the weight he/she believes the evidence deserves in rendering his/her decision. There will not be witnesses called as a general rule, however, the hearing officer has the right to call a particular witness and ask the witness questions. Neither the manager nor the employee (or his/her representative) will be allowed to question any witnesses. A representative from Human Resources

will be present in the hearing to ensure the process is followed and to act in an advisory capacity for both the employee and the manager.

6. The hearing officer shall forward to the employee, management representative, department head and Human Resources his/her written decision within five (5) business days of the close of the pre-termination hearing. The hearing officer may uphold, modify or reverse the issued disciplinary action. If the suspension pending termination is reduced or reversed, Human Resources will provide Payroll with a copy of the hearing officer's decision and request any monetary award be paid in accordance with the decision.
7. If a proposed termination is upheld, the employee shall be separated from UMC service and, if eligible, may request a post-termination hearing.

### **C. Post-Termination Hearing**

1. An eligible employee who has been terminated shall have up to three (3) business days (business days are defined as Monday through Friday, excluding UMC recognized holidays) from receipt of the pre-termination hearing officer's decision to appeal the decision. The employee or his/her representative shall make the request, in writing, to the Chief Human Resources Officer. Failure to request a post termination hearing within the deadline, or attend the post termination hearing on the scheduled date will result in a waiver of the employee's right to appeal the disciplinary action.
2. Labor Relations staff shall notify the County Manager, or his designee, and request dates of availability. These dates shall be provided to the employee to select the date of the hearing.
3. As a general rule, the hearing officer will conduct the post termination hearing within fifteen (15) business days from the date of such request.
4. The employee and management may be represented by counsel at their expense. The hearing will follow administrative rules of evidence. The employee shall be given an explanation of the evidence against him/her, and shall be given an opportunity to respond to all specified charges. A representative of Human Resources will be present in the hearing to ensure the process is followed.
5. The hearing officer shall file a written decision within five (5) working days from the conclusion of the hearing, with the Chief Human Resources Officer, department head and the employee. The hearing officer may uphold, modify or reverse the issued disciplinary action. If the employee is reinstated as a result of the appeal, the employee may be granted back pay and allowances as identified in the hearing decision.
6. The decision of the hearing officer shall be final and binding.

**UNIVERSITY MEDICAL CENTER**  
**Human Resources Procedures**

<b>Subject:</b>	<b>PERFORMANCE EVALUATION PROGRAM</b>	<b>HR Procedure No.</b>	<b><u>7</u></b>
<b>Effective:</b>	<b><u>07/05/95</u></b>	<b>Administrative Approval by:</b>	
<b>Revised:</b>	<b><u>11/07/03;</u> <b><u>01/01/15</u></b></b>	<b><u>Mason VanHouweling, CEO</u></b>	

**I. PURPOSE:**

To establish the procedure for the administration of employee performance evaluations.

**II. ORGANIZATIONS AFFECTED:**

All departments

**III. PROCEDURES**

- A. Employees shall receive a performance evaluation, including employee competency and performance criteria upon completion of probationary/qualifying period and at their annual review date thereafter. The home department of the employee will be responsible for maintaining the completed original copies of the evaluation.
- B. The performance evaluation report is used to evaluate employees on the following four (4) point rating scale:
1. Rating of 1: Exceeds Standards  
Consistently exceeds identified standards of performance and output.
  2. Rating of 2: Meets Standards  
Meets standards of acceptable performance. The employee is dependable, competent, knowledgeable, and meets or occasionally exceeds expectations.

3. Rating of 3: Partial Standard Compliance  
Falls below acceptable levels for performance and output at times. Performance-related concerns should be addressed in the corresponding goals for that factor. A training or improvement plan may be appropriate to address identified deficiencies.
4. Rating of 4: Does Not Meet Standard  
Performance is consistently below standards. This rating is for performance deficiencies that are not due to a lack of experience or training. An action plan for improvement and regular reviews between manager and employee are required.

- C. Salary increases based on an employee's overall performance rating are consistent with the rating scale found in the SEIU, Local 1107 collective bargaining agreement "Salary Upon Status Change" for all non-management plan employees. Recommendations for an overall score of 1.0 - 1.6 must be approved by their Division Chief or his/her designee prior to review with the employee
- D. Non-management employees that receive an acceptable rating in attendance and tardiness will receive an extra .5% increase in addition to the increase as determined by the evaluation process. To receive an acceptable rating, the employee must have completed the appraisal period without verbal counseling or disciplinary actions.
- E. The performance evaluation must be submitted to Human Resources no later 30 days after the review date. Late evaluations may result in disciplinary action. Human Resources must be notified of any mitigating circumstances (circumstances beyond the control of the manager or employee) prior to the review date in order for the evaluation not to be considered late.
- F. Performance evaluations may be completed by a manager or supervisor for periods other than the annual or probationary/qualifying performance review date.
- G. If the decision to award an employee's salary increase is to be deferred, or the overall evaluation is equal to, or greater than, 3.0 the manager or supervisor must submit a completed performance evaluation to Human Resources documenting the deficiencies in the employee's performance and designating a time frame as to when the next review will be conducted. The deferral must also be accompanied by a Performance Improvement Plan (or competency assessment plan), signed by the employee and manager/supervisor. Failure of the employee to satisfactorily

complete the Performance Improvement Plan may result in disciplinary action, up to and including suspension pending termination.

H. Performance evaluations are required for the following:

1. Annual- Employees shall be reviewed each year on their annual review date. Merit increases are given based on the overall performance rating, not to exceed the maximum of the salary grade to which the classification is assigned.
2. Probation/Qualifying Period- Employees shall be reviewed to complete probation and qualifying periods. No merit increase is generally associated with the completion of probationary or qualifying periods.
3. Promotion- An annual evaluation shall be completed by the employee's department prior to the date of promotion if the employee has an annual evaluation due within thirty (30) days prior, or following, the effective date in the new position. The annual evaluation will be submitted prior to the employee being processed into the new position. The promotion rate will be added after the annual evaluation merit increase is applied.
4. Demotion- In the event the employee is either voluntarily or involuntarily demoted, the employee will receive a new review date.
5. Reclassification- A reclassification shall result in a new performance/merit review date. An annual evaluation shall be completed by the employee's department prior to the date of reclassification if the employee has an annual evaluation due within thirty (30) days prior, or following, the effective date in the reclassified position. The annual evaluation will be submitted prior to the employee being processed into the new position. Any promotional increase, if applicable, will be applied after the annual evaluation merit increase is applied. Additionally, the employee shall be reviewed within six (6) months of the date of reclassification (qualifying evaluation).

I. Human Resources shall maintain the performance evaluations, accessible to management on the Intranet. Management level employee's performance evaluation format shall be determined annually by the Chief Executive Officer.

J. An employee may request to meet with the evaluator's supervisor to discuss the performance evaluation by notating such on the evaluation. The decision of the evaluator's supervisor shall be final and binding. The employee wishing to meet with the evaluator's supervisor is responsible for calling the evaluator's supervisor within five (5) business days of the evaluation to schedule the meeting. The annual performance evaluation will not be processed by the evaluator's supervisor until after the meeting between the employee and the evaluator's supervisor has occurred and a decision on any changes are communicated to the evaluator and the affected employee.



**UNIVERSITY MEDICAL CENTER**  
**Human Resources Procedures**

<b>Subject:</b>	<b>EDUCATIONAL DEVELOPMENT PROGRAM</b>	<b>HR Procedure No.</b>	<b><u>8</u></b>
<b>Effective:</b>	<u>07/05/95</u>	<b>Administrative Approval by:</b>	
<b>Revised:</b>	<u>09/13/02;</u> <u>01/01/15;</u> <u>03/27/19</u>	<b><u>Mason VanHouweling, CEO</u></b>	

**I. PURPOSE:**

The Education Development Program is designed to assist UMC employees in obtaining education opportunities at accredited education institutions, and through UMC sponsored training programs, and courses available through the Clark County organizational Development (ODC). Approved educational opportunities are those that are job related or will lead to education and training programs and opportunities.

**II. ORGANIZATIONS AFFECTED:**

All departments

**III. PROCEDURES**

**A. Tuition Reimbursement**

1. The maximum reimbursement for a full-time employee (.7-1.0) is \$1,000 per half fiscal year (\$1,000 for Jan-Jun / \$1,000 for Jul-Dec) not to exceed \$2,000 annually. The maximum reimbursement for a part-time employee (.1-.6) is \$500 per half fiscal year (\$500 for Jan-Jun / \$500 for Jul-Dec) not to exceed \$1,000 annually. Certification programs will be reimbursed up to \$500 annually.
  
2. To receive reimbursement, an employee must read the tuition reimbursement guidelines and complete the Application for Tuition Reimbursement on the UMC intranet. The application must be submitted to Human Resources within thirty (30) calendar days from the start of the course. An HR representative will then review the form for compliance with policy and approve the application authorizing reimbursement upon successful completion of the course. If the application is rejected by Human

Resources, the employee will receive an email with an explanation as to why it was rejected.

3. Upon successful completion of the course, the employee will submit the original grade transcript (report card) and credits or proof of attendance and original payment receipt(s) to via the online tuition reimbursement page within thirty (30) calendar days of course completion.
4. Upon receipt of the necessary documentation and final approval by Human Resources, Fiscal Services will be notified. Payment for tuition reimbursement will be issued to the employee with his/her paycheck generally on the payday following the final approval.

#### B. Courses Leading to Certification

1. In the event the employee is utilizing educational opportunities which lead to a recognized certification, the following shall apply (this provision is not to be used to maintain certification or continuing educational requirements of licenses or certifications, as these are the sole responsibility of the employee):
  - a) The employee must follow all procedures outlined in Section A "Tuition Reimbursement."

Upon completion of the certification course or exam, the employee must submit proof of satisfactory completion and proof of payment using the online tuition reimbursement process within thirty (30) calendar days after completion of the course or issuance of the completion certificate.

#### C. Compensation Procedure for Educational Leave

1. All hours a non-exempt (or bargaining unit) employee is required by UMC to attend in-house training program will be considered time worked for the purpose of computing overtime.

2. Employees may be reimbursed for all fees and travel expenses providing the training and travel were approved, and meet the criteria cited in the Administrative Policy “Travel Policy”.
3. Required forms must be submitted to request non-mandatory educational leave or education taken outside the hospital. It must be submitted to the department head and administrative division head for approval prior to taking the requested educational leave. As additional division-specific procedures may be required, please consult with the administrative division head to ensure compliance.
4. Upon approval, the employee may be granted paid education leave to attend job-related education programs outside the hospital.
5. Per diem employees shall be compensated at the appropriate hourly rate for all hours spent in education and training required by UMC that are UMC-specific. Time spent in such classes shall be considered time worked for the purposes of computing overtime, unless the per diem employee is considered exempt.

#### D. Annual Mandatory Education

1. All UMC staff is required to complete the annual mandatory refresher courses/tests for the current calendar year.
2. Departments may specify other courses for annual completion for their departments.
3. Annual mandatory tests/courses are determined by regulatory bodies, governmental entities and UMC administration. These courses are subject to change from year to year.
4. Tests are made available to employees on January 1 of each year, and are to be completed by the end of the fiscal year, June 30<sup>th</sup>, or by the employee’s annual evaluation due date, whichever comes first.
5. Department heads can check test completion status for their employees through the LMS.
6. The organization should show 100% completion of required tests for all employees by midnight of December 31<sup>st</sup> of each year.

## E. New Hire Orientation

1. An affirmation of receipt and understanding of information presented at orientation will be completed at the conclusion of the orientation and retained in the employee's personnel record.
2. All new benefited hires must complete New Hire Orientation within sixty (60) days of hire. All per diem hires are required to complete the online New Hire Orientation prior to start date and submit the certificate of completion to HR for their personnel record.
3. Rehired or reinstated benefited employees will not be required to attend New Hire Orientation if they are rehired within six (6) months of separation.

### Department Specific Orientation

4. The department manager will conduct department specific orientation for all new employees, when an employee changes departments, stations, duties, or routinely/frequently works in more than one department/service. Minimum requirements of department orientation include:
  - Employee's specific job activities and responsibilities
  - Performance expectations
  - Department/unit policies and procedures
  - Use/maintenance of department equipment and utility systems
  - Execution of special applications and emergency procedures in department
  - Department specific safety to include employee's responsibilities and OSHA requirements
  - Employee's role in the prevention of infection
  - Employee's role in quality assessment and performance improvement activities
  - HIPAA training as it relates to the employee's job and work activities
  - Communication and teamwork as it relates with activities within their department/unit and/or organization
  - Departmental cultural diversity and sensitivity training
  - Guided tour of hospital as it relates to their job duties

F. Organizational Development Center (Clark County)

1. Employees wishing to attend training at the ODC must complete a registration form (available on the Intranet and in Human Resources), and obtain the appropriate signature(s) authorizing the training, in accordance with the procedures established for education leave.

**UNIVERSITY MEDICAL CENTER**  
**Human Resources Procedures**

<b>Subject:</b>	<b>FAMILY AND MEDICAL LEAVE</b>	<b>HR Procedure No.</b>	<b>2</b>
<b>Effective:</b>	<u>07/05/95</u>	<b>Administrative Approval by:</b>	
<b>Revised:</b>	<u>09/13/02;</u> <u>01/01/15</u>	<b><u>Mason VanHouweling, CEO</u></b>	

**I. PURPOSE:**

To set forth UMC's procedures to request and receive approval for family and medical leave through the third party administrator (FMLA Source) in accordance with the Family Medical Leave Act (FMLA). See attached "Leave of Absence Claim Submission Checklist" for general guidance.

**II. ORGANIZATIONS AFFECTED:**

All departments

**III. PROCEDURES**

- A. Employee Notification Requirements for Initial and/or Renewal of Expired Approvals.** In all cases absent extenuating circumstances, the employee must comply with UMC's procedures regarding absences and contact FMLA Source directly (phone: 877-462-3652 or on line at [fmlasource.com](http://fmlasource.com)) as identified below:

Foreseeable Leave: Any employee who feels that he/she may have a FMLA qualifying event requiring leave must provide his/her management and FMLA Source at least a 30-day advance notice before the FMLA leave is to begin. If the need is foreseeable but not known more than 30-days in advance, the employee must provide notice as soon as practicable generally meaning that day or next business day from when need is known. Failure to provide appropriate notice may result in leave being delayed up to 30 days after notice was given depending on specific circumstances of the situation. Notification not provided in accordance with UMC procedures for leave may also result in delayed or denied FMLA leave.

Unforeseeable Leave: If need for leave is not foreseeable, the employee must provide notice to his/her management and FMLA Source as soon as practicable under facts and circumstances of the particular case. It is generally practicable to provide notice either the same day or next business day after becoming aware of the event and within the time prescribed by UMC's notice requirements for leave. Notification not provided in accordance with UMC procedures for leave (including contacting FMLA Source) may result in delayed or denied FMLA leave.

Content of Notice: The notice does not have to include the term FMLA but must include sufficient information to put FMLA Source on notice of a potential FMLA qualifying event (i.e. parent is hospitalized, son or daughter has been called to active duty, nature of the employee or covered family member's medical condition rendering them unable to work and/or perform daily activities, and duration of leave needed). Failure to provide sufficient information (i.e., simply saying "sick") does not trigger FMLA Source's obligation to notify the employee of FMLA rights. The employee must also respond to FMLA Source's questions designed to determine if the absence(s) is potentially FMLA qualifying. Failure to respond to such inquires and/or failure to provide sufficient information may result in a denial of FMLA protection.

- B. **Medical Certification Requirements:** FMLA Source will work directly with the employee and/or employee's physician. FMLA Source will initially provide the employee with written notice of his/her general rights and obligations (as well as eligibility status) under the FMLA for each separate potentially qualifying event based on information provided by the employee (thereafter only once in each six-month period that an employee gives notice of the need for FMLA leave).

Included in the initial notification will be the certification form (depending on reason for request). Failure to return the necessary certification documentation by the deadline listed in the notification may result in the FMLA leave being denied and/or delayed until certification is received. Prior to approving the FMLA, FMLA Source may also require second and/or third opinions on the certification provided as allowed by law. In the event second and/or third opinions are required, FMLA Source will notify the employee in writing.

- C. **Approvals/Denials:** The employee will be notified, in writing, of the status of any FMLA application (including those not specifically requested by the employee but sent by FMLA Source based on information provided). If denied, the employee will receive a denial notification including a brief description of why the application and/or request was denied. If approved, the employee will receive an approval letter including details regarding the circumstances of the approved leave, including but not limited to type of leave, dates of leave, requirement to use accrued paid leave (in accordance with relevant policy or CBA), potential requests for recertification, and requirement to provide a certification of release to full duty at end of FMLA leave.

- D. **Accessing FMLA Time:** To access FMLA leave for an approved qualifying event, the employee is required to provide timely notification to UMC that he/she will not be reporting to work within the contractual or policy notice requirements. The employee is also required to contact FMLA Source within 24 hours of the start of the absence absent extenuating circumstances and specifically reference the qualifying reason or the need for FMLA. Where multiple approvals exist, FMLA Source may require information to determine which approval is the cause for the current absence. Failure to provide sufficient information in a timely manner to FMLA Source may lead to leave being denied under the FMLA. FMLA Source may require periodic reports on the FMLA status, including intent to return to work

and anticipated return date. In addition, FMLA Source may also require recertification of current approved FMLA conditions. The employee will be notified, in writing, regarding the specifics of the recertification. Recertification will be requested in the frequency and manner allowable by law and UMC preference.

FMLA leave need not be taken in one block but may be taken intermittently or on a reduced leave schedule if medically necessary. Employees needing intermittent FMLA leave, or leave on a reduced leave schedule, must attempt to schedule their leave so as to not unduly disrupt UMC's operations. Intermittent leave may also be taken due to qualifying exigencies. In addition, UMC may assign an employee to an alternative position that better accommodates the employee's intermittent or reduced leave schedule. Prior to returning to work from FMLA leave occasioned by the employee's own serious health condition, the employee will be required to provide a fitness for duty certification with regard to his/her serious health condition.

Employees will be required to use accrued paid leave for unpaid FMLA leave in accordance with the current Collective Bargaining Agreements (CBA), or policy and procedure manual covering his/her classification. Failure to comply with the procedural requirements in the relevant CBA or policy manuals will result in the approved FMLA leave not qualifying for paid status. Once leave banks are exhausted, the employee will be placed in a leave without pay status (LWOP) until his/her return or expiration of FMLA allotment.

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.

An employee who has exhausted FMLA or does not qualify for FMLA may also request leave for his or her own physical or mental impairment as a reasonable accommodation under the Americans with Disabilities Act (ADA) through the Equal Opportunity Program Manager.



**UNIVERSITY MEDICAL CENTER  
Human Resources Procedures**

<b>Subject:</b>	<b>STRUCTURED RETURN TO WORK AND WORKERS' COMPENSATION PROGRAM</b>	<b>HR Procedure No.</b>	<b><u>10</u></b>
<b>Effective:</b>	<u>01/01/15</u>	<b>Administrative Approval by:</b>	
<b>Revised:</b>	_____	<b><u>Mason VanHouweling, CEO</u></b>	

**I.PURPOSE:**

UMC will provide employees with medical treatment and compensation for on-the-job injuries or occupational diseases arising out of, and in the course of, employment with UMC in accordance with the provisions of NRS 616 and 617 (*see Human Resources Procedure "On-the-Job Injury and Modified Duty"*).

To ensure appropriate treatment and compensation is offered for employees who incur job-related injury or illness, the Hospital through Clark County Risk Management and their Third Party Administrator (TPA) agrees to provide employees with medical treatment and compensation.

**II.ORGANIZATIONS AFFECTED:**

All departments.

**III.PROCEDURES**

The Human Resources workers' compensation unit will work closely with Clark County Risk Management to ensure treatment, care and compensation are administered in a timely and efficient manner. In order to process on-the-job injury claims efficiently, the office will work with the injured worker, the department supervisor and the medical care team.

**A. Injured Employees' Guidelines**

1. The injured employee is required to report an incident/injury/accident/exposure that occurred while on duty at UMC to the manager or person in charge, regardless of how minor. All blood borne pathogen (BBP) exposures claim should also follow these procedures. All incident/injury/accident/exposures shall be filed with the proper third party administrator in the timelines required by law. Additional questions should be directed to Human Resources.
2. Per NRS. 616 and 617, UMC requires all injured workers to complete a "Notice of Injury/Exposure" Form C-1 #002-008. The Employee's and

Supervisor's sections must be completed and signed no later than seven (7) days after the injury/exposure. The completed C-1 form is submitted to Human Resources (forms are available on the UMC Intranet and in Human Resources).

3. The employee may seek medical treatment, and follow-up, at any one of the UMC Quick Care Centers: Rancho, Spring Valley and Enterprise. It is recommended to confirm hours of operation prior to visiting the Quick Care.
4. If the employee is injured *after* hours, they may seek medical care from Concentra Medical Center; 5850 Polaris Ave, Suite 100 Las Vegas, NV 89118 (702) 739-9957. This is for the first visit only.
5. UMC's Emergency Room (ER) may be utilized if the injury is emergent in nature (i.e., employee is non-ambulatory, condition is severe, critical).
6. Per UMC's policies, the employee is required to clock out to seek medical treatment during work hours (off the clock). Their time will be coded appropriately.
7. The employee is expected to report back to the supervisor/person in charge following treatment as well as submitting a Physician Disability Statement (PDS) which would have been completed by the treating Physician (MD or DO, only) and to contact the Human Resources.
8. UMC may automatically request FMLA paperwork on behalf of the employee, or submit FMLA approval if qualified, for accepted Workers' Compensation claims. The employee is responsible for completion of any required FMLA paperwork related to work-related injuries.

**B. Modified/Restricted Duty**

1. If the physician releases an employee (injured or ill) back to work with physical restrictions/limitations for a temporary period of time and provides them with a note for modified duty, UMC and the employee's home department will make every attempt to find temporary modified duty (work) within the restrictions of the physician release. The physician release should list the specific physical limitations and expected duration.
2. Modified/Restricted duty will be provided at the sole discretion of management and is no way guaranteed or should be considered as job placement or permanent.
3. UMC offers up to 90 calendar days of temporary modified duty work if it is available. The employee must be available to work varied shifts and days. While on a modified duty assignment an employee cannot work more than

8 hours per day and no more than 40 hours per week and it is encouraged that the employee's home department find suitable work for the duration. The employee is required to contact Human Resources for modified duty placement for both work related and non-work related requests.

4. If the department is unable to provide work within the employee's restrictions, Human Resources will attempt to place the employee in another location within UMC.
5. If employee is unable to physically meet the needs of the department, they will remain off work until a full duty note is presented. If an employee refuses the offered assignment, they will be required to stay off work and utilize their CAL/EIB. If the reason for requesting modified duty is due to a work related injury, their refusal to work modified duty may affect their eligibility for compensation through the Workers Compensation Program.
6. If an employee has exhausted their FMLA leave and other extensions as outlined in HR Policy or the appropriate collective bargaining unit agreement, they may not be eligible for modified duty.
7. While on a modified duty assignment employees will be paid their normal hourly rate of pay and will continue to accrue CAL and/or EIB as appropriate. It will be the responsibility of the employee to notify their supervisor, (both in their assigned department and the modified duty supervisor) and Human Resources of all scheduled and unscheduled absences.
8. Employees working modified duty assignments are required to bring written notification of their work status to their supervisor and Human Resources after each physician visit or a minimum of every 30 days.
9. At the end of the 90 calendar days of modified duty, if the employee is not released to full duty without restrictions, the employee will be removed from the modified duty program. The employee is referred to Labor Relations or the Equal Opportunity Program Manager regarding other options that may be available to them (see Section D below).
10. The injured worker is required to inform Human Resources of any days lost from work as a result of a work related injury.
11. All correspondence, concerns and modified duty relating to the injury, must be addressed through the Human Resources' Workers' Compensation office.

12. If follow-up care is indicated by the physician or the condition worsens, injured worker is required to seek medical care through Enterprise Quick Care.
13. If the injury claim is accepted, the Third Party Administrator (TPA) will coordinate all medical appointments with the assigned specialists.
14. Employees should not return to work prior to submittal of physician documentation releasing the employee back to full duty and approval by Human Resources.

#### C. Compensation

1. If the condition turns emergent in nature, the UMC ER may be utilized (non-emergent visits to the ER may not be covered by workers' compensation).
2. When an on-the-job injury/illness, or exposure claim has been accepted by the TPA and the treating physician has certified the injured worker as "off" work five (5) or more consecutive days as a result of the injury/illness, the employee will receive temporary disability compensation based on a percentage of their average earned income.
3. Compensation payment is made every fourteen (14) days, retroactive to the first full day lost from work. This will continue until the employee is released to return to work by the attending physician.
4. The injured worker must keep Human Resources advised of their work status to ensure timely payments are being processed and received.
5. For those work related injuries/illnesses that require less than five (5) days off work, EIB/CAL hours will be utilized for compensation. In order to continue to receive a full check after being off for five (5) or more consecutive days, Human Resources will be utilizing the employee's available EIB/CAL hours. If the employee does not wish to receive EIB/CAL, they must make a special request in writing to Human Resources.
6. When the employee has been released by their treating physician back to work, they must contact Human Resources and submit their return to work note. The physician note must be clear and show their work status as full duty or modified duty including specific physical restrictions/limitations.
7. A copy of all physician notes or medical releases should be immediately submitted Human Resources in order to monitor the progress of the employee's care.

8. If the employee has been advised by their physician to receive further care (i.e.; physical therapy, medical tests or follow-up appointments), per policy, they are required to clock out upon leaving and clock back in upon their return to their work station. The employee is responsible for following the established protocol for requesting time off and use of your CAL hours.
9. If the employee is granted unpaid leave that exceeds thirty (30) days or more, they may become responsible for their own health benefit premiums. This would involve both health insurance and group life benefits. The employee is responsible for contacting the Benefits office in Human Resources.
10. During the workers' compensation process, the employee is required to maintain frequent communication with their supervisory/managerial personnel as well as the temporarily assigned modified duty department supervisor or other personnel as applicable in accordance in HR Personnel Policies or the appropriate collective bargaining unit agreement
11. The employee/injured worker is not to assume that during the workers' compensation process or from recovering from their own personal medical condition, they are not required to communicate with their regular department or the manager/division. Failure to call off and/or provide notice of leaving early/arriving late as outlined in the HR Personnel Policy or the appropriate collective bargaining unit agreement; no call no shows will subject employee to disciplinary action up to and including suspension pending termination.

**D. Other Services**

1. Any UMC employee that has a non-work or work related injury might qualify for leave through the Family Medical Leave Act (FMLA) coverage and/or accommodations under the American's with Disabilities Act (ADA). (See UMC Procedure 9, Family Medical Leave.)
2. If an employee wishes to apply for an accommodation under the American Disabilities Act (ADA) for this injury/illness, he/she must contact the Equal Opportunity Program Manager.

Please be aware that Workers' Compensation, FMLA and ADA are separate regulations. To utilize the benefits of each specific regulation, employees must comply with that regulation's requirements. However, failure to comply with requirements of one regulation does not impact your rights/responsibilities under the other regulations

**UNIVERSITY MEDICAL CENTER**  
**Human Resources Procedures**

<b>Subject:</b>	<u><b>Payroll and Salary Reduction for Non-Union Exempt Employees</b></u>	<b>HR Procedure No.</b>	<u><b>11</b></u>
<b>Effective:</b>	<u><b>03/27/19</b></u>	<b>Administrative Approval by:</b>	
<b>Revised:</b>	_____	<u><b>Mason VanHouweling, CEO</b></u>	

**I. PURPOSE:**

This procedure defines the payroll and wage deduction practices of University Medical Center of Southern Nevada (“UMC”) regarding those salaried employees exempt from the minimum wage and overtime pay requirements of the Fair Labor Standards Act (“FLSA”) and not covered under an applicable collective bargaining agreement (“Exempt Employees”). UMC’s policy is to make deductions from Exempt Employees’ pay only as authorized by, and in accordance with, applicable state and federal laws and regulations.

UMC Exempt Employees accrue personal leave and sick leave via UMC’s established systems of Consolidated Annual Leave (“CAL”) and the Extended Illness Bank (“EIB”). An Exempt Employee’s accrued leave may be utilized for hours that the employee is absent from work (e.g. absences due to personal reasons, illness, disability, holidays). This Policy seeks to establish the policy and procedures for the management of an Exempt Employee’s accrued Consolidated Annual Leave (“CAL”) when the Exempt Employee fails to maintain a sufficient CAL balance to cover his or her absence.

**II. ORGANIZATIONS AFFECTED:**

All departments.

**III. PROCEDURES**

**A. Permissible Reductions of Salary for Exempt Employees**

UMC shall not reduce an Exempt Employee’s salary because of variations in the quality or quantity of the Exempt Employee’s work. Subject to the exceptions outlined within this Policy, or as otherwise permitted by state or federal law and regulation, an Exempt Employee shall receive his or her full salary for any workweek in which he or she performs any work, regardless of the number of days or hours worked. However, nothing in this Policy shall be deemed to otherwise prohibit UMC from reducing or deducting from an Exempt Employee’s salary in a manner permitted by state or federal laws and regulations.

Unless otherwise prohibited by law, UMC may deduct from an Exempt Employee's regular salary in the following circumstances:

1. UMC shall not pay an Exempt Employee for any workweek in which no work is performed.
2. UMC shall deduct from an Exempt Employee's salary, in full-day increments, if the Exempt Employee is absent from work for one or more full days for personal reasons other than disability or sickness.
3. UMC shall deduct from an Exempt Employee's salary, in full-day increments, if the Exempt Employee is absent for one or more full days due to sickness or disability (including work related accidents), provided that the deduction is made in accordance with UMC's leave usage policies.
4. UMC shall deduct from an Exempt Employee's salary an amount proportionate to the amount of Family and Medical Leave Act ("FMLA") leave taken in a workweek. For example, if an employee who normally works 40 hours per week uses four hours of unpaid leave under the FMLA, UMC may deduct the four hours from the employees' normal weekly salary. In accordance with UMC's Consolidated Annual Leave ("CAL") and Extended Illness Bank ("EIB") policies, such leave may be used to compensate the employee on FMLA.
5. UMC shall proportionally reduce an Exempt Employee's salary in the first and last week of employment based upon the time actually worked in those workweeks.
6. UMC shall deduct from an Exempt Employee's salary for penalties imposed in good faith for infractions of safety rules of major significance. CAL and EIB shall not be used to offset hours not worked when such penalties are imposed.
7. UMC shall deduct from an Exempt Employee's salary, in full-day increments, for unpaid disciplinary suspensions imposed in good faith for infractions of workplace conduct rules, provided that the discipline is imposed under a written policy applicable to all employees. CAL and EIB shall not be used to offset hours not worked when such penalties are imposed.
8. UMC shall offset amounts received by an Exempt Employee as part jury duty fees, witness fees, or military pay for the particular workweek against the salary due for that week.
9. UMC may withhold from an Exempt Employee's salary those voluntary deductions requested by the exempt employee and any mandatory deductions required by federal, state, or local law and regulation. Voluntary deductions may include, without limitation, insurance premiums, wage assignments, pension plan contributions, and retirement contributions. Mandatory deductions may include, without limitation, deductions for federal income taxes, Federal Insurance

Contribution Act taxes, court-ordered wage garnishments, other federal and state taxes.

**B. Required Use of Accrued Leave Prior to Reduction of Salary**

Except as otherwise specified set forth within this Policy and in accordance with UMC policies governing Consolidate Annual Leave (CAL) and/or Extended Illness Bank (EIB), an Exempt Employee shall use accrued CAL and/or EIB hours for any hours not worked prior to having his or her salary reduced. In the event that an Exempt Employee has exhausted his or her applicable CAL and/or EIB leave, or where the Exempt Employee has not yet qualified for such leave, the Exempt Employee's salary may only be reduced in accordance with the permissible deductions outlined within Section 3.A. of this Policy.

**C. Employee Absences Occasioned by University Medical Center of Southern Nevada**

An Exempt Employee's salary shall not be reduced for any absences occasioned by UMC or UMC operating requirements. However, UMC requires Exempt Employees to use accrued CAL when Exempt Employee's absence is occasioned by UMC, such as when no work is available or the office is closed for a holiday. In the event that an Exempt Employee does not have sufficient CAL/EIB leave available to cover for an absence occasioned by UMC, the employee shall be charged into a negative leave balance. In the event that an employee enters into a negative CAL balance, all future CAL accrued by the employee shall be automatically allocated towards any remaining negative balance.

**D. Reporting of Improper Deduction**

In the event that an Exempt Employee believes that UMC has improperly deducted from his or her salary, the Exempt Employee should immediately submit a request to the UMC Human Resources Department for a case review. UMC shall promptly review all requests to determine if a proper deduction was made. Should UMC determine, in its sole discretion, that the Exempt Employee's salary was improperly reduced, UMC shall reimburse the Exempt Employee's salary for the deduction. UMC encourages all employees to report improper deductions and strictly prohibits retaliation against any employee who reports an improper deduction.





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