



December 5, 2022

NOTICE

The Board of Directors of the Kaweah Delta Health Care District will meet in an open Human Resources Committee meeting at 2:30PM on Monday December 12, 2022 in the Kaweah Health Specialty Clinic Conference Room 325 S. Willis St., Visalia, CA 93291.

All Kaweah Delta Health Care District regular board meeting and committee meeting notices and agendas are posted 72 hours prior to meetings (special meetings are posted 24 hours prior to meetings) in the Kaweah Delta Medical Center, Mineral King Wing entry corridor between the Mineral King lobby and the Emergency Department waiting room.

The disclosable public records related to agendas are available for public inspection at Kaweah Health Medical Center – Acequia Wing, Executive Offices (Administration Department) {1st floor}, 400 West Mineral King Avenue, Visalia, CA and on the Kaweah Delta Health Care District web page <https://www.kawahhealth.org>.

KAWEAH DELTA HEALTH CARE DISTRICT
Mike Olmos, Secretary/Treasurer

A handwritten signature in black ink that reads "Cindy Moccio". The signature is written in a cursive, flowing style.

Cindy Moccio
Board Clerk, Executive Assistant to CEO

DISTRIBUTION:
Governing Board
Legal Counsel
Executive Team
Chief of Staff
<http://www.kawahdelta.org>



KAWEAH DELTA HEALTH CARE DISTRICT BOARD OF DIRECTORS HUMAN RESOURCES COMMITTEE

Monday December 12, 2022

Kaweah Health Specialty Clinic Conference Room
325 S. Willis Street, Visalia, CA

ATTENDING: Directors: Garth Gipson (Board member) & Mike Olmos; Gary Herbst, CEO, Keri Noeske, Chief Nursing Officer, Dianne Cox, Chief Human Resources Officer, Brittany Taylor, Director of Human Resources, Raleen Larez, Director of Employee Relations, JC Palermo, Director of Physician Recruitment/Relations, Sarah Bohde, Physician Recruiter, George Ortega, Recording

1. **OPEN MEETING – 2:30PM**
2. **CALL TO ORDER** – *Garth Gipson, Board Member*
3. **PUBLIC PARTICIPATION** – Members of the public may comment on agenda items before action is taken and after it is discussed by the Board. Each speaker will be allowed five minutes. Members of the public wishing to address the Board concerning items not on the agenda and within the jurisdictions of the Board are requested to identify themselves at this time. For those who are unable to attend the beginning of the Board meeting during the public participation segment but would like to address the Board, please contact the Board Clerk (Cindy Moccio 559-624-2330) or cmoccio@kaweahhealth.org to make arrangements to address the Board.
4. **PHYSICIAN RECRUITMENT** – Review of the physician recruitment report –*Sarah Bohde, Physician Recruiter*
5. **HUMAN RESOURCES WORKFORCE SCORECARD** – Review of the Human Resources Workforce Scorecard - *Dianne Cox, Chief Human Resources Officer*
6. **KAWEAH HEALTH MEDICAL GROUP EMPLOYEE WORKFORCE** – Discussion – *Dianne Cox, Chief Human Resources Officer*
7. **CALIFORNIA STATE RETENTION BONUS** – Discussion – *Dianne Cox, Chief Human Resources Officer*
8. **BOARD RESOLUTION FOR 401K MATCH**- Discussion – *Dianne Cox, Chief Human Resources Officer*
9. **POLICIES**
 - 9.1. **HR.04 Special Pay Practices** {revised}
 - 9.2. **HR. 31 Transfers** {no changes, up for review}

- 9.3. [HR.61 Status Classification of Employees/Concurrent Jobs](#) {no changes, up for review}
- 9.4. [HR.70 Meal Periods, Rest Breaks, and Breastfeeding and/or Lactation Accommodation](#) {revised}
- 9.5. [HR.72 Standby and Callback Pay](#) {revised}
- 9.6. [HR.78 Salary Administration Program](#) {revised}
- 9.7. [HR.145 Family Medical Leave Act, California Family Rights Act, Leave of Absence](#) {revised}
- 9.8. [HR.216 Progressive Discipline](#) {revised}
- 9.9. [HR.221 Employee Reduction in Force or Reassignment Resulting in Demotion](#) {revised}
- 9.10. [HR.233 Non-Employees](#) {revised}
- 9.11. [HR.236 Computer and Communication Devices and Social Media Code of Conduct](#) {revised}

10. ADJOURN – *Garth Gipson, Board Member*

In compliance with the Americans with Disabilities Act, if you need special assistance to participate at this meeting, please contact the Board Clerk (559) 624-2330. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Kaweah Delta Health Care District Board of Directors meeting.

Medical Staff Recruitment Report November 2022 (HR Subcommittee)



**Physician Recruitment and Relations
Medical Staff Recruitment Report - November 2022**

Prepared by: Sarah Bohde, Physician Recruiter - sbohde@kaweahhealth.org - (559) 624-2772

Date prepared: 12/5/2022

Central Valley Critical Care Medicine	
Critical Care Hospitalist	2
Intensivist	1

Delta Doctors Inc.	
Family Medicine	2
OB/Gyn	1

Key Medical Associates	
Adult Hospitalist	1
Dermatology	1
Family Medicine/Internal Medicine	3
Gastroenterology	1
Pulmonology	1
Rheumatology*	1

Oak Creek Anesthesia	
Anesthesia - General	3
Anesthesia - Obstetrics	1
CRNA	1

Orthopaedic Associates Medical Clinic, Inc.	
Orthopedic Surgery (Hand)*	1
Orthopedic Surgery (Trauma)	1

Other Recruitment/Group TBD	
Dermatology*	2
Endocrinology*	1
EP Cardiology	1
Family Medicine*	3
Gastroenterology*	2
Hospice & Palliative Medicine	1
Neurology - Outpatient*	1
Otolaryngology*	2
Pulmonology - Outpatient*	1

Sequoia Oncology Medical Associates Inc.	
Hematology/Oncology	1

Stanford Health Care	
Cardiothoracic Surgery	2

USC Urology	
Urology	3

Valley Children's Health Care	
Maternal Fetal Medicine	2
Neonatology	1
Pediatric Cardiology	1

Valley Hospitalist Medical Group	
Adult Hospitalist	1
GI Hospitalist	1
Nocturnist	1

Valley ENT	
Audiology*	1
Otolaryngology*	1

*Position reallocated from Kaweah Health Medical Group

Candidate Activity

Specialty/Position	Group	Last Name	First Name	Availability	Referral Source	Current Status
Anesthesia - General	Oak Creek Anesthesia	Christopherson, M.D.	David	08/25	Direct Email	Currently under review
Anesthesia - Pain	Oak Creek Anesthesia	Duong, M.D.	Hai	ASAP	Direct	Currently under review
Anesthesia - Critical Care	Oak Creek Anesthesia	Lucaj, M.D.	Jon	08/23	The Medicus Firm - 11/23/22	Currently under review
Anesthesia - General/Cardiac	Oak Creek Anesthesia	Nguyen, M.D.	Linda	ASAP	Comp Health - 11/23/22	Currently under review
Anesthesia - Critical Care	Oak Creek Anesthesia	Malamud, M.D.	Yan	ASAP	PracticeMatch Email Blast	Site Visit: 10/17/22. Offer accepted - Contract in progress
Cardiothoracic Surgery	Independent	Coku, M.D.	Lindita	ASAP	Delta Locums	Currently under review
Cardiothoracic Surgery	Independent	Williams, M.D.	Julio	08/22	Direct - 4/19/22	Initial Screening: 4/22/22; Providing locums/temp coverage in September 2022.
Certified Registered Nurse Anesthetist	Oak Creek Anesthesia	Coelho	Carly	02/23	Direct - 8/11/22	Offer accepted
Certified Registered Nurse Anesthetist	Oak Creek Anesthesia	Enriquez	Richard	TBD	Direct - 9/1/22	Offer accepted - Contract in progress
Certified Registered Nurse Anesthetist	Oak Creek Anesthesia	Havlicak	Ashley	01/23	Direct/Referral	Offer accepted
Certified Registered Nurse Anesthetist	Oak Creek Anesthesia	Markman	Gregory	TBD	Direct - 11/28/22	Offer accepted - Contract in progress
Certified Registered Nurse Anesthetist	Oak Creek Anesthesia	Ngo	Alexander	02/23	Direct - 10/12/22	Offer accepted
Certified Registered Nurse Anesthetist	Oak Creek Anesthesia	Yang	Chen	02/23	Direct - 11/18/22	Offer accepted
EP Cardiology	Independent	Cheema, M.D.	Kamal	08/23	Direct - PracticeLink	Currently under review. Has family in Fresno
EP Cardiology	Independent	Dhir, M.D.	Sumer	08/23	Direct - PracticeLink	Currently under review

Candidate Activity

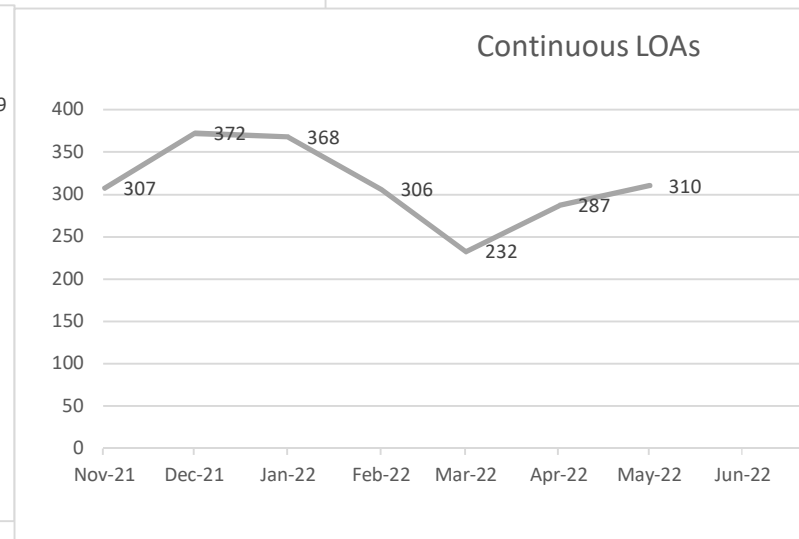
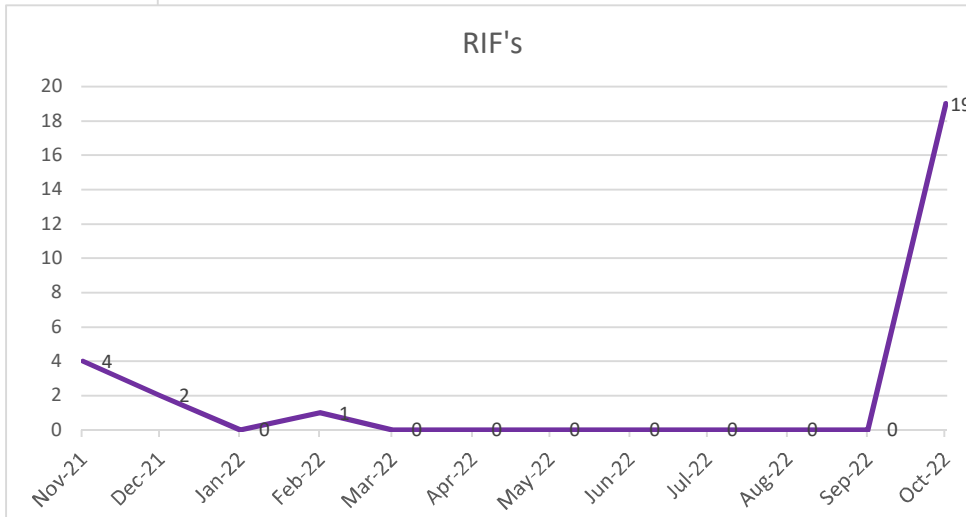
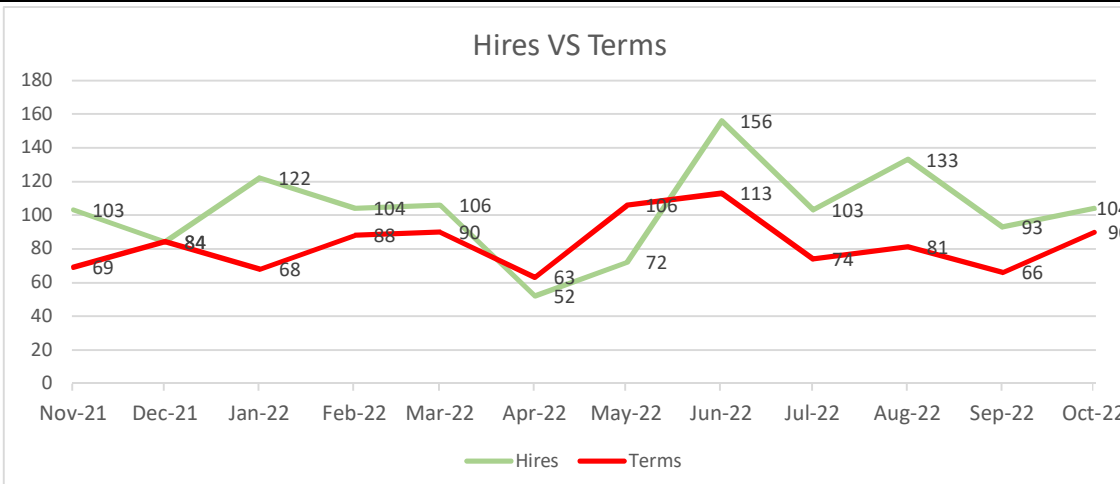
Specialty/Position	Group	Last Name	First Name	Availability	Referral Source	Current Status
EP Cardiology	Independent	Tsimploulis, M.D.	Apostolos	08/23	Direct - PracticeLink	Currently under review
Family Medicine	Delta Doctors/Key Medical Associates	Whitlach, M.D.	Sandra	08/23	Kaweah Health Resident	Currently under review
Hospitalist	Valley Hospitalist Medical Group	Chovatiya, M.D.	Jasmin	08/23	Direct - Practice Link	Currently under review
Hospitalist	Valley Hospitalist Medical Group	Curran, M.D.	Justin	08/23	Direct - Loma Linda CareerMD Career Fair	Currently under review
Hospitalist	Valley Hospitalist Medical Group	Gautum, M.D.	Monika	ASAP	Direct - Practice Link	Currently under review
Hospitalist	Valley Hospitalist Medical Group	Issa, M.D.	Angela	08/23	Direct - Practice Link	Currently under review
Hospitalist	Valley Hospitalist Medical Group	Khan, M.D.	Marjan	08/23	Direct - Practice Link	Currently under review
Hospitalist	Valley Hospitalist Medical Group/Key Medical Associates	Adediji, M.D.	Anuoluwapo	08/23	Kaweah Health Resident	Currently under review
Intensivist	Central Valley Critical Care Medicine	Barmaan, M.D.	Benjamin	08/23	Direct - Practice Link	Currently under review
Internal Medicine	Key Medical Associates	Virk, D.O.	Harman	09/23	Direct email	Currently under review
Interventional Radiology	Mineral King Radiology Group	Youssef Ali, M.D.	Mahmoud	09/23	Direct email	Currently under review
Medical Oncology	Sequoia Oncology Medical Associates	Gill, M.D.	Amitoj	TBD	Direct	Site Visit: 10/21/22. Pending Offer
Medical Oncology	Sequoia Oncology Medical Associates	Mohammadi, M.D.	Oranus	08/23	PracticeMatch - 3/31/22	Site Visit: 9/16/22
Neonatology	Valley Children's	Agrawal, M.D.	Pulak	08/23	Valley Children's - 5/14/22	Offer accepted. Start date summer 2023
Neonatology	Valley Children's	Brock, M.D.	Lee	ASAP	Valley Children's - 10/17/22	Site Visit: 11/9/22
Neonatology	Valley Children's	Nwokidu-Aderibigbe, M.D.	Uche	08/23	Valley Children's - 5/14/22	Offer accepted. Start date summer 2023

Candidate Activity

Specialty/Position	Group	Last Name	First Name	Availability	Referral Source	Current Status
OB/GYN	Delta Doctors	Rangel Barrera, M.D.	Carlos	ASAP	Direct	Second Site Visit: 11/18/22. Pending offer
Orthopedic Surgery - Trauma	Orthopaedic Associates Medical Clinic, inc.	Bonner, M.D.	Ben	08/24	The Medicus Firm - 11/7/22	Site Visit: 12/14/22
Orthopedic Surgery - Trauma	Orthopaedic Associates Medical Clinic, inc.	Dean, M.D.	Ryan	08/24	The Medicus Firm - 11/7/22	Site visting pending dates in March
Orthopedic Surgery - Trauma	Orthopaedic Associates Medical Clinic, inc.	Elsevier, M.D.	Hannah	TBD	The Medicus Firm - 11/9/22	Currently under review
Orthopedic Surgery - General	Orthopaedic Associates Medical Clinic, inc.	Goodell, M.D.	Parker	ASAP	Direct	Site Visit: 1/9/23
Orthopedic Surgery - Trauma	Orthopaedic Associates Medical Clinic, inc.	Khazai, M.D.	Ravand	08/23	The Medicus Firm - 10/31/22	Currently under review
Orthopedic Surgery - Trauma	Orthopaedic Associates Medical Clinic, inc.	Quacinella, M.D.	Michael	08/24	Direct	Currently under review
Pediatric Hospitalist	Valley Children's	Chika Chukwuemeka, M.D.	Oragui	TBD	Valley Children's - 11/30/22	Site Visit: 12/7/22
Rheumatology	Key Medical Associates	Garg, M.D.	Arina	TBD	Enterprise Medical Recruiter - 8/16/22	Currently under review
Rheumatology	Key Medical Associates	Dhillon, M.D.	Joshpaul	08/23	Enterprise Medical Recruiter - 10/27/22	Currently under review

Workforce Scorecard for OCT 2022-2

	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22
Hires	103	84	122	104	106	52	72	156	103	133	93	104
Terms	69	84	68	88	90	63	106	113	74	81	66	90
	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22
RIF's	4	2	0	1	0	0	0	0	0	0	0	19
	Nov-21	Dec-21	Jan-22	Feb-22	Mar-22	Apr-22	May-22	Jun-22	Jul-22	Aug-22	Sep-22	Oct-22
Continuou	307	372	368	306	232	287	310				274	





Retirement Plan Board Resolution Memo



MEMORANDUM

TO: Kaweah Delta Health Care District
Board of Directors

FROM: Human Resources

RE: Plan Amendments
Employees’ Salary Deferral Plan

DATE: November 2022

Amendments related to new Legislation

With the new legislation that was enacted on March 27, 2020 Kaweah Delta Health Care District (KDHCDC) was and is required to review and enact any provisions in compliance to the new laws. Some of the legislation remains optional but could prove beneficial to participants. The purpose of this Memorandum is to refresh the Board of Directors with background on the legislation and outline the approved provisions that could benefit participants. The formal amendments need to be in place by December 31, 2022.

Amendment Overview

CARES Act – On March 27, 2020, the President signed the Coronavirus Aid, Relief and Economic Security Act (“CARES” Act) into law. The more than \$2 trillion package sought to address financial pressures facing individuals, businesses, and state and local governments due to the Coronavirus pandemic. The law also provided emergency funding for hospitals, testing, and vaccine development. The CARES Act provisions highlighted below would impact retirement plan participants who meet specific criteria.

The Kaweah Delta Health Care District Board reviewed and approved the following at the time the CARES Act had passed:

Provision	Description	Timing	Application
Covid-19 Related Distributions	Immediate source of funds for participants who meet specific criteria. Exempts from 10% early distribution penalty. Exempts from mandatory 20% tax withholding. Can spread out income over 3-year tax period. May retribute distribution to plan or IRA within 3- years. Limited to aggregate distributions of \$100,000.	Will only apply to Covid-19 related distributions prior to December 31, 2020. Amendment due by 12/31/2022, can be applied retroactively.	Optional - approved

Plan Loan Enhancement	Increases participant loan limit to \$100,000 (from \$50,000) or greater of \$10,000 or 100% (from 50%) of vested balance.	Applies to loans taken from March 27, 2020 (the enactment of CARES) through September 23, 2020. Amendment due by 12/31/2022, can be applied retroactively.	Optional - approved
Plan Loan Repayment Extension	All 2020 payments due on these or any outstanding loans can be extended by one year. While interest will accrue, the delay is disregarded for purposes of the 5-year limit on participant loan repayments.	Applies to existing loan repayments due from March 27, 2020 (the enactment of CARES) through December 31, 2020. Amendment due by 12/31/2022, can be applied retroactively.	Optional - approved

In order to avail of the CARES Act provisions, a participant will have to meet the specific criteria below:

- (1) who is diagnosed with COVID-19,
- (2) whose spouse or dependent is diagnosed with COVID-19, ***or***
- (3) who experiences adverse financial consequences as a result of being quarantined, furloughed, laid off, having work hours reduced, being unable to work due to lack of child care due to COVID-19, closing or reducing hours of a business owned or operated by the individual due to COVID-19.

Employer Match – The Plan Document now defines Employer Matching Contributions as discretionary from year to year. This permits KDHCDC the ability to define the Matching Contribution Formula each year to align with business strategies. Each year, the Board must approve the Matching Contribution for the Plan. The Board has determined that there will be no Matching Contribution for the January 1, 2022 – December 31, 2022 Plan Year. The Board reserves the right to review the Employer Match Contribution each year and could initiate a match or contribution during calendar year 2023 at their discretion.

Suggested Action and Next Steps

Approve the CARES Act amendment and match formula for participants of the Employees’ Salary Deferral Plan. Amendments are included with this memorandum.

BOD res 401k eff 01012022 DRAFT

**RESOLUTION XXXX
OF THE BOARD OF DIRECTORS OF
KAWEAH DELTA HEALTH CARE DISTRICT
AMENDING THE EMPLOYEES' SALARY DEFERRAL PLAN**

WHEREAS the Board of Directors (the “Board”) of the Kaweah Delta Health Care District (the “District”) adopted the Kaweah Delta Health Care District Employees’ Salary Deferral Plan, as restated effective June 1, 2022 (the “Plan”); and

WHEREAS the District reserves the right to amend or restate the Plan in Section 14.01 of the Plan’s Base Plan Document.

WHEREAS the District desires to amend the Plan document effective April 7, 2020, to reflect the following:

- **Coronavirus Aid, Relief, and Economic Security CARES Act provisions:** amend the Plan to include certain optional provisions afforded by the Coronavirus Aid, Relief, and Economic Security (CARES) Act, specifically:
 - Coronavirus-Related Distributions (CRDs) – Kaweah Health elects to permit penalty free CRDs from the Plan on or after January 1, 2020, and before December 31, 2020, for an individual who self-certified he or she was an Affected Participant. The maximum amount permitted to be distributed for a CRD is \$100,000. Kaweah Health elects to expand distribution provisions under the Plan for CRDs to allow contribution sources available for in-service withdrawals for individuals who attain age 59 ½.
 - Coronavirus-Related Loans – 1. for the period ending September 23, 2020, Kaweah Health elects to expand the loan limits as permitted for an individual who self-certified he or she was an Affected Participant, to a maximum loan amount of 100% of their vested account balance, not to exceed \$100,000, and 2. For loan payments due during the period beginning on March 27, 2020, and ending on December 31, 2020, Kaweah Health elects to allow an Affected Participant to suspend such loan payments for a period of one year. If elected, all subsequent payments will be adjusted.

WHEREAS the District desires to define the Rules for determining Matching Contribution Formula for the January 1, 2022 – December 31, 2022 Plan Year to reflect the following:

- The District will not make a Matching Contribution for the 2022 Plan Year. The District reserves the ability to review the Matching Contribution on an annual, discretionary basis and will review the Matching Contribution again in future years.

NOW, THEREFORE, BE IT RESOLVED, that an authorized officer be and herby is directed and authorized to the amendment to the plan, which is attached hereto.

This Resolution is adopted by the Board of Directors of Kaweah Delta Health Care District at a duly constituted meeting held on the **XX day of XXXXXXXX, 2022.**

KAWEAH DELTA HEALTH CARE DISTRICT

Secretary/Treasurer, Kaweah Delta Health Care District

ATTEST:

Board Member
Kaweah Delta Health Care
District and of the Board of
Directors, thereof

HR.04-11.30.22



Subcategories of Department Manuals
not selected.

<u>Policy Number: HR.04</u>	<u>Date Created: No Date Set</u>
<u>Document Owner: Dianne Cox (Chief Human Resources Officer)</u>	<u>Date Approved: 10/26/2022</u>
<u>Approvers: Board of Directors (Human Resources)</u>	
<u>Special Pay Practices</u>	

Printed copies are for reference only. Please refer to the electronic copy for the latest version.

Designated departments may have special pay practices which provide for competitive compensation and/or incentives for employees to work varying shifts or additional shifts. All special pay practices are approved by the Hospital and are subject to change at any time. In all cases, Wage and Hour Law will apply.

Pay Practices:

Other Hours- Base rate of pay for additional hours or shifts worked.

Eligible Job Codes:

- House Supervisor: 4000293 (hours)
- Throughput Supervisor: 4002110 (hours)
- Pharmacy: 7010360, 6010972, 7011940
3002094, 3002093 (hours)
- RN-Nurse Practitioner: 7081541 (shift)
- Nurse Practitioner Manager 3001833 (shift)

MICN \$1.50 for active MICN cert
\$1.50 for active TNCC cert

Eligible job codes:

- RN: 7020339 7020746
- Charge Nurse: 6021615
- Assistant Nurse Manager: 3000640 in ED

Sleep Pay Hourly rate paid to Surgery and Cath Lab employees for those who require an 8-hour gap between the current shift worked and the next scheduled shift. The employee will be paid at the start of the next scheduled shift but is not expected to work until the 9th hour after finishing prior shift

Private Home Care Holiday Rate is based on where the employee travels. Holiday differential is received for Kaweah Health observed Holidays, in addition to Mother's Day and Easter.

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MORE THAN MEDICINE

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"Responsibility for the review and revision of this Policy is assigned to the Vice President of Human Resources. In some cases, such as Employee Benefits Policies, Summary Plan Descriptions and Plan Documents prevail over a policy. In all cases, Kaweah Health will follow Federal and State Law, as applicable, as well as Regulatory requirements. Policies are subject to change as approved by the Governing Board and will be communicated as approved after each Board Meeting. It is the employee's responsibility to review and understand all Kaweah Health Policies and Procedures."



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HR.31-11.30.22



Subcategories of Department Manuals not selected.



Kaweah Delta Health Care District

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Policy Number: HR.31	Date Created: 06/01/2007
Document Owner: Dianne Cox (Chief Human Resources Officer)	Date Approved: 12/19/2019
Approvers: Board of Directors (Administration), Dianne Cox (Chief Human Resources Officer)	
Transfers	

Printed copies are for reference only. Please refer to the electronic copy for the latest version.

POLICY:

Employees of Kaweah Delta Health Care District who have successfully completed one year of employment in their current position may request a transfer to a posted position. Employees must complete an online Employment Application. The one-year employment requirement may be waived with approval of both department leadership and Human Resources.

Employees may initiate a transfer request when in Disciplinary Action, as long as the potential department leader is made aware of all performance issues.

Each request for transfer will be reviewed, comparing the employee's qualifications with the requirements of the job. If two or more applicants are equally qualified for the position, preference will be given to in-house employees. When two or more equally qualified in-house employees are being considered for the position, past performance and length of service will contribute to the final decision.

PROCEDURE:

1. Employees who have successfully completed one year of employment may apply for any posted position by completing an Employment Application. The one-year period may be waived with the approval of the involved department leadership and/or vice presidents.
2. All employee transfers will be processed in the following manner:
 - A. Each request will be sent to the hiring department leader, who will compare the employee's qualifications with the requirements of the job. The review includes a Human Resources file check for past performance and current or previous disciplinary action.
 - B. The most qualified candidates will be interviewed.
 - C. It is the employee's responsibility to notify his/her department leaders that he/she is a final candidate when confirmed a pending job offer. This discussion must occur prior to finalization of the transfer request.

1. A minimum of two to four weeks written notice will be given by the employee to the present department leader. The actual length of time between written notice and the transfer will be determined jointly by the employee's prior and new department leaders.
2. The rate of pay will be determined in accordance with the current Compensation Program.
 - A. All transfers may result in a new performance evaluation date if the position duties subsequently changed or the transfer results in reporting to a new leader.
 - B. If a demotion or voluntary move to a position that has a grade that is at least 4% lower, the evaluation date will be adjusted to one year from the date of the transfer. A pro-rated merit may not apply based on internal equity. If internal equity indicates a reduction of \$.25 or less, no reduction will apply. If the employee is moving to a different leader or substantially different position, the prior leader must complete a performance evaluation to meet Title XXII requirements. If this transfer is less than 90 days from the last performance evaluation, HR can use the prior evaluation percentage if a pro-rated merit applies. Refer to the Intent to Demote Policy.
 - C. If the employee is moving to a position that is within 4% of the current grade (as measured by the midpoints), the pay rate will be evaluated for internal equity; a pro-rated merit may apply. If the employee is moving to a different leader or substantially different position, the prior leader must complete a performance evaluation to meet Title XXII requirements. The 90-day exception will apply.
 - D. If the employee is moving to a position that has a grade that is at least 4% higher, the prior leader will complete an evaluation, the evaluation date will be adjusted to one year from the date of the transfer, the pro-rated merit may apply as well as an increase applicable to the change in position, applying internal equity. The 90-day exception will apply.
3. The department leader is responsible for initiating a status change form to transfer the employee and completing the appropriate sections of the form.

"Responsibility for the review and revision of this Policy is assigned to the Chief of Human Resources Officer. In some cases, such as Employee Benefits Policies, Summary Plan Descriptions and Plan Documents prevail over a policy. In all cases, Kaweah Delta will follow Federal and State Law, as applicable, as well as Regulatory requirements. Policies are subject to change as approved by the Governing Board and will be communicated as approved after each Board Meeting. It is the employee's responsibility to review and understand all Kaweah Delta Policies and Procedures."

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HR.61-11.30.22



Subcategories of Department Manuals
not selected.



**Kaweah Delta
Health Care District**

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Policy Number: HR.61	Date Created: 06/01/2007
Document Owner: Dianne Cox (Chief Human Resources Officer)	Date Approved: 10/31/2019
Approvers: Board of Directors (Administration), Board of Directors (Human Resources), Dianne Cox (Chief Human Resources Officer)	
Status Classification of Employees/Concurrent Jobs	

Printed copies are for reference only. Please refer to the electronic copy for the latest version.

POLICY: Each Kaweah Delta employee has a current status designation that is used to determine compensation, benefits, and status. It is Kaweah Delta's policy to comply with the Fair Labor Standards Act (FLSA).

PROCEDURE: I. Exempt/Non-Exempt Status

Each position (not individual) will be designated as either exempt or non-exempt under the FLSA for overtime purposes. The Human Resources Department will conduct a job evaluation to determine whether the position has exempt or non- exempt status.

A. Exempt Status

1. Full-time employees occupying positions designated as exempt under the FLSA are exempt from overtime payments under federal law.
2. To qualify for an exemption from overtime, employees must be paid on a salary basis. For further information, refer to policy (HR.62) EXEMPT EMPLOYEE PAY/SALARY BASIS SAFE HARBOR PROVISION.
3. Employees categorized as exempt are expected to work hours necessary to accomplish their job duties. Compensatory time off will not be authorized.

B. Non-Exempt Status

Employees occupying positions designated as non-exempt under the FLSA are eligible for compensation of overtime for hours worked in excess of 40 hours per week under

federal law. Compensatory time off will not be authorized.

II. Employment Status

Individuals will be designated as full-time, part-time or per diem.

A. Full-time Status- Benefits Eligible

Employees occupying positions designated as full-time are normally and regularly scheduled to work 36 to 40 hours per week.

Weekly Hours	Bi-Weekly Hours	Classification
36-40	72-80	Full Time Benefits Eligible

B. Part-time Status- Benefits Eligible

Employees occupying positions designated as part-time are normally and regularly scheduled to work 24-35 hours per week.

Weekly Hours	Bi-Weekly Hours	Classification
24-35	48-71	Part Time Benefits Eligible

C. Part Time- No Benefits

Employees occupying positions designated as part-time are normally and regularly scheduled to work less than 24 hours per week.

Weekly Hours	Bi-Weekly Hours	Classification
0-23	0-47	Part Time No Benefits

D. Per Diem Employees

Per Diem Employees who work as needed are not eligible to participate in employee-sponsored benefit programs, unless eligible for medical insurance in compliance with the ACA. Active Per Diem job codes are determined by Human Resources.

Note: Regardless of status, all employees are eligible to participate in the Retirement Plans 401(k) and 457(b).

III. Employee Acknowledgement

Upon initial hire and/or change in employment status of an existing employee from full or part time to Per Diem, the employee will sign a Per Diem Agreement form indicating that they have read and acknowledged the requirements and commitments they make in order to remain a Per Diem employee.

IV. Performance Management Program

Per Diem employee will be evaluated annually to assure performance standards are being met.

V. Paid Time Off (PTO)

In the event a full or part time employee changes to Per Diem status, all accrued PTO Time in their bank at the time of status change will be paid out to the employee at the hourly rate prior to the change. Any accrued EIB Time will be held in abeyance in the event the employee returns to regular full or part time status.

VI. Concurrent Jobs

Employees may, with permission from department leaders, work at more than one Kaweah Delta job or department. Additional jobs are referred to as concurrent jobs. Employees apply for concurrent jobs by following the same process used for transfer requests. (HR.31) Transfer Policy.

One department leader must agree to be the primary manager of the employee. This leader confirms the employee's payroll.

For Timekeeper, the employee clocks in for all hours worked using the transfer function in HR Timekeeper or on the wall clock, adjusting their job code or department as appropriate.

- If an employee's primary and concurrent jobs are both non-exempt, overtime will be paid for

combined hours worked in excess of 40 hours in a week.

- If an employee has one job that is exempt and one job that is non-exempt, all hours worked over 40 will be paid at overtime any week in which the non-exempt duties exceed 50% of the hours worked in that week.
- If an employee's primary job and concurrent job are classified as exempt, no overtime will be paid for hours exceeding 40 hours in a week.

The department that schedules the concurrent hours is responsible for paying any overtime unless an alternate agreement has been reached between the primary and concurrent managers. The primary manager confirms all hours to be paid after verifying with the appropriate manager(s) the hours worked in the concurrent department(s).

Changes in Employment Status

Changes in employment status (e.g., from full-time to part-time and back to full-time) may be made as warranted and will be effective on the first day of a pay period. Changes in employment status which result in the employee becoming eligible or ineligible for benefit coverage (e.g., from non-benefits eligible to benefits- eligible,) will be as follows:

- A. Non-benefits eligible employees who change status to benefits-eligible may apply for insurance coverage for themselves and their eligible dependents within thirty (30) days of that eligibility. Coverage will be effective on the first day of the following month.
- B. Benefits-eligible employees who change status to become non-benefits eligible lose their eligibility for insurance benefit coverage unless eligible under the Affordable Care Act for medical insurance. Coverage terminates the end of the month in which the status occurred. Accrual rates for PTO/EIB adjust according to status and eligibility. Coverage for some benefits may be continued by eligible employees under COBRA.

For more information, see HR.128 Employee Benefits Overview.

“Responsibility for the review and revision of this Policy is assigned to the Chief Human Resources Officer. In some cases, such as Employee Benefits Policies, Summary Plan Descriptions and Plan Documents prevail over a policy. In all cases, Kaweah Delta will follow Federal and State Law, as applicable, as well as Regulatory requirements. Policies are subject to change as approved by the Governing Board and will be communicated as approved after each Board Meeting. It is the employee’s responsibility to review and understand all Kaweah Delta Policies and Procedures.”

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HR.70



Subcategories of Department Manuals
not selected.

Policy Number: HR.70	Date Created: 06/01/2007
Document Owner: Dianne Cox (Chief Human Resources Officer)	Date Approved: 10/26/2022
Approvers: Board of Directors (Administration), Dianne Cox (Chief Human Resources Officer)	
Meal Periods, Rest Breaks and Breastfeeding, and/or Lactation Accommodation and/or Lactation Accommodation	

Printed copies are for reference only. Please refer to the electronic copy for the latest version.

PURPOSE:

It is important that Kaweah Health employees receive their meal periods and rest breaks. These assist staff in attending to personal matters as well as downtime. Kaweah Health will facilitate meal periods and rest breaks, by relieving employees of duties for specified amounts of time. In addition, Kaweah Health will provide rest and recovery periods related to heat illness for occupations that may be affected by same (i.e. Maintenance employees who work outdoors). Kaweah Health supports new mothers who desire to express milk for their infants while at work. Kaweah Health will provide the use of a room, or other location to the nursing mothers work area for expressing milk.

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MEAL PERIOD POLICY AND PROCEDURE:

For non-exempt employees working more than five hours per day, including 8-, 9-, or 10-hour shift employees, Kaweah Health will provide a 30-minute duty-free meal period. The meal period will be scheduled to start within the first five hours of each shift, i.e. the meal period must start before the end of the fifth hour in the shift. An employee who works routinely six hours or less per day may voluntarily choose to waive the meal period in writing.

For non-exempt employees working more than ten hours per day, including 12-hour shift employees, a second 30-minute meal duty-free meal period will be provided; this meal period must start before the end of the tenth hour of the shift. An employee working more than 12 hours is authorized for a third 30-minute meal period. Employees working more than ten hours may choose to waive, in writing, one of the two meal periods provided. If one of the two meal periods is waived, the single meal period will be scheduled approximately in the middle of the workday as practicable.

Meal periods will be made available and provided by Kaweah Health Leaders; it is each employee's responsibility to ensure that they are taking appropriate meal periods as set forth in the policy. It an employee voluntarily skips or waives a meal period or takes it late that is permitted. Kaweah Health retains the right to set work schedules, including meal periods and rest break schedules.

Meal periods will be unpaid only if the employee is relieved of all duty for at least 30 minutes and the employee is not interrupted during the meal period with work-related requests. Non-exempt employees may leave the organization premises during meal periods, but should notify their supervisor if they do leave, and inform them when they return.

Employees who are not provided a 30- minute meal period of uninterrupted time in a timely manner as described are entitled to one hour of premium pay at their regular rate of pay. An employee who is not provided with a meal period according to policy must complete a time adjustment sheet and notify their leader. If the leader is not able to reallocate resources to provide a timely meal period pursuant to policy, the leader will authorize payment of premium pay in the timekeeping system.

In particular circumstances and based solely on the nature of the work, and with approval of Human Resources, a revocable On-Duty Meal Period Agreement can be completed by the employee and Kaweah Health. This typically applies when there are few employees in a department or night shift is limited.

The beginning and end of each meal period must be accurately recorded on the time card or timekeeping system.

REST BREAK POLICY AND PROCEDURE:

Non-exempt employees are also authorized and permitted to take a 10-minute rest break for every four hours of work or major fraction thereof. Employees must work at least 3.5 hours to be entitled to a rest break. Rest breaks should be taken in the middle of each 4- hour period in so far as it is practicable. These rest breaks are authorized by Kaweah Health; but it is each employee's responsibility to ensure that they are taking appropriate rest breaks.

Rest breaks are considered paid-time, and employees should not clock-out and clock-in for taking such breaks. Leaving the organization premises is not permitted during a rest break.

If for some reason, an employee's rest break is not authorized or permitted, the employee will be entitled to one hour of premium pay at their regular rate of pay. An employee who is not authorized or permitted to take a rest break according to policy must complete a time adjustment sheet and notify their leader. Only one premium payment per day will be paid for missing one or more rest breaks.

ADDITIONAL INFORMATION:

An employee may be entitled to no more than two hours of premium pay per day (one for a meal period that was not provided and one for one or more rest breaks that were not authorized or permitted). Employees are required to submit time adjustment sheets, listing the reason or reasons for a missed or shortened meal period or a missed rest break.

▲ Employees may not shorten the normal workday by not taking or combining breaks, nor may employees combine rest breaks and meal periods for an extended break or meal period

▲ Non-Exempt employees are entitled to rest breaks as follows:

Deleted: For non-exempt employees working more than five hours per day, Kaweah Health will provide a 30-minute duty-free meal period. It is each employee's responsibility to ensure that they are taking appropriate meal periods as set forth in the policy.¶

¶ Meal periods will be unpaid. Non-exempt employees may leave the premises during meal periods, but should notify their supervisor if they do leave, and inform them when they return.¶

¶ An employee who is not provided with a meal period according to policy must notify their supervisor to attempt to reallocate resources to provide a meal period. Employees unable to take a meal period will be paid for the time.¶

¶ The beginning and end of each meal period must be accurately recorded on the timecard or timekeeping system.¶

Deleted: Non-exempt employees are also authorized and permitted to take two 15-minute rest breaks along with the meal period. Employees must work at least 3.5 hours to be entitled to a rest break. Rest breaks should be taken in the middle of each 4 hour period in so far as it is practicable. These rest breaks are authorized by the department management; but it is each employee's responsibility to ensure that they are taking appropriate rest breaks.¶

¶ Rest breaks are considered paid-time, and employees should not clock-out and clock-in for taking such breaks. Leaving the premises is not permitted during a rest break.¶

¶ Meal Periods, Rest Breaks and Breastfeeding 2

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Moved down [1]: Kaweah Health will provide a reasonable amount of break time to allow an employee to express breast milk for that employee's infant child. The break time will run concurrently, if possible, with any break time already provided to the nursing mother. If it is not possible for the break time that is already provided to the employee, the break time shall be unpaid.

- Less Than 3.5 Hours: An employee who works less than three-and-a-half is not entitled to a rest break.
- 3.5 Hours or More: An employee who works three-and-a-half hours or more is entitled to one ten-minute rest period.
- More than 6 Hours: An employee who works more than six hours is entitled to two ten-minute rest periods, for a total of 20 minutes of resting time during their shift.
- More than 10 Hours: An employee who works more than ten hours is entitled to three ten-minute rest periods, for a total of 30 minutes of resting time during their shift.
- And so on... Aa employee is entitled to another ten-minute rest period every time they pass another four-hour milestone.

How Many Meal Breaks Must be Taken:

- 5 Hours or Less: An employee who works five hours or less is not entitled to a meal break.
- More than 5 Hours: An employee who works more than five hours is entitled to one 30 minute meal break.
- More than 10 Hours: An employee who works more than ten hours is entitled to a second 30-minute meal break.

Kaweah Health will provide a reasonable amount of break time to allow an employee to express breast milk for that employee's infant child. The break time will run concurrently, if possible, with any break time already provided to the nursing mother. If it is not possible for the break time that is already provided to the employee, the break time shall be unpaid.

Kaweah Health will make reasonable efforts to provide the nursing mother with the use of a room or other location in close proximity to their work area for the nursing mother to express milk in private. If a refrigerator cannot be provided, Kaweah Health may provide another cooling device suitable for storing milk, such as a lunch cooler.

There are several designated lactation rooms that may be found throughout Kaweah Health. Their locations are the following:

- Mineral King Wing, 1st Floor MK lobby by Lab Station
- Mineral King Wing, 2nd Floor on the left heading to ICU
- Mineral King Wing, 3rd Floor on the left just past the stairwell
- Acequia Wing, Mother/Baby Department
- Support Services Building, 3rd Floor, (Computer available)
- South Campus, next to Urgent Care Lobby
- Imaging Center, Dexa Exam Room (Computer available)
- Mental Health Hospital, Breakroom Suite
- Visalia Dialysis, Conference Room, (Computer available)
- KHMG, GYN Department
- Exeter Health Clinic, Family Practice Department, (Computer available)
- Woodlake Health Clinic, (Computer available)
- Dinuba Health Clinic, (Computer available)
- Lindsay Health Clinic, (Computer available)

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o) Rehabilitation Hospital, next to Outpatient Speech Therapy Office

“Responsibility for the review and revision of this Policy is assigned to the Chief Human Resources Officer. In some cases, such as Employee Benefits Policies, Summary Plan Descriptions and Plan Documents prevail over a policy. In all cases, Kaweah Health will follow Federal and State Law, as applicable, as well as Regulatory requirements. Policies are subject to change as approved by the Governing Board and will be communicated as approved after each Board Meeting. It is the employee’s responsibility to review and understand all Kaweah Health Policies and Procedures.”

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**Kaweah Delta
Health Care District**

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Policy Number: HR.72	Date Created: 06/01/2007
Document Owner: Dianne Cox (Chief Human Resources Officer)	Date Approved: 06/18/20
Approvers: Board of Directors (Administration)	
Standby and Callback Pay	

Printed copies are for reference only. Please refer to the electronic copy for the latest version.

PURPOSE:

To establish standards for Standby and Call Back requirements and to compensate employees who, at Kaweah Delta's request, are required to make themselves available for work if called.

POLICY:

Employees assigned to take Standby will be available to work as needed. Standby pay is based on factors such as whether the employee is "sufficiently restricted," supply and demand of the position, market pay for similar roles, and the frequency with which an employee may be called back to work. Standby is paid at a percentage of the minimum of the position range unless there is another method established. Standby pay is not required if the employee is unrestricted, such as available by mobile phone.

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In addition, certain departments are eligible for Call Back when on standby. Call Back pay will not apply if Call Back occurs on a previously scheduled regular shift. Kaweah Delta reserves the right to adjust the Standby rate and Call Back paid to specific positions as conditions warrant.

PROCEDURE:

1. While on Standby, an employee will not be required to remain on Kaweah Delta premises, but is required to leave word at his/her residence or where he/she can be reached, and/or carry a beeper/pager, or may voluntarily utilize their own cell phone in lieu of a provided beeper/pager. Because an employee who carries a beeper/pager or a cell phone for Kaweah Delta business is generally not "sufficiently restricted," Kaweah Delta is not required to pay Standby; however, may do so if market demands warrant.
2. Standby and Call Back time will be recorded via regular timekeeping. Standby and Call Back will not be paid for the same hours. In addition, Standby should be not worked within 8 hours after the end of a shift for which the employee has claimed sick time.

3. If the employee has been called off from his/her regular schedule and placed on Standby:
 - a. The hours for which the employee will receive Standby payment will be determined by the department leader. In addition to recording Standby on the timekeeping system, PTO Mandatory Dock or Mandatory Dock-No Pay is to be recorded for the employee to receive Paid Time Off and EIB accruals.
 - b. If the employee is called back to work, the hours worked will be paid at the employee's base rate, unless the employee has met overtime requirements. It is expected that the staff member on standby will respond and drive promptly to work upon notification of the need to come back in.
4. When on pre-scheduled Standby (primarily Cath Lab and Surgical Services), employees do not record Mandatory Dock pay codes, but are paid Call Back pay for work. Call Back begins when the employee arrives at and is ready to begin work.
 - a. An employee answering questions by telephone for Call Back is paid for the actual hours worked only.
 - b. Call Back will not be paid for hours during which the employee is working his/her regular schedule.
 - c. Leaders who take Call Back must be assigned a second job as a clinical staff person. When called into work as a clinical staff person, they will be paid in accordance with the above stated rules, using their clinical staff base rate for calculating compensation for Call Back and Standby.
 - d. Surgical Services receive a minimum of two hours Call Back when called in and the need does not require them to be on site two hours. However, if the employee leaves and comes back within the same two-hour period, they may not double dip. The two-hour period will extend from the second time of arrival.
 - e. Travel time is not paid except in areas of Home Health and Hospice and in accordance with Federal law. The employee remains on Standby during travel to the workplace.

"Responsibility for the review and revision of this Policy is assigned to the Chief, Human Resources Officer. In some cases, such as Employee Benefits Policies, Summary Plan Descriptions and Plan Documents prevail over a policy. In all cases, Kaweah Health will follow Federal and State Law, as applicable, as well as Regulatory requirements. Policies are subject to change as approved by the Governing Board and will be communicated as approved after each Board Meeting. It is the employee's responsibility to review and understand all Kaweah Health Policies and Procedures."

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HR.78-11.30.22



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Kaweah Delta Health Care District

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Policy Number: HR.78	Date Created: 06/01/2007
Document Owner: Dianne Cox (Chief Human Resources Officer)	Date Approved: 10/31/2019
Approvers: Board of Directors (Administration)	
Salary Administration Program	

Printed copies are for reference only. Please refer to the electronic copy for the latest version.

POLICY:

Kaweah Health has established and maintains a compensation program to govern the fair and competitive administration of wages and salaries. This program was implemented to provide salary consistency and internal equity throughout all Kaweah Health departments and jobs. This program will be reviewed annually and updated as necessary. We strive to have, wages and salaries that are:

1. Internally Equitable: Fairly reflecting the scope and complexity of each position in relation to all other positions in the organization; ensuring fair and equitable wages between individuals with the same job class.
2. Externally Competitive: Enabling Kaweah Health to attract, retain and motivate qualified employees through compensation and benefits that are positioned fairly within the competitive labor market as defined by Human Resources. Exceptions to this philosophy may be made in cases where there are significant imbalances in the demand and supply for staff. Kaweah Health participates in and/ or purchases results of salary surveys. The results of these surveys are used in the job evaluation process used to assign salary grades to each job. In no case should managers or employees participate in or initiate salary surveys. Any requests for established salary grades for any position are to be forwarded to Human Resources. Kaweah Health's policy prohibits formal or informal sharing or receipt of salary grade information outside the context of salary surveys conducted by third parties.
3. Cost Effective: Consistent with Kaweah Health's needs, financial goals and ability to pay.
4. Effective January 1, 2023, ranges of pay will be included on job descriptions on the Kaweah Health Careers website in accordance with California State Law.

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Job Evaluation Process used for assigning salary grades:

Human Resources uses input from department leaders as needed to assure market competitiveness when evaluating the appropriate salary grade for a job. Human Resources uses a market based system and the results of salary surveys to evaluate the market value of a job and to assign a

salary grade. Using the market based system, each job is either a "benchmark job" or a "linkage job". A "benchmark job" is one typically found in published surveys. Jobs that are not "benchmark jobs" are linked to a benchmark job with similar levels of duties and responsibilities within a similar job family. These jobs are called "linkage" jobs.

This linkage process helps ensure internal equity while at the same time acknowledging the salaries paid for the same or similar positions with the local job market.

Salary survey data is reviewed initially when a job is established and then at least annually. Jobs are assigned to a salary grade based on the survey results. When an employee's job is assigned to a different grade, the hourly rate may be adjusted to preserve internal equity. Pay adjustments may be given based on the survey data results and annual budget considerations.

DEFINITIONS:

Minimum Wage:

The minimum wage complies with Federal and California minimum wage guidelines.

Equal Pay:

The equal pay standard requires that male and female workers receive equal pay for work requiring equal skill, effort, and responsibility and performed under similar working conditions.

Child Labor:

"Minor" means any person under 18 years of age. Only minors under age 18 who have graduated from high school or who have been awarded a certificate of proficiency may be employed.

Discrimination:

Kaweah Health is an "Equal Opportunity Employer" and is committed to a policy which establishes individual qualifications and merit as the only conditions for employment. Refer to HR.12 (Equal Employment Opportunity)

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Job Code:

A code which identifies an employee's position title, pay grade, salary range, and associated pay practices.

Pay Grade:

Job codes reflecting jobs with requirements, duties and responsibilities of similar complexity are grouped by pay grade. The pay grade is a code which identifies a salary range.

Salary Range:

The range of pay between the minimum and maximum of a salary grade.

Minimum Rate:

The minimum hourly rate of pay within the salary range.

Midpoint:

The pay rate that is midway between the minimum and maximum of the salary range.

Maximum Rate:

The maximum hourly rate of pay within the salary range.

Base Rate:

The employee's current hourly rate, which is based on relevant experience, excluding differentials. The employee's education and/or performance may be considered as well.

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Performance Evaluation/Competence Assessment:

The process from date of hire through employment used for formal evaluation by the department head or supervisor for appraising an employee's job performance. This process includes performance evaluations, skills checklists and competency assessments. Refer to HR.213 Performance Management and Competency Assessment Program.

Merit Review Date:

This normally corresponds with the date of hire with exceptions made for unsatisfactory performance, leaves of absence, promotions, demotions, or transfers, and/or failure to comply with job requirements.

Merit Increase:

An increase based on the employee's current rate and determined by the overall performance evaluation.

Promotional Increase:

A change in position to one that is at least one grade higher than the current grade.

Downgrade/Demotion:

A downgrade/demotion is considered to be a change in position to one that is at least one grade lower than the current grade.

- a. Demotion - Generally an involuntary action taken by Kaweah Health, based on unacceptable performance by an employee. Refer to HR.221 Employee Reduction in Force - or- Reassignment Resulting in Demotion
- b. Downgrade - Generally a voluntary action taken by an employee, or taken Kaweah Health due to a restructure.

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Exempt:

An exempt employee is paid on a "salary" basis, which means that he/she will receive a pre-determined amount each pay period constituting all or part of his/her compensation, and the amount will not be subject to reduction because of variations in the number of hours worked in the work day or week, except in accordance with "Leave of Absence" Policy or Paid Time Off (PTO) Policy. Refer to HR.62 Exempt Employees Pay/Salary Basis Safe Harbor Provision and HR.234 Paid Time Off (PTO), Extended Illness Bank (EIB) and Healthy Workplace, Healthy Families Act of 2014

Non-exempt:

Employees in this classification are paid on an hourly basis and are subject to overtime under Federal Labor Standards Act (FLSA).

Productive Hours Worked:

Includes all regular, overtime, call back and orientation and workshop hours.

Non-Productive Hours Paid:

Any time for which the employee is paid while not at work (i.e., Paid Time Off (PTO), Bereavement Leave, Jury Duty, Employee Illness Bank (EIB), or Leave of Absence).

Overtime Hours:

Productive hours worked in excess 40 hours per week; applies only to non-exempt employees.

Overtime Pay:

The overtime rate times the overtime hours, applied with Fair Labor Standards Act calculations. Employees classified as non-exempt by the Fair Labor Standards Act will receive overtime after 40 hours in a 7-day work week at one and one-half times the employee's regular rate.

"Responsibility for the review and revision of this Policy is assigned to the Chief Human Resources Officer. In some cases, such as Employee Benefits Policies, Summary Plan Descriptions and Plan

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Kaweah Delta Health Care District

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Policy Number: HR.145	Date Created: 06/01/2007
Document Owner: Dianne Cox (Chief Human Resources Officer)	Date Approved: 12/21/2020
Approvers: Board of Directors (Administration)	
Family Medical Leave Act (FMLA) / California Family Rights Act (CFRA) Leave of Absence	

Printed copies are for reference only. Please refer to the electronic copy for the latest version.

POLICY:

To allow time off to eligible employees. To establish a system to continue to receive compensation through accessible benefits, such as Extended Illness Bank (EIB), Paid Time Off (PTO), State Disability Insurance, and Workers' Compensation. To advise employees of their rights and responsibilities.

To comply with applicable laws ensuring equal employment opportunities to qualified individuals with a disability, Kaweah Health will make reasonable accommodations for known physical or mental limitations of an otherwise qualified individual with a disability who is an applicant or an employee, unless undue hardship would result. A leave of absence may be considered as a type of reasonable accommodation. Any applicant or employee who requires an accommodation in order to perform the essential functions of the job should contact their supervisor, department head, or Human Resources and make a request to participate in a timely interactive process to explore reasonable accommodations. The individual with the disability is invited to identify what accommodation he or she needs to perform the job. Kaweah Health will take steps to identify the barriers that make it difficult for the applicant or employee to perform his or her job, and will identify possible accommodations, if any, that will enable the individual to perform the essential functions of his or her job. If the accommodation is reasonable and will not impose an undue hardship, Kaweah Health will meet the request.

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NOTE: Due to coordination of information between departments and outside agencies, and the requirement that certain records be maintained to demonstrate compliance with State and Federal law, it is important that paperwork and documentation be completed and submitted to Human Resources in a timely manner by department heads and employees.

PROCEDURE:

This policy is based on the California Family Rights Act, as amended in 1993 (CFRA), and the Federal Family and Medical Leave Act of 1993 (FMLA), and is intended to provide eligible employees with all of the benefits mandated by these laws. However, in the event that these laws or the regulations implementing these laws are hereafter amended or modified, this policy may be amended or modified to conform with any change or clarification in the law.

1. Reason for Leave

Family leaves are subject to the eligibility requirements and rules set forth in this policy statement, and as provided by State and Federal regulations.

- a. FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:
 - i. For incapacity due to pregnancy, prenatal medical care or childbirth;
 - ii. Leave taken for the birth, adoption or placement of a child for foster care must be concluded within 12 months immediately following the birth, adoption or placement. The minimum duration for such leave is two (2) weeks. However, leave for less than two (2) weeks can be taken on two occasions only. Kaweah Health has the right to approve intermittent leave. Under CFRA, bonding leave may be taken at the end of Pregnancy Disability Leave for up to 12 weeks, and concluded within 12 months immediately following the birth.
 - iii.
 - iv. To care for the employee's spouse, son or daughter, or parent, who has a serious health condition, including a son or daughter 18 years of age or older if the adult son or daughter has a disability as defined by the Americans with Disability Act (ADA); or
 - v. For a serious health condition that makes the employee unable to perform the employee's job.
 - vi. Eligible employees with a spouse, son, daughter, or parent on active duty or call to active duty status deployed to a foreign country may use Leave to prepare for short-notice deployment, attend military events, arrange for childcare, address financial and legal arrangements, attend counseling sessions, and allow for rest, recuperation and post-deployment activities, among other events.
 - vii. A special leave entitlement is available that permits eligible employees to take up to 26 weeks of leave to care for a covered service member who is the spouse, son, daughter, parent, or next of kin. Certain conditions apply.
- b. CFRA: In addition to the protections listed above, CFRA allows an employee to take up to 12 workweeks of unpaid protected leave during any 12-month period to bond with a new child of the employee or to care for themselves or a child, parent, grandparent, grandchild, sibling, spouse, or domestic partner. If Kaweah Health employs both of the parents of a child, both are covered by this policy if eligibility requirements are met. Kaweah Health will grant a request by an eligible employee to take up to 12 workweeks of unpaid protected leave during any 12-month period due to a qualifying exigency related to the covered active duty or call to covered active duty of an employee's spouse, domestic partner, child, or parent in the Armed Forces of the United States. Leaves for this reason are, for the most part, covered under the FMLA, so these leaves may run concurrently with leave under the FMLA if

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the leave qualifies for protection under both laws.

- c. A "serious health condition" is an illness, injury, impairment or physical or mental condition which involves:
 - i. inpatient care (i.e., an overnight stay) in a medical care facility; or
 - ii. continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.
 - iii. The continuing treatment may be met by a period of incapacity of more than 3 consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may qualify.

2. Employee Eligibility

Family leave is available to employees who have worked at least 12 months for Kaweah Health and have worked more than 1,250 hours during the previous 12 months.

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Leave Available

An employee may take up to twelve (12) weeks of leave during a 12-month period. A 12-month period begins on the date of an employee's first use of FMLA/CFRA leave. Successive 12-month periods commence on the date of an employee's first use of such leave after the preceding 12-month period has ended. FMLA and CFRA counts against the amount of Medical Leave available and vice versa.

- a. If certified to be medically necessary, leave to care for a family member's serious health condition may be taken intermittently or the employee may request a reduced work schedule. See below for more information.
- b. Leave taken for the birth, adoption or placement of a child for foster care must be concluded within 12 months immediately following the birth, adoption or placement. The minimum duration for such leave is two (2) weeks. However, leave for less than two (2) weeks can be taken on two occasions only. Kaweah Health has the right to approve intermittent leave. Under CFRA, bonding leave may be taken at the end of Pregnancy Disability Leave for up to 12 weeks, and concluded within 12 months immediately following the birth.

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Employees with pregnancy-related disabilities may have the right to take a Pregnancy Disability Leave in addition to a Family Leave.

3. Intermittent or Reduced Leave Schedule:

- a. If certified to be medically necessary, for self or leave to care for a family member's serious health condition may be taken intermittently or the employee may request a reduced work schedule. Increments of time may not be less than one hour.
- b. Employees requesting intermittent leave or a reduced work schedule may be requested to transfer to an alternate job position. Such a transfer will be to a job position better able to accommodate recurring periods of absence but which provides equivalent compensation and benefits.
- c. In any case, employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations.
- d. Leaves to care for a newborn child or a child placed for adoption of foster care may not be taken intermittently or on a reduced leave schedule under FMLA/CFRA.
- e. Exempt employees taking an intermittent or reduced leave will be paid for all hours actually worked. For example: An exempt employee is restricted to working three hours a day. The employee will be paid for three hours of productive time and five hours of PTO without impacting their exempt status. If the employee doesn't have PTO, the five hours will be unpaid.
- f. Accrued PTO hours are required to be used for intermittent leaves.

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4. Notice, Certification and Reporting Requirements

a. Timing:

If the need for the leave is foreseeable, an employee must provide 30 days written notice prior to the requested start of the leave. When 30 days is not possible, the employee must provide notice as soon as practicable and generally must comply with Kaweah Health's normal call-in procedures.

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If the need for the leave is foreseeable due to a planned medical treatment or supervision, the employee must make a reasonable effort to schedule the treatment or supervision in order to avoid disruption to the operations of Kaweah Health.

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b. Certification:

- i. An employee requesting leave to care for a family member with a serious health condition must provide a health-care provider's certification that it is medically necessary for the employee to assist in caring for the family member with the serious health condition.

The certification must include the following:

1. The date on which the serious health condition commenced;
2. The probable duration of the condition;
3. An estimate of the amount of time that the health care provider believes the employee needs to care for the individual requiring the care; and
4. A statement that the serious health condition warrants the participation of a family member to provide care during a period of the treatment or supervision of the individual requiring care.

ii. Upon expiration of the time estimated by the health-care provider needed for the leave, Kaweah **Health** may require the employee to obtain recertification in accordance with the above requirements as certifications expire.

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iii. In addition, an employee requesting an Intermittent Leave or reduced work schedule must provide a health-care provider's certification stating the following:

1. The date on which the treatment is expected to be given and the duration of the treatment.
2. That the employee's Intermittent Leave or reduced work schedule is necessary for the care of a spouse, child or parent with a serious health condition or that such leave will assist in the individual's recovery; and
3. The expected duration of the need for an Intermittent Leave or reduced work schedule.

iv. Department heads may not contact the employee's health care provider to obtain information on a leave. They are to refer any questions to Human Resources or Employee Health Services who may contact the provider.

c. Employee Periodic Reports:

During a leave, an employee must provide periodic reports regarding the employee's status to the department head and Human Resources, including any change in the employee's plans to return to work. Failure to provide updates may cause Kaweah **Health** to apply a voluntary resignation from employment.

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During an approved Intermittent Leave, the employee must call their department head or designee and Human Resources each day or partial

day that is requested as Intermittent Leave time.

5. Compensation During Leave:

Refer to the pamphlet from the Employment Development Department (EDD) entitled "For Your Benefit: California's Program for the Unemployed" for more information. Also refer to the Paid Family Leave policy in the manual.

- a. For a medical leave of absence longer than seven days which is to be coordinated with State Disability Insurance (SDI), or a Workers' Compensation leave of absence, accrued EIB hours are paid after 24 hours off. The initial three 24 hours are paid through accrued PTO, if available, at the employee's discretion. In the circumstance of an immediate hospitalization or surgery, an employee may be paid from accrued EIB from their first full day off. EIB must be used for coordination with SDI or Workers' Compensation Temporary Disability Payments; PTO time may be used only after all Extended Illness Bank (EIB) has been exhausted. Coordinated amounts will not exceed the regular amount of pay normally earned by the employee.
- b. It is the employee's responsibility to notify Payroll of the amount they receive from SDI or Workers' Compensation to ensure the correct amount of EIB coordination.
- c. Applying the EIB utilization guidelines, EIB may be used to attend to the illness of a child, parent, spouse, or registered domestic partner. Up to 50% of the annual EIB accrual can be used if the employee has worked a full 12 months; otherwise the utilization will be limited to 50% of the employee's accrued EIB. A maximum of 50% of accrued hours in a 12-month period may be utilized.

6. Benefit Accrual:

The employee will continue to accrue PTO and EIB as long as he/she is being paid by Kaweah Health (receiving a paycheck).

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7. Merit Review Date:

The merit review date will be adjusted by the number of days of paid and/or unpaid leave of absence over eighty-four (84) days.

8. Benefits During Leave:

- a. An employee taking leave will continue to receive coverage under Kaweah Health's employee benefit plans for up to a maximum of four (4) months per 12-month period at the level and under the conditions of coverage as if the employee had continued in employment continuously for the duration of such leave. Kaweah Health will continue to make the same premium contribution as if the employee had continued working.

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b. Insurance premiums (health, vision, dental, life, etc.) are to be paid by the employee and Kaweah **Health**, under the same conditions as existed prior to the leave, for a maximum period of four (4) months in a 12-month period.

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c. If on paid status (utilizing PTO/EIB), an employee may continue his/her normal premiums through payroll deduction. If on unpaid status, he/she is required to pay Kaweah **Health** his/her portion of the premiums while on a leave of absence for a total of four months. After four months, employees will be offered COBRA Continuation Coverage for applicable benefits.

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d. In the case where Pregnancy Disability Leave (FMLA) combined with CFRA bonding leave applies, if an employee is on paid status (utilizing PTO/EIB), the employee may continue her normal premiums through payroll deduction. If on unpaid status, she is required to pay Kaweah **Health** her portion of the premiums monthly while on a leave of absence for a total of up to seven months; COBRA rules then apply.

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e. An employee whose insurance is canceled due to nonpayment of premiums will have to satisfy a new waiting period after returning to work and will be considered a "new employee" for insurance purposes and as such, the employee may have to provide proof of insurability and will be subject to the pre-existing rules which apply at the time of the leave.

f. An employee may cancel his/her insurance(s) within 30 days of the end of his/her paid leave and will be re-enrolled upon return without a waiting period. Cancellation must be done in writing to the Human Resources Department. The employee must reinstate coverage within 30 days of his/her return from work.

g. Group medical, dental, vision insurance coverage and the medical spending account will cease on the last day of the month in which an employee reaches four months of leave or employment ends except that continuation is allowed under COBRA regulations if applicable to the plan.

h. If the employee fails to return to work at the expiration of the leave, he/she must repay any health insurance premiums paid by Kaweah **Health** while on leave, unless failure to return to work is due to a continuation of his/her own serious health condition or other reasons beyond his/her control.

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9. Reinstatement:

a. A doctor's release and a clearance with Employee Health Services will be required when an employee is returning from a medical leave of absence. The employee must complete all outstanding job requirements and documentation (licensure, CPR, ACLS, NRP, PALS, and TB testing, as applicable) prior to a return to work. Competency-related documentation must be completed within 2 weeks of the

employee's return. Requesting or receiving a leave of absence in no way relieves an employee of his or her obligation while on the job to perform his or her job responsibilities and to observe all District policies, rules and procedures.

- b. Under most circumstances, upon return from Family or Medical Leave, an employee will be reinstated to his or her previous position, or to an equivalent job with equivalent pay, benefits, and other employment terms and conditions. However, an employee returning from a Family or Medical Leave has no greater right to reinstatement than if the employee had been continuously employed rather than on leave. For example, if an employee on Family and Medical Leave would have been laid off had he/she not gone on leave, or if an employee's position is eliminated during the leave, then the employee would not be entitled to reinstatement.
- c. An employee's use of Family and Medical Leave will not result in the loss of any employment benefit that the employee earned or was entitled to before using Family or Medical Leave.
- d. The employee must complete all outstanding job requirements and documentation (licensure, CPR, ACLS, NRP, PALS, and TB testing, as applicable) prior to a return to work. Competency-related documentation must be completed within 2 weeks of the employee's return. Requesting or receiving a leave of absence in no way relieves an employee of his or her obligation while on the job to perform his or her job responsibilities and to observe all District policies, rules and procedures.

“Responsibility for the review and revision of this Policy is assigned to the ~~Chief Human Resources Officer~~. In some cases, such as Employee Benefits Policies, Summary Plan Descriptions and Plan Documents prevail over a policy. In all cases, Kaweah ~~Health~~ will follow Federal and State Law, as applicable, as well as Regulatory requirements. Policies are subject to change as approved by the Governing Board and will be communicated as approved after each Board Meeting. It is the employee's responsibility to review and understand all Kaweah ~~Health~~ Policies and Procedures.”

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Human Resources



**Kaweah Delta
Health Care District**

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Policy Number: HR.216	Date Created: 06/01/2007
Document Owner: Dianne Cox (Chief Human Resources Officer)	Date Approved: NOT APPROVED YET
Approvers: Board of Directors (Administration)	
Progressive Discipline	

Printed copies are for reference only. Please refer to the electronic copy for the latest version.

POLICY:

Kaweah Health uses positive measures and a process of progressive discipline to address employee performance and/or behavioral problems. Kaweah Health recognizes that the circumstances of each situation must be evaluated individually to determine whether to discipline progressively or to impose more advanced discipline immediately. This policy applies to all District employees, except residents enrolled in the District’s Graduate Medical Education (GME) program. Disciplinary actions related to residents in the GME program are handled by the Office of the GME as described in the Resident Handbook.

The primary purpose of Disciplinary Action is to assure compliance with policies, procedures and/or Behavioral Standards of Performance of the District. Orderly and efficient operation of our District requires that employees maintain appropriate standards of conduct and service excellence. Maintaining proper standards of conduct is necessary to protect the health and safety of all patients, employees, and visitors, to maintain uninterrupted operations, and to protect the District’s goodwill and property. Because the purpose of disciplinary action is to address performance issues, it should be administered as soon after the incident(s) as possible. Therefore, depending on the seriousness of the offense and all pertinent facts and circumstances, disciplinary action will be administered promptly.

Certain violations are considered major and require more immediate and severe action such as suspension and/or termination. Lesser violations will generally be subject to Progressive Discipline.

Any employee who is in Progressive Discipline is not eligible for transfer or promotion within Kaweah Health without review and approval by the hiring manager and Human Resources.

Progressive Discipline shall be the application of corrective measures by increasing degrees, designed to assist the employee to understand and comply with the required expectations of performance. All performance of an employee will be considered when applying Progressive Discipline.

In its sole discretion, Kaweah Health reserves the right to deviate from Progressive Discipline or act without Progressive Discipline whenever it determines that the circumstances warrant.

PROCEDURE:

I. The process of Progressive Discipline may include the following, depending on the seriousness of the offense and all pertinent facts and circumstances:

A. Warnings

1. Verbal Warning:

A Verbal Warning explains why the employee's conduct/performance is unacceptable and what is necessary to correct the conduct/performance. This written record of the verbal warning typically remains in the department manager's/supervisors confidential files unless more serious discipline follows.

B. Written Warning:

A Written Warning provides the nature of the issue and outlines the expectations of performance/conduct or what is necessary to correct the situation. This Warning becomes part of the employee's personnel file, along with any pertinent back-up documentation available, and will inform the employee that failure to meet the job standards/requirements of the Warning will necessitate further disciplinary action, up to and including termination.

The department management, in concert with Human Resources, determines the level of corrective disciplinary action that will take place based upon the seriousness of the offense, the existence of any prior disciplinary actions and the entirety of the employee's work record.

1. Level I

Any employee who receives a Level I is subject to further Written Warnings as stated in this policy.

2. Level II

Any employee who receives a Level II is subject to further Written Warnings as stated in this policy.

3. Level III

A Level III is considered Final Written Warning to the employee involved, and includes a written explanation of what is necessary to

meet the expectation of performance. A Level III Warning may be accompanied by a suspension. A suspension may be without pay and is generally up to five days or forty hours.

C. Administrative Leave

In the discretion of the District, an employee may be placed on Administrative Leave with or without pay at any time to give Kaweah Health time to conduct an investigation or for other circumstances considered appropriate by the District. Management may impose an Administrative Leave at any time for an employee(s) if they believe there is a risk to employee or patient safety. Management will notify Human Resources immediately if an Administrative Leave is enforced. When an employee is placed on Administrative Leave, Kaweah Health will make every effort to complete the investigation of the matter within five business days. If Kaweah Health is unable to complete an investigation of the matter within five days the Administrative Leave may be extended.

After the investigation has been completed, the employee may be returned to work and, in the discretion of Kaweah Health and depending on the circumstances, may be reimbursed for all or part of the period of the leave. If it is determined that the employee should be terminated, compensation may, in the discretion of the District, be paid until the Post Determination Review process has been completed. (See policy HR.218).

D. Dismissal Without Prior Disciplinary History

As noted, Kaweah Health may determine, in its sole discretion, that the employee's conduct or performance may warrant dismissal without prior Progressive Discipline. Examples of conduct that may warrant immediate dismissal, suspension or demotion include acts that endanger others, job abandonment, and misappropriation of District resources. This is not an exclusive list and other types of misconduct/poor performance, may also result in immediate dismissal, suspension or demotion. See Employee Conduct below. .

E. Employee Conduct

This list of prohibited conduct is illustrative only; other types of conduct injurious to security, personal safety, employee welfare or the District's operations may also be prohibited. This includes behavior or behaviors that undermine a culture of safety. Employee conduct that will be subject to Progressive Discipline up to and including immediate involuntary termination of employment includes but is not limited to:.

1. Falsifying or altering of any record (e.g., employment application, medical history form, work records, time cards, business or patient records and/or charts).
2. Giving false or misleading information during a Human Resources investigation;
3. Theft of property or inappropriate removal from premises or unauthorized possession of property that belongs to the District, employees, patients, or their families or visitors;
4. Damaging or defacing materials or property of the District, employees, patients, or their families or visitors;
5. Possession, distribution, sale, diversion, or use of alcohol or any unlawful drug while on duty or while on District premises, or reporting to work or operating a company vehicle under the influence of alcohol or any unlawful drug;
6. Fighting, initiating a fight, threats, abusive or vulgar language, intimidation or coercion or attempting bodily injury to another person on District property or while on duty. Reference policy AP161 Workplace Violence Prevention Program;
7. Workplace bullying which can adversely affect an employee's work or work environment, Reference policy HR.13 Anti-Harassment and Abusive Conduct.
8. Bringing or possessing firearms, weapons, or any other hazardous or dangerous devices on District property without proper authorization;
9. Endangering the life, safety, or health of others;
10. Intentional violation of patients' rights (e.g., as stated in Title XXII);
11. Insubordination and/or refusal to carry out a reasonable directive issued by an employee's manager (inappropriate communication as to content, tone, and/or language)
12. Communicating confidential District or Medical Staff information, except as required to fulfill job duties;
13. Sleeping or giving the appearance of sleeping while on duty;

14. An act of sexual harassment as defined in the policy entitled Anti-Harassment and Abusive Conduct HR.13;
15. Improper or unauthorized use of District property or facilities;
16. Improper access to or use of the computer system or breach of password security;
17. Improper access, communication, disclosure, or other use of patient information. Accessing medical records with no business need is a violation of state and federal law and as such is considered a terminable offense by KDHCDC.
18. Unreliable attendance (See Attendance and Punctuality HR.184)
19. Violations of Kaweah Health Behavioral Standards of Performance.
20. Unintentional breaches and/or disclosures of patient information may be a violation of patient privacy laws. Unintentional breaches and/or disclosures include misdirecting patient information to the wrong intended party via fax transmission, mailing or by face-to-face interactions.
21. Access to personal or family PHI is prohibited.
22. Refusing to care for patients in the event mandated staffing ratios are exceeded due to a healthcare emergency.
23. Working off the clock at any time. However, employees are not permitted to work until their scheduled start time.
24. Failure to work overtime.
25. Use of personal cell phones while on duty if, unrelated to job duties anywhere in Kaweah Health.
26. Excessive or inappropriate use of the telephone, cell phones, computer systems, email, internet or intranet.
27. Any criminal conduct off the job that reflects adversely on the District.
28. Making entries on another employee's time record or allowing someone else to misuse the District's timekeeping system.

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29. Bringing children to work, or leaving children unattended on District premises during the work time of the employee.
30. Immoral or inappropriate conduct on District property.
31. Unprofessional, rude, intimidating, condescending, or abrupt verbal communication or body language.
32. Unsatisfactory job performance.
33. Horseplay or any other action that disrupts work,
34. Smoking within Kaweah Health and/or in violation of the policy.
35. Failure to report an accident involving a patient, visitor or employee.
36. Absence from work without proper notification or adequate explanation, leaving the assigned work area without permission from the supervisor, or absence of three or more days without notice or authorization.
37. Unauthorized gambling on District premises.
38. Failure to detect or report to Kaweah Health conduct by an employee that a reasonable person should know is improper or criminal.
39. Providing materially false information to the District, or a government agency, patient, insurer or the like.
40. Spreading gossip or rumors which cause a hostile work environment for the target of the rumor.
41. Impersonating a licensed provider.
42. Obtaining employment based on false or misleading information, falsifying information or making material omissions on documents or records.
43. Violation of Professional Appearance Guidelines
44. Being in areas not open to the general public during non-working hours without the permission of the supervisor or interfering with the work of employees.
45. Failure to complete all job related mandatory requirements as

noted on the job description and as issued throughout a year
(i.e. Mandatory Annual Training, TB/Flu, etc.).

Further information regarding this policy is available through your department manager
or the Human Resources Department.

“Responsibility for the review and revision of this Policy is assigned to the Chief of Human Resources. In some cases, such as Employee Benefits Policies, Summary Plan Descriptions and Plan Documents prevail over a policy. In all cases, Kaweah Health will follow Federal and State Law, as applicable, as well as Regulatory requirements. Policies are subject to change as approved by the Governing Board and will be communicated as approved after each Board Meeting. It is the employee’s responsibility to review and understand all Kaweah Health Policies and Procedures.”

HR.221



Subcategories of Department Manuals
not selected.

Policy Number: <u>HR.221</u>	Date Created:
Document Owner: <u>Dianne Cox (Chief Human Resources Officer)</u>	Date Approved: <u>Not Approved Yet</u>
Approvers: <u>Board of Directors (Administration)</u>	
<u>Employee Reduction in Force or Reassignment Resulting in Demotion</u>	

Printed copies are for reference only. Please refer to the electronic copy for the latest version.

POLICY:

Kaweah Health is committed to maintaining a highly skilled and diverse workforce and will make all reasonable attempts to avoid cutbacks and reductions in force (RIF) or demotions whenever feasible. However, when Kaweah Health experiences circumstances it cannot maintain the existing staffing levels, the organization may decide in its discretion to implement a reduction in force or realignment in accordance with the following guidelines. Kaweah Health reserves theright to deviate from the guidelines contained in this policy when it determines, in its sole discretion, that such deviations(s) is/are appropriate.

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GUIDELINES:

I. Appropriate Staffing

Kaweah Health Management will determine the appropriate number of employees needed to effectively staff their departments. Staffing patterns will include the number of employees needed by department number, job number and full or part time status. Full-time employees, part-time employees and per diems are considered separate classifications.

II. Attrition and/or Hiring Freeze

The preferred method to reduce staffing levels is through attrition. Attrition occurs when employees terminate and are not replaced. Also, staff currently on Personal Leave of Absence can be informed that their job has been eliminated.

A hiring freeze may be implemented on an organization-wide, division-wide, department-wide, or job classification-specific basis or any combination of such basis. Because there are areas where specific training and/or licensure are necessary, if in-service training and/or internal transfer cannot meet the staffing

needs, it may be necessary to recruit from outside the current Kaweah Health workforce. If a hiring freeze is implemented, and qualified employees are not available through internal transfer, jobs may be posted by utilizing the position control process.

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III. Furlough

A furlough is a temporary lay-off/ leave of an employee due to special needs of an employer, generally due to economic conditions. A furlough will not generally be extended for longer than three months. However, Kaweah Health reserves the right to deviate from this standard under extraordinary circumstances.

When a furlough is applied, the employee may apply for Unemployment Benefits. The employee is required to be available to work when called back to duty. If the employee is not available to work, a voluntary termination may be applied. See section IV for guidelines.

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IV. Reduction in Force (RIF)

When a department Director and Chief Executive determine that there are more employees employed within a job classification or department or any unit or units of employment than is necessary to support Kaweah Health needs, a RIF may be proposed. All requests for RIF's must be approved by Kaweah Health's Chief Executive Officer.

Once approved, the Human Resources department will determine which employees will be reduced by following this policy. For the purposes of this policy each department is considered separately. Each job number in the department is considered separately. Managerial and lead positions will be considered separate job classifications from the positions held by employees that they manage/lead. Also part-time, full-time and per diem employee categories will be considered separately.

A. Generally, employee reductions will be based on the following factors in the order listed below. However, Kaweah Health may decide in its discretion to deviate from these guidelines, particularly where patient care or other important functions of Kaweah Health may be affected:

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1. Employees on Personal Leave of Absence will be reduced first and are not eligible for Reduction in Force benefits.

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2. Employees who have not successfully completed introductory period at Kaweah Health.

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3. Employees with documented job performance issues based on progressive discipline noted.

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4. Employees with the lowest documented job performance evaluations or certain competences needed do not apply to an individual or are scored lower.

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5. In all other cases where all considerations are equal, employees with the longest service based on date of hire with Kaweah Health will be the deciding factor.

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6. Where special skills, licensure, qualifications, experience or other key attributes are important to assist in carrying out the functions of Kaweah Health, Kaweah Health may deviate from the above criteria.

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B. Reduced employees will have some choices to make and deadlines in which to make them. The deadlines must be met.

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1. The right to appeal the reduction (see section X);

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2. The choice to take a three month RIF Personal Leave of Absence to look for a transfer (see section IV) while receiving salary continuance as reflected on the severance schedule below;

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3. The choice to take a severance lump sum and terminate employment (see section V).

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V. Three month RIF Personal Leave of Absence

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Employees expecting a RIF will receive salary continuation while on a three-month personal leave. Employees who have not been accepted into a new job with Kaweah Health by the end of the three month RIF Personal Leave of Absence will be terminated with their remaining severance in a lump sum. In addition, RIF employees who select the three month RIF Personal Leave of Absence may choose at any time within the three months to instead terminate their employment and take severance in a lump sum. Employees who find a new Kaweah Health job within three months will retain their original date of hire and the severance salary continuance will end.

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VI. Severance Pay and Termination

Severance pay will be paid according to the schedule below. The pay will be

based on straight time excluding any differentials or standby pay. Per diems are not eligible.

Years of Service	Weeks to be Paid
0 - 1	1.00
2 - 4	2.00
5 - 9	3.00
10 - 14	4.00
15 - 20	5.00
More than 20	8.00

The average number of hours which the employee worked per pay period during the six-month period prior to the Reduction in Force will be reviewed and considered to determine the appropriate status (i.e. Full-time vs. Part-time).

Employees with unpaid PTO accrued in their banks will be paid for those hours. EIB bank will not be paid out.

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In consideration of the severance pay, there is no further financial obligation to the employee on the part of Kaweah Health aside from eligible pension benefits, if any.

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VII. Reassignment Resulting in Demotion

Based on staffing pattern or employee performance, it is sometimes necessary to change an employee's job duties. When this change results in a lower salary grade or salary, it is considered a demotion. Employees who are demoted are given the choice of transfer to the new role offered to them at a lower grade and salary, or take a three-month Personal Leave of Absence as described in this policy without severance or take severance terminating employment as described in this policy. An employee has the right to appeal the reassignment resulting in demotion (see section IX).

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VIII. Benefits

An employee with group health, dental and vision insurance benefits who is placed on furlough or separates from employment as a result of RIF is entitled to continue his/her insurance benefits. For three months following furlough or separation from employment, the employee may continue group health, dental, and vision insurance at the active employee rates. An employee choosing to continue coverage beyond that period of time, may do so at full COBRA rates. Employees will be sent COBRA information to their address on file.

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The benefits offered through this policy apply to employees who separate from employment with Kaweah Health as a result of a RIF. They are not available to employees who separate from employment with Kaweah Health for other reasons

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such as a resignation or involuntary termination.

IX. Re-Employment

Employees who separate from employment with Kaweah Health as a result of a RIF and receive a severance payment may reapply for employment with Kaweah Health. However, if after separation has occurred a former employee is selected to fill a vacancy, their employment will be considered as any other newly hired employee. There is no requirement for reemployment by Kaweah Health.

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X. Appeal Rights for Reassignment Resulting in Demotion

Employees may not grieve or appeal termination of employment as a result of a reduction in force through the policy entitled GRIEVANCE PROCEDURE (HR.215). However, employees who have served greater than one hundred eighty (180) days may access their rights under policy entitled NOTIFICATION REQUIREMENTS AND APPEAL PROCESS FOR INVOLUNTARY TERMINATION AND DEMOTION (HR.218).

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XI. Appeal Rights for Employee Reduction in Force

You are entitled to appeal this separation orally, or in writing, by contacting your Chief Executive no later than the time indicated on your RIF Notice (typically one business day).

Deleted: Layoff

XII. Under special circumstances, alternative severance packages may be developed and offered to employees. Where this is the case, acceptance of an alternate severance package will cause the employee to be ineligible for the benefits offered in this policy.

“Responsibility for the review and revision of this Policy is assigned to the Chief Human Resources Officer. In some cases, such as Employee Benefits Policies, Summary Plan Descriptions and Plan Documents prevail over a policy. In all cases, Kaweah Health will follow Federal and State Law, as applicable, as well as Regulatory requirements. Policies are subject to change as approved by the Governing Board and will be communicated as approved after each Board Meeting. It is the employee’s responsibility to review and understand all Kaweah Health Policies and Procedures.”

HR.233-11.30.22

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Policy Number: HR.233	Date Created: 06/01/2007
Document Owner: Dianne Cox (Chief Human Resources Officer)	Date Approved: Not Approved Yet
Approvers: Board of Directors (Administration)	
Non-Employees	

Printed copies are for reference only. Please refer to the electronic copy for the latest version.

POLICY: Kaweah Delta uses both employees and non-employees in the course of normal operations. Non-employee categories include but are not limited to Volunteers, Students, Independent Contractors, Contractors who have direct patient care or access, Temporary Staff, and Travelers. Non-employees are not on the payroll and do not receive benefits. Department Leaders of non-employees must coordinate their usage of non-employees through Human Resources. Certain contractors may utilize the Vendor Mate process as instructed.

PROCEDURE:

I. Coordination of Non-Employees

Human Resources clears all non-employees covered by this policy.

All non-employees must complete third-party background checks as well as a drug screening, two-step TB testing and Flu vaccine (during flu season). Once Human Resources has processed and cleared the background check, an identification badge will be issued. Human Resources and Clinical Education (when required) will provide orientation materials. Additional Clinical Orientation requirements are determined by the non-employee position, location of work and level of involvement with staff, patients and the public. Leaders or their designees are responsible for department specific orientation. (See HR.46 Orientation of Kaweah Delta Personnel)

II. Department Leaders Responsibilities

The Department Leader is responsible for all required processing, including orientation using information provided by Human Resources. All non-employees must complete orientation materials before they may begin working at Kaweah Delta.

As determined by the leader, all non-employees must have an initial competency assessment that is documented in the department and/or Human Resources file.

The department leader is responsible for the training duties and documented performance of non-employees.

III. Worker's Compensation and Employee Benefits

Non-Employees are not covered under any Kaweah Delta Self-Insurance nor health-related employee Insurance programs.

Kaweah Delta provides Workers' Compensation coverage for volunteers within the scope of the volunteer's duties.

IV. Ending the Non-Employee Relationship

Deleted: If an investigation indicates Kaweah Delta caused or contributed to the injury of a non-employee, Kaweah Delta will review coverage under its general liability program for visitors.

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Field Code Changed

he relationship between Kaweah Delta and the non- employee can be ended without notice by either the non- employee or Kaweah Delta. Non-employees who leave Kaweah Delta must return all Kaweah Delta property. Department Leaders must notify Human Resources when a non-employee ends their service.

V. Volunteers

Volunteer opportunities are available through the Guild, Pet Therapy, Hospice (see policy H02-009), Clergy, General Volunteer Program, Kaweah Helps, and Community Engagement Initiatives.

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Volunteers will not be used to replace paid staff members but will perform extra duties that will contribute to the well-being and comfort of patients and visitors or support the services of Kaweah Delta.

VI. Students

The Human Resources Department maintains all Student Affiliation Agreement contracts.

Student placements are tracked by Clinical Education, Graduate Medical Education, Human Resources and may only occur when Affiliation Agreements are valid.

Duties of Students

Students will perform duties based on learning needs determined by their school and as defined in the Affiliation Agreement. Students/schools must show proof of compliance with Student Affiliation Agreements.

Supervision of Students

Supervision is provided by the clinical instructor of record, Physician, the department leader or designee following the Affiliation Agreement.

VII. Supplemental Staffing

As a general rule, an individual employed by Kaweah Delta cannot also contract to provide services to Kaweah Delta.

Outside resources will be utilized when a need is determined for specialized services and/or to fulfill a shortage of qualified staff. Management must present all requests for contracting services to their Director and Vice President for submission to Human Resources.

Per AP.69, Human Resources must approve all contracted staffing and independent contractor agreements. Human Resources has sole authority and responsibility for communication and negotiation with contracted staffing agencies and independent contractors.

Human Resources will be responsible for procuring and maintaining the contractors for contracted personnel, including Independent Contractors, Temporary Staff, and Travelers.

Leaders wishing to utilize temporary labor through an agency or registry are required to contact Human Resources. Human Resources will select the appropriate agencies for provision of personnel.

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Departments which utilize contact or agency staff members are responsible for assuring compliance with regulatory standards and Kaweah Delta standards for performance. Management is also responsible for assuring proper orientation, competency assessment, privacy and safety training for all contract and agency staff.

Individuals and companies who contract to provide staffing services with Kaweah Delta must provide proof that they meet all applicable state, national, local, Kaweah Delta and Joint Commission requirements.

VIII. Medical Exams and Health Requirements

Non-employees who provide services to patients will be contractually required to comply with Employee Health Services guidelines, i.e. Two-Step TB testing, drug screening and flu vaccine (during flu season). Non-employees must meet all essential functions for their position as noted in the job description. (See EHS.11 Immunization Requirements for Health Care Workers)

IX. Non-Employee Files

A file on each non-employee must be kept with the Department Leader and/or Human Resources. The file should contain the non-employee's initial competency assessment, documentation of competency assessment if applicable, and documentation of training and in-services. During surveys by the State or Joint Commission, Human Resources, leaders and the Director of Volunteer Services will be responsible for providing all required documentation.

X. Kaweah Delta Policies and Procedures

All non-employees will conduct themselves in a manner which reflects positively upon Kaweah Delta. Non-employees will familiarize themselves with the Mission of Kaweah Delta.

Non-employees must abide by the same policies as Kaweah Delta employees during their assignment. This includes dress code, identification badges, personal visits, use of phones for personal use, confidentiality of Kaweah Delta and patient information, solicitation etc. between the District

XI. Harassment

Non-employees, who believe that they have been harassed by an employee, patient, or member of the medical staff, are encouraged to report the incident to their leader or to the Human Resources Department.

RELATED POLICIES: AP.69 Requirements for Contracting with Outside Service Provider; HR.35 Supplemental Staffing

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HR.236-11.30.22



Subcategories of Department Manuals
not selected.



**Kaweah Delta
Health Care District**

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Policy Number: HR.236	Date Created: 06/01/2007
Document Owner: Dianne Cox (Chief Human Resources Officer)	Date Approved: 07/27/2022
Approvers: Board of Directors (Administration)	
Computer and Communication Devices and Social Media Code of Conduct	

Printed copies are for reference only. Please refer to the electronic copy for the latest version.

POLICY:

This policy applies to all those who have access to Kaweah Health computer and electronic systems (i.e. telephones, Kaweah Health provided cell phones required for use while working, facsimile machines, computers, laptops, iPads, electronic mail, and internet/intranet access), whether on Kaweah Health premises or off site and regardless of employee status.

Computer Systems:

Access to Kaweah Health’s computer system is provided for business purposes. The system is not to be used for personal gain or advancement of individual views; employees need to exercise responsibility and not abuse privileges when sending or receiving messages for personal, non-business purposes. Solicitation of non-Kaweah Health business is strictly prohibited.

Computer and Information Security:

Kaweah Health will maintain a secure computing environment, employing appropriate procedural and technical controls designed to safeguard information and supporting technologies. Kaweah Health provides security awareness education for staff members and implements workplace practices where staff understands their responsibilities for ensuring confidentiality and where their workflow encourages protection of information. All employees receive security awareness education during Orientation and annual through Mandatory Annual Training (MAT) e-learning. The underlying rule of information protection is ‘the need to know,’ i.e. one should only access information when access is required to fulfill one’s responsibilities or perform an authorized and assigned business function. Access to patient records are tracked and recorded by the system. Users who violate security, confidentiality, and/or integrity of information intentionally or through carelessness will be subject to loss or restriction of use of the computer systems and/or disciplinary action up to and including termination of employment. Loss or restriction of the use of the computer systems may include loss of permanent access

even if employed by another employer who has access to Kaweah Health systems. (See AP64 Confidentiality Security and Integrity of Health Information)
Individual persons who access or use Kaweah Health information or data are expected to fulfill certain responsibilities according to the roles they are assigned.

The expectation is to maintain a secure work area, protect computer access, to not divulge security codes or other confidential information to unauthorized persons, including to other staff members or employees of Kaweah Health. It is expected that staff or employees will report observed or suspected breaches of information to management, Corporate Compliance, and/or to the Information Systems Services department.

Social Media & Internal Communication Sites:

This policy establishes the requirements for Kaweah Health employees in accessing, opening, viewing, and posting Social Media content, videos, and/or comments about Kaweah Health or related entities (including blogs, videos, pictures, podcasts, discussion forums, social networks, multi-media sites). Social Media and internal communication sites may include, but are not limited to, Facebook, Twitter, Instagram, YouTube, LinkedIn, Snapchat, Kaweah Compass and the like.

Kaweah Health understands that social media sites have joined the mainstream of day-to-day communications. It is expected that employees understand the impact that social media can have on Kaweah Health's reputation, co-workers, physicians, patients, and business relationships. We emphasize the importance of common sense and good judgment. Employees are to follow the same standards that apply to other activities and behavior when communicating on social media sites, internal intranet sites, or online. Employees should know that postings and communications transmitted on social media sites are not private, and thus, should consider how any communication might be perceived.

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Kaweah Health's Media Relations Department has the responsibility to manage and monitor the information on Social Media sites, and will include Human Resources, Risk Management, Corporate Compliance, and other applicable departments or individuals if violations or concerns of violations of this policy occur.

Internet Access:

Internet access is intended to support research, education and patient care, and is provided to enhance the ability to develop, design and implement improved methods for delivering patient care, information and related services. All staff are expected to use appropriate professional ethics and judgment when using internet or intranet access, including the use of Social Media, telephones and personal cell phones, including a prohibition on messaging or text messaging any Protected Health Information (PHI) or Personally Identifiable Information (PII). (See ISS.001

Information Security)

Electronic Communication Systems:

All electronic communication systems provided by Kaweah Health, including the equipment and the data stored in the system, are and remain at all times, whether located on Kaweah Health premises or if located at another remote location, the property of Kaweah Health. As a result, all messages created, sent or retrieved over Kaweah Health's electronic mail system or via voicemail are the property of Kaweah Health. Employees should not maintain any expectation of privacy with respect to information transmitted over, received by, or stored in any electronic communications device owned, leased, or operated in whole or in part by or on behalf of Kaweah Health.

Kaweah Health reserves the right to retrieve and read any message composed, sent, or received on Kaweah Health's computer equipment, electronic mail system or voice mail system. Employees are informed that, even when a message is erased, it is still possible to recreate the message; therefore, ultimate privacy of messages should not be expected. Accordingly, employees expressly consent to electronic monitoring of these systems. Furthermore, all communications including text and images can be disclosed to law enforcement, licensing boards, or other third parties without the prior consent of the sender or the receiver. Kaweah Health can request and require an employee to disclose their username and/or password to gain access to any Kaweah Health-provided electronic device or software system.

Kaweah Health Issued Mobile Devices:

Only those individuals with a justifiable need, as determined by department leadership and the Director of ISS Technical Services, shall be issued Kaweah Health devices (i.e. phone, smartphone, tablet, laptop) and/or mobile voice and text/data services for the purpose of conducting business on behalf of Kaweah Health. The individual using Kaweah Health-owned devices is required to sign the "KDHCDC Equipment Use and Information Technology Security Agreement" at the time they are issued a device. The device must be kept in the employee's personal possession at all times. Kaweah Health may rescind the agreement and require the return of any devices at any time. When employment ends at Kaweah Health, all devices must be returned by the last day of work. Failure to return all property to Kaweah Health in the same working condition that it was received may be considered theft of property and may lead to criminal prosecution.

Mobile phones may not be used while driving unless hands-free capability is utilized. This applies to use of the employee's personal vehicle and/or the use of Kaweah Health vehicles while on Kaweah Health business.

PROCEDURE:

Electronic Communication:

1. Internet or the Kaweah Health intranet access may be provided by Kaweah Health to employees for the benefit of Kaweah Health and its customers, vendors and suppliers. This access enables the employee to connect to information and other resources within or outside of Kaweah Health. Contract services staff who work at Kaweah Health may be given access to the computer system and must comply with all provisions of this policy.

The employee will be given a password when granted access to Kaweah Health's computer systems. The employee must change passwords to these systems when prompted to do so as define in Policy ISS.003. Because the system may need to be accessed by Kaweah Health, the Human Resources, Compliance, and Information Systems departments will further be able to access all Kaweah Health computer equipment and electronic mail. Any employee found to knowingly allow their password to be used by anyone else, or who is found to be using another's password will be subject to disciplinary action up to and including termination of employment.

2. When accessing the internet or Kaweah Health's own intranet, employees agree to do so for business purposes. Accordingly, such communications should be for professional and business reasons; personal use must be limited to what may be considered regular break times.
3. All staff are expected to use appropriate professional ethics and judgment when using internet or intranet access, including the use of Social Media, Kaweah Health provided cell phones, and telephones and personal cell phones, including a prohibition on messaging or text messaging any PHI or PII related information. Employees are expected to maintain employee, patient, customer, medical staff, and volunteer confidentiality (PHI and PII). (See ISS.015 Use of Portable Devices to "Text" ePHI or KDHCDC Proprietary Data) Employees may not post any material that is obscene, defamatory, profane, libelous, threatening, harassing, abusive, hateful, or embarrassing to another person or Kaweah Health when posting to sites. This policy applies to employees using Social Media while at work. It also applies to the use of Social Media when away from work, when the employees' or medical staffs' Kaweah Health affiliation is identified, known, or presumed. If employees acknowledge their relationship with Kaweah Health in an online community, they must include disclaimers in their online communications advising that they are not speaking officially on behalf of Kaweah Health.
4. Unless an individual is serving as an approved, official spokesperson for Kaweah Health in online communications, such communications are the individual's personal opinions and do not reflect the opinion of Kaweah

Health. Employees are personally responsible for his/her posts (written, audio, video, or otherwise). Communications must not contain Kaweah Health confidential, proprietary or trade-secret information.

5. Kaweah Health urges employees to report any violations or possible or perceived violations to supervisors, managers or the HR Department or Compliance Department. Violations include discussions of Kaweah Health and its employees and clients, any discussion of proprietary information, and any unlawful activity related to blogging or social networking. Inappropriate use shall be subject to disciplinary action, up to, and including, termination. In addition, breach of patient information may also be subject to legal proceedings and/or criminal charges. (See HR.216 Progressive Discipline policy)
6. All employees who have access to computer information will sign an Agreement. In addition, employees will be required to sign certain other Agreements that apply to their position. The electronic copy of these Agreements will be kept in ISS.

Employee Harassment and Discrimination:

1. Any form of discrimination or harassment is strictly prohibited and employees must take all reasonable steps to prevent discrimination and harassment from occurring while conducting business or while acting on behalf of Kaweah Health. No messages with derogatory or inflammatory remarks about an individual or group's age, disability, gender, race, religion, national origin, physical attributes, sexual preference or any other classification protected by Federal, State or local law may be transmitted using any type of telecommunications technology.
2. Employees must immediately report all instances of discrimination or harassment to Kaweah Health. Please refer to HR.13 Anti-Harassment policy.
3. Nothing in this policy is intended to prohibit employees from communicating with co-workers about the terms and conditions of their employment.

Termination of Employment:

Upon termination of employment, the Information Systems Services Department will be notified immediately by Human Resources. The employee's password and all accounts will be deactivated. All Kaweah Health devices, equipment, and other property must be returned by the last day of on-site work. Failure to return all property to Kaweah Health in the same working condition that it was received may be

considered theft of property and may lead to criminal prosecution.

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