### ­Brett DiNovi & Associates, L.L.C.



*(856) 628-1686 & (302) 562-7472*

*Email:* [*receptionist@brettdassociates.com,*](mailto:receptionist@brettdassociates.com) *Web:* [*www.brettdassociates.com*](http://www.brettdassociates.com/)

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| **Mailing Address**  PO Box 8223  Cherry Hill NJ 08002  **Corporate Flagship Office BDA**  3000 Atrium Way #430  Mt. Laurel NJ 08054  **South Jersey**  1771 Springdale Rd Cherry Hill NJ 08003  **BDA Florida**  13575 58th St N. Suite 114 Clearwater, Fl 33760  **New York**  57 W. 57th St.  3rd & 4th floor  New York, NY 10019  **Nevada: BDI**  2300 W.Sahara Ave #800  Las Vegas NV 89102  **BDA Waterboro Maine**  305 Main St. Waterboro, ME 04087  **BDA Pennsylvania**  3331 Street Rd. Suite 430 Bensalem, PA 19020  **BDA Texas**  950 E. State Hwy 114 Suite 160, Southlake TX 76092  **BDA California OLC**  4050 W Metropolitan Dr, Orange, CA 92868  **Professional Advisory Board**  **Julie S. Vargas, PhD**  Formerly Skinner  Author & Educator  **Ron Savage, EdD** President  Sarah Jane Brain Foundation  **E.A. Vargas, PhD**  Vice President  B.F. Skinner Foundation | **Company Policies Employee Handbook**  ***Brett DiNovi & Associates, LLC***  **Pennsylvania**  **Last revised August 2022** |

## WELCOME TO BRETT DINOVI & ASSOCIATES, LLC

Dear valued new team member,

Congratulations for your employment with our company. Our services have been described as exemplary for the delivery of best practice applied behavior analysis programs providing behavioral, educational, and organizational behavior management consultation in school districts/agencies throughout the United States and worldwide through the use of remote video consultation, and you were chosen for employment with our company due to your exceptional skills and credentials.

**Our Mission**: *Our main goal is to provide training for schools and families, and our success is precisely measured by our ability to systematically fade our presence so that the individuals we serve are successful in our absence.*

Brett DiNovi & Associates, LLC (BDA), was founded in 2004 with a mission to serve learners with behavioral/educational challenges in the least restrictive environment. Our employees have provided clinical and administrative leadership for thousands of students, educational staff, and families both nationally and internationally. Our employees have taught Applied Behavior Analysis courses at various colleges and universities. We consult in public schools, private schools, residential programs, community settings, and homes. We are excited to have you join our team.

**Brett** DiNovi, the CEO, is a Board Certified Behavior Analyst and Wall Street Journal Best Selling Author of [“The 5 Scientific Laws of Life & Leadership: Behavioral Karma”.](https://www.amazon.com/Scientific-Laws-Life-Leadership-Behavioral-ebook/dp/B09FB1D328)  Brett has over three decades of experience helping students with severe behavior problems and learning difficulties, and he has used organizational behavior management (OBM) to create large scale change across many organizations. Brett has had the honor of studying under Dr. Julie Vargas (daughter of the late B.F. Skinner) and Dr. Ernest Vargas at West Virginia University's nationally recognized graduate program. Presently, Brett still serves on the B.F. Skinner Advisory Board.

It is obviously not possible to anticipate every situation that may arise in the workplace or to provide information that answers every possible question. No business is free from day-to-day problems, but we believe our personnel policies and practices will help resolve such problems. All of us must work together to make the Company a viable, healthy, and profitable organization. This is the only way we can provide an excellent working environment that promotes genuine concern and respect for others including all employees and our clients.

**ATTENTION**

**THIS EMPLOYEE HANDBOOK AND THE POLICIES, PRACTICES AND PROCEDURES IT CONTAINS, ARE APPLICABLE TO ALL EMPLOYEES OF BRETT DINOVI & ASSOCIATES, LLC (“BDA” OR THE “COMPANY”).**

**THE POLICIES, PRACTICES AND PROCEDURES PUBLISHED BY THE COMPANY AS CONTAINED IN THIS EMPLOYEE HANDBOOK ARE NOT IN ANY WAY TO BE INTERPRETED AS AN EMPLOYMENT CONTRACT BETWEEN THE COMPANY AND ANY OF OUR EMPLOYEES.**

**THERE ARE NO PROMISES OF ANY KIND BY THE COMPANY CONTAINED IN THIS EMPLOYEE HANDBOOK. REGARDLESS OF WHAT THIS EMPLOYEE HANDBOOK SAYS OR PROVIDES, THE COMPANY RESERVES ITS RIGHT TO CHANGE WAGES, BENEFITS, AND ALL OTHER TERMS AND CONDITIONS OF EMPLOYMENT, AND ANY POLICY OR PROVISION SET OUT IN THIS HANDBOOK, AT ANY TIME IN ITS SOLE DISCRETION.**

**BOTH THE COMPANY AND OUR EMPLOYEES HAVE THE RIGHT TO END THE EMPLOYMENT RELATIONSHIP AT ANY TIME, WITH OR WITHOUT CAUSE AND WITH OR WITHOUT PRIOR NOTICE. NOTHING IN THIS EMPLOYEE HANDBOOK SHOULD BE INTERPRETED AS IN ANY WAY CHANGING OR MODIFYING ANY EMPLOYEE’S AT WILL EMPLOYMENT OR AS CONSTITUTING A GUARANTEE OF EMPLOYMENT WITH THE COMPANY FOR ANY SPECIFIC PERIOD OF TIME. ONLY THE CEO, OR AN OFFICER SO AUTHORIZED BY THE CEO, MAY ENTER INTO AN AGREEMENT OR CONTRACT WITH ANY EMPLOYEE ON BEHALF OF THE COMPANY. ALL SUCH AGREEMENTS OR CONTRACTS MUST BE IN WRITING.**

**THIS EMPLOYEE HANDBOOK SUPERSEDES AND REPLACES ALL PRIOR OR EXISTING HANDBOOKS, MANUALS, WRITTEN POLICIES, MEMOS, GOOGLE DOCS, E-MAILS, ORAL POLICIES OR PRACTICES IN EFFECT, OR STATEMENTS MADE, PRIOR TO THE EFFECTIVE DATE PRINTED ON THE COVER OF THIS EMPLOYEE HANDBOOK, REGARDING TOPICS COVERED BY OR WITHIN THIS HANDBOOK. THE COMPANY MAY NOTIFY EMPLOYEES OF TEMPORARY AND OR ONGOING CHANGES TO POLICIES AND PROCEDURES CONTAINED IN THIS HANDBOOK BY POSTING SUCH CHANGES IN A GOOGLE DOC MAINTAINED ON THE COMPANY’S GOOGLE DRIVE, WHICH IS ACCESSIBLE TO ALL EMPLOYEES.**

**IF ANY STATEMENTS IN THIS HANDBOOK ARE NOT CLEAR TO YOU, PLEASE CONTACT YOUR SUPERVISOR OR HUMAN RESOURCES FOR CLARIFICATION.**

**COMPANY PHILOSOPHY**

## Open-Door Policy

In keeping with the Company’s philosophy of open communication, all employees have the right and are encouraged to speak freely with management about their job-related concerns. We urge you to go directly to your coach or supervisor to discuss your job-related ideas, recommendations, concerns and other issues which are important to you. If, after talking with your coach or supervisor, you feel the need for additional discussion, you are encouraged to speak with Human Resources. If your topic is not resolved, then contact your Company Human Resources representative. If you are unable to reach these leaders, contact the Chief Operating Officer (COO) and subsequently the CEO as your last resort.

The most important relationship you will develop at the Company will be between you and your Executive Coach. However, should you need support from someone other than your supervisor, the entire management team, including the COO, is committed to resolving your individual concerns in a timely and appropriate manner.

## Equal Employment Opportunity (EEO)

BDA is an equal opportunity employer and complies with all applicable federal, state, and local fair employment practices laws. BDA strictly prohibits and does not tolerate discrimination against employees, applicants, clients, or any other persons affiliated with the Company because of race, color, religion, religious creed, nationality, national origin or ancestry, ethnicity, sex (including pregnancy and pregnancy-related conditions), gender (including gender identity or expression), age, physical or mental disability, use of a guide or support animal due to a disability, citizenship, past, current, or prospective service in the U.S. uniformed services, genetic information and predisposing genetic characteristics, sexual orientation, affectional preference, marital status, civil union status, domestic partnership status, atypical hereditary cellular or blood trait (AHCBT), or any other characteristic protected under applicable federal, state, or local law (all collectively referred to as “Protected Status”). BDA also will not deprive, nor threaten to deprive, any employee of employment, seniority or benefits because the employee attends court by reason of being a victim of, or a witness to, a crime or a member of such victim’s family.

It's important to note, however, that BDA provides pay for performance and promotions based on job performance and work behaviors as opposed to time spent with the Company. Although BDA is loyal to its long-term employees, the employees’ performance, as defined in the job description, may result in rapidly gaining access to performance bonuses and wage increases. Employee compensation also varies based on the geography of employment, cost of living, and number of supervisees the employee supports.

All BDA employees, other workers, and representatives are prohibited from engaging in any form of discrimination based on Protected Status. This policy applies to all terms and conditions of employment, including, but not limited to, hiring, training, assignments, promotion, discipline, compensation, benefits, termination, and all other terms and conditions of employment, which will be determined based on qualifications, experience, specific position held, job performance, productivity, and other objective factors not related to Protected Status.

BDA is committed to the belief that each individual is entitled to equal employment opportunity without regard to Protected Status or any other non-merit factor unrelated to job responsibilities. All terms and conditions of employment shall be evaluated on the basis of personal skill and merit; and, the Human Resources Department & COO shall act as the responsible agent in the full implementation of the equal employment opportunity policy.

If you have questions about this policy, or if you believe that you have been subjected to any form of unlawful discrimination, please notify Human Resources or your coach/supervisor. You are welcome to discuss equal opportunity related questions with your coach/supervisor, Human Resources or the COO.

## Diversity

BDA serves a diverse client population in partnership with other BDA organizations across many states and outside of the United States. Because of the nature and delivery of services provided, the demographics of our client population and workforce, and the degree of professional judgment and independent discretion required in our jobs, the Company welcomes and actively values a diverse workforce. Diverse organizations are better equipped to meet the needs of the complex environments in which we operate. BDA is an organization that works hard to attract, retain, develop, and promote a wide diversity of people based on their knowledge, skills and abilities. Excellence as an organization is promoted by valuing our relationships with clients, coworkers, and the community, listening and communicating in a way that includes all people, and valuing the ideas and insights of employees. This creates a work atmosphere in which we are invested in each other’s success, are accountable for our actions, and allow the opportunities to question, explain, listen and reflect on issues of global difference. The Company is committed to merit system principles that embrace the concepts of affirmative action, equal employment opportunity, and non-discrimination on the basis of Protected Status.

## Reasonable Accommodations For Employees With Disabilities And Pregnancy-Related Conditions

BDA will consider requests for reasonable accommodation from any qualified employee with a disability, who requires a reasonable accommodation(s) in order to perform the essential functions of his/her job. BDA also will consider requests for reasonable accommodation from any qualified employee, who is pregnant or has a pregnancy-related medical condition, and requires a reasonable accommodation(s) in order to perform the essential functions of her job.

Only a qualified employee with a disability or pregnancy related condition may be granted a reasonable accommodation. A qualified employee is an individual who satisfies the requisite skill, experience, education and other job-related requirements of the position held or desired, and who can perform the essential functions of that position, with or without reasonable accommodation.

Reasonable accommodations are specific to the particular needs of each qualifying employee and the particular demands of the position. The following are just some examples of possible reasonable accommodations, which a qualifying employee might request: modified or additional tools and/or equipment; modified work schedule; reassignment to a vacant position, etc. It’s important to note, however, that BDA does not typically provide “light duty” work accommodations due to the severity of our clients’ needs. Any qualified employee seeking a reasonable accommodation must speak to the head of Human Resources, Lisa Riley, or the COO Jason Golowski. Contact them at [receptionist@brettdassociates.com](mailto:receptionist@brettdassociates.com)

BDA may require an employee seeking an accommodation to provide documented medical evidence of a disability or pregnancy related medical condition, the need for an accommodation, and the extent to which the employee is limited due to the disability or pregnancy related medical condition. Prior to granting any reasonable accommodation, BDA also may require the employee to undergo a medical examination by a health care provider of BDA’s choice to confirm the need for an accommodation and to help determine an appropriate accommodation in each individual circumstance. BDA reserves its right to determine what, if any, reasonable accommodation it can/will grant in response to each request, mindful of any medical documentation received, and will discuss each request with the employee before finalizing its decision. BDA will not grant any reasonable accommodation, which will cause BDA to endure, incur or experience an undue hardship based on financial or operational impacts.

## Religious Accommodation

BDA recognizes and respects each employee’s religious pursuits. To that end, the BDA will take reasonable measures to accommodate an employee’s needs, unless doing so would cause an undue hardship to the clients or BDA. This may require occasional adjustment of an employee’s work schedule or, in certain circumstances, granting hours/days off from work for observances to attend religious services or activities at the employee’s place of worship. You must make all requests for religious accommodation in advance, in writing, to the head of Human Resources at [receptionist@brettdassociates.com](mailto:receptionist@brettdassociates.com)

## Anti-Discrimination, Anti-Harassment, and Anti-Retaliation

An important aspect of the BDA’s Equal Employment Opportunity policy is to ensure that all individuals have the right to work in an environment that is free from discrimination and from all inappropriate, unwelcome workplace conduct where that conduct could be viewed as workplace harassment. Workplace harassment includes inappropriate conduct based on an individual’s Protected Status (as defined below), which has the purpose or effect of unreasonably interfering with that individual’s work performance, or otherwise creates an intimidating, hostile or offensive working environment. Therefore, the Company does not permit any inappropriate conduct, including inappropriate actions, comments or communications to be created, distributed, transmitted or posted on Company premises, at any Company work location, at any Company-sponsored or business-related function, or by or between employees, applicants for employment, temporary workers, interns, other persons affiliated or engaged with the Company, any clients or employees, contractors, agents or representatives of clients, including school districts and private clients for which employees provide services in the clients’ homes or other locations. Discrimination and workplace harassment are unacceptable and will not be tolerated by the Company.

For purposes of this policy:

* “Protected Status” shall include race, color, religion, religious creed, nationality, national origin or ancestry, ethnicity, sex (including pregnancy and pregnancy-related conditions), gender (including gender identity or expression), age, physical or mental disability, use of a guide or support animal due to a disability, citizenship, past, current, or prospective service in the U.S. uniformed services, genetic information and predisposing genetic characteristics, sexual orientation, affectional preference, marital status, civil union status, domestic partnership status, atypical hereditary cellular or blood trait (AHCBT), or any other characteristic protected under applicable federal, state, or local law.
* Conduct is “inappropriate” if it is unwelcomed and it is or contains language, which is threatening, harassing, denigrating, highly insensitive, offensive, obscene, very sexually suggestive, sexually explicit, or where its basis is any Protected Status.
* Inappropriate “actions” include but are not limited to unwelcomed gestures, leering, kissing, stroking, caressing, fondling, grabbing, rubbing, and touching another person or oneself in an inappropriate or offensive manner.
* Inappropriate “comments” and “communications” include, but are not limited to unwelcomed statements, questions, jokes, pictures, photographs, videos, gifs, recordings, drawings, cartoons, poems, songs, and stories, whether written, oral, physical, digital, or electronic (including e-mail, voice mail, texting and other electronic messaging, as well as postings on line and in social media).

This policy applies to all terms and conditions of employment. Harassment of any other person, including, without limitation, fellow employees, supervisors, clients, or their employees, contractors, representatives, or family members, whether at work in a school district, a client’s home, the Company’s offices, any other work location, or outside of work, is grounds for disciplinary action, which may include termination from employment.

Sexual Harassment

While sexual harassment is only one form of prohibited gender-based harassment, BDA emphasizes that sexual harassment in the workplace is a form of employment discrimination, and like any other form of harassment, will not be tolerated. Sexual harassment consists of unwelcome sexual advances, requests for sexual favors, and other verbal, visual or physical conduct of a sexual nature where:

* Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment;
* Submission to or rejection of such conduct by an individual is used as a basis for employment decisions affecting such individuals; or
* Such conduct has the purpose or effect of unreasonably interfering with an individual’s work performance or of creating an intimidating, hostile or offensive work environment, as viewed from the perspective of a reasonable person and by precise observation of these behaviors.

Such conduct may include, but is not limited to: subtle or overt pressure for sexual favors; inappropriate touching; lewd, sexually oriented comments or jokes; obscene language; and posting of suggestive or sexually explicit posters, calendars, photographs, graffiti, or cartoons. Workplace harassment also includes the following prohibited behaviors:

* physical assaults of a sexual nature; other unwanted and unnecessary physical contact with another employee;
* unwelcome advances, propositions, or repeated sexual flirtations;
* subtle pressure or request for sexual activities; and
* verbal abuse of a sexual nature.

This list is not all inclusive, but it is representative of the types of behaviors that are prohibited.

Company policy further prohibits harassment and discrimination based on gender stereotyping, which occurs when one person harasses or discriminates against another person because he/she/they does/do not fit a stereotype or the harasser’s idea of what it means to be male or female, or when responsibilities are defined in gender specific terms, such as “man’s work” or “woman’s work”.

Voluntary, consensual conduct and relationships, even at work, do not constitute sexual harassment, but must be handled discretely without causing disruption for the employees involved, other employees, members, or Company operations.

Sexual harassment can result from the conduct of a male to a female, a female to a male, or between persons of the same gender, and may include persons who identify with one gender, persons who do not identify with a specific gender, and persons who may be transitioning. Regardless of the relationship, sexual harassment will not be tolerated.

Procedure to Report Harassment or Discrimination

BDA is committed to maintaining a workplace free from all forms of unlawful discrimination and harassment.

BDA encourages all employees to assist in maintaining a discrimination-free and harassment-free workplace. Any employee who feels that he or she has experienced or witnessed an incident of discrimination or workplace harassment in any form, should bring the incident to the immediate attention of head of PA Human Resources at [receptionist@brettdassociates.com](mailto:receptionist@brettdassociates.com) If the employee is dissatisfied with the handling of the complaint, the employee should bring the problem promptly to the attention of the COO & all employees contact information can be found on the payroll system directory. If the situation involves the individual’s direct supervisor, the individual should bypass the direct supervisor.

An individual may, but is not required to, advise the offender that his or her behavior is unwelcome and to request that it be discontinued. In some circumstances, this may end the unwelcome behavior. If the situation persists after such a discussion or if the individual is not comfortable confronting the offender, the individual should promptly discuss his or her concerns with Human Resources and/or his or her supervisor/coach. Remember, although it’s encouraged to give feedback directly to the offender, it is not always necessary for an individual to speak directly to an offender. The individual may always discuss his or her concerns with his or her supervisor/coach (assuming the supervisor/coach is not the offender) who also must ensure the concern is reported to Human Resources.

After reporting a complaint, the complainant will be asked to explain and provide specific information about the alleged harassment, to identify witnesses, if any, and to provide any documents, pictures, photographs, audio, video or digital recording, or other physical, digital, or electronic evidence, and to sign a written statement. While a written statement is preferred, the Company also may investigate allegations supported only by a complaint communicated orally or electronically.

Non-Retaliation

The Company will not tolerate retaliation against anyone who makes a good faith complaint of discrimination or harassment or who honestly participates in an investigation. Any person raising good faith allegations of workplace harassment or participating in an investigation of a complaint will not be subject to disciplinary action or retaliation because he/she raised a complaint or participated/is participating in a discrimination or harassment complaint or investigation. Any person who takes any retaliatory action against any person who raised a complaint or participated/is participating in a harassment complaint or investigation, or to discourage someone from filing a complaint, will be subject to severe disciplinary action or other appropriate consequences for non-employees.

Investigating Complaints

The Company will investigate complaints utilizing any evidence, documentation and information regarding the alleged harassment which the complainant provides. The investigation will look to discover additional information as well, by reviewing documents, files, recordings, and materials, and conducting witness interviews, as appropriate. An investigation of a particular incident or complaint will include interviewing the employee filing the complaint, the alleged harasser or wrongdoer against whom the complaint is filed, any third party witnesses, and the consideration of any other potentially relevant information. All persons—whether complainant, witness or accused—are required to be truthful, accurate, and cooperative during BDA’s investigation. Any employee who is found, as a result of an investigation, to have engaged in conduct in violation of the BDA’s policies will be subject to disciplinary action up to and including termination.

Any complaint must be based on a good faith belief that conduct in violation of policy has occurred. Nevertheless, the Company may discipline any employee, or impose appropriate consequences on any other person, who knowingly makes a false allegation of workplace harassment against any other person.

Disciplinary Action

Employment discrimination and workplace harassment, including sexual harassment, violate federal, state and local laws against employment discrimination and the Company’s internal policies. The Company will not tolerate workplace harassment, whether the offender is a supervisor, a co-worker, a client, or an employee or representative of any of them, and the Company will address each instance accordingly. Any employee found to have violated this policy will be subject to severe disciplinary action, which may include termination from employment. Any non-employee found to have done or said something(s) in violation of this policy will be subject to consequences appropriate to that individual, and/or the organization he/she represents.

Disciplinary Procedures

The results of the investigation will be presented to senior management and, if senior management determines that there is reasonable cause to believe that harassment has occurred, the Company will impose appropriate discipline, which may include termination from employment. Senior management may consider the following factors in selecting disciplinary measures: the specific behaviors constituting the harassment, the severity and pervasiveness of the behaviors constituting the harassment, the effect of the harassing behavior on the victim, the effect of the harassing behavior on the Company’s business operations, the effect of the harassing behavior on other persons associated with the Company, the supervisory relationship between the harasser and the victim, the prior behavior of the harasser, and any other information senior management deems to be relevant.

Confidentiality

The Company has a compelling interest in protecting the integrity of its investigations. In every investigation, the Company has a strong desire to protect the complainant and all other witnesses from harassment, intimidation and retaliation, to keep evidence from being destroyed, to ensure that testimony is not fabricated and to prevent "cover-ups."

Therefore, the Company may decide in some circumstances that in order to achieve these objectives, the Company must maintain the investigation and its role in it in strict confidence. This includes requesting the complainant to temporarily discontinue all contact with others within BDA to preserve the integrity of the investigation. If the Company reasonably imposes a confidentiality requirement and any employee(s) does not maintain such confidentiality, the employee(s) may be subject to disciplinary action up to and including immediate termination.

## Conflict of Interest/Ethical Standards

Because BDA represents and protects the public and client interest, all staff must refrain from any activity or conduct that jeopardizes their ability to be fair and impartial. Employees must not use their positions in any way for personal benefit or financial gain beyond their compensation from the Company. If you are given anything of value that exceeds the Behavior Analyst Certification Board (BACB) gift criterion from clients or businesses with whom you come into contact in the course of your work, you must report it to your supervisor. You must also report any relationship with a coworker of a non-business nature that would place you in a position to influence the business process. The Company encourages its employees to avoid even the appearance of impropriety. All consultants are required to disclose to their supervisor or Human Resources any personal, non-business relationship with a client or the guardian of the client.

Employees are strictly prohibited from engaging in a sexual relationship with a client or family member of a client.

## Drug-Free Workplace

The Drug-Free Workplace Act of 1988 requires us to provide a drug-free workplace. Therefore, all employees are expected to obey laws governing the use of drugs and alcohol. The Company prohibits the unlawful or unauthorized use, purchase, transfer, sale, distribution, manufacture or possession of any “Controlled Substance” by any employee on Company premises, in areas near or adjacent to Company premises, at any client locations, and at any time while performing work for the Company or while conducting business on the Company’s behalf. The Company also prohibits any employee from reporting for work and/or working while under the influence of any Controlled Substance(s). All employees are required to comply with this policy as an on-going condition of employment.

For purposes of this policy, Controlled Substance is defined to include: alcoholic beverages, marijuana, any illegally-obtained drugs, narcotics, cocaine, opiates (opium and codeine derivatives), amphetamines and methamphetamines, phencyclidine (PCP), depressants, anti-depressants, stimulants, hallucinogens, inhalants, intoxicants, prescription medications (including medical marijuana) that a licensed health care provider did not prescribe for the individual taking them, prescription or over-the-counter medications taken in excess of the prescribed or manufacturer’s recommended quantity or frequency, other illegal substances, drug paraphernalia, and any combination thereof.

Prohibited Conduct

In general, the lawful use or possession of prescription medications consistent with a health care provider’s prescription, or the use of over-the-counter medications taken consistent with the manufacturer’s restrictions, is not considered a violation of this policy. Nevertheless, employees lawfully taking any medication must be mindful of the potential side effects of that medication, such as drowsiness, slowing of reflexes, impaired sight, hearing, coordination, etc., and should not attempt to perform their job duties if doing so while taking such medication would create a risk to the health or safety of the employee, a client(s) or other persons, or a risk of damage to Company or client property or operations.

If an employee requires some modification to his/her work while undergoing medically prescribed medical treatment with any medication or other substance that may impair his/her ability to perform his/her job safely, the employee should contact the Head of Human Resources PA, and then follow the procedures set out in the section of this Handbook requesting reasonable accommodations on the basis of disability. Although an employee’s lawful use of medication generally is a private matter, in the event of a medical or other emergency, emergency personnel may ask an employee to disclose whether he/she is taking any medications and the potential interactions and side effects of those medications.

Employees also must notify the Company Head of Human Resources & the COO, in writing, within one (1) business day of being convicted of violating any criminal drug statute.

Drug and Alcohol Testing

The Company reserves the right to require any employee to submit to a drug and/or alcohol screening exam for Controlled Substances, where the Company has reasonable individualized suspicion that the employee is under the influence of a Controlled Substance while working.

Consequences

All drug and alcohol testing is mandatory under the conditions listed above. The Company considers an employee’s refusal to submit to a screening examination to be equally as serious an infraction as if the employee achieved a positive test result through screening.

The Company reserves the right to conduct random searches of any area or portion of any of its premises in order to ensure compliance with this policy. Employees, who violate this policy, including those who refuse to undergo a screening exam or whose screening exam produces a positive result, will be subject to disciplinary action up to and including termination from employment. In addition, any employee who violates this policy by engaging in unlawful conduct may be subject to criminal sanctions by the appropriate law enforcement authorities.

BDA cares about the overall health and well-being of its employees. Any employee who feels that he/she is developing a substance abuse problem is urged to seek help. BDA will consider reasonable requests for time off for rehabilitation, which may fall under the Company’s policy on medical leaves of absence. Be advised, however, that this will not excuse a substance-related offense.

## WORKING AND COMPENSATION

## Immigration Law Compliance

In compliance with the Immigration Reform and Control Act of 1986, each new employee, as a condition of employment, must complete the Employment Eligibility Verification Form I-9 on the first day of employment and present documentation establishing identity and employment eligibility within the first three days of employment. Former employees who are rehired must also complete the form if they have not completed an I-9 with BDA within the past three years, or if their previous I-9 is no longer retained or valid. Employees presenting temporary immigration documents, which expire, must ensure the Company always receives updated documents in an timely manner.

Employees with questions or seeking more information regarding Form I-9 or the supporting documentation are encouraged to contact Human Resources.

# Employee Schedules & Shift Change/Call-out policy:

For consistency and generalization of our learners, it is important for our clinical staff members to have a regular schedule to the extent possible. We recognize changes may occur with both school and home cases.

## School Session Requesting Time Off:

All days requested off during the school year, or extended summer school year, require submission of a cancellation form here: [**https://docs.google.com/forms/d/e/1FAIpQLSffjARvuTpzbBrxF6mJR73QgW4M1Msfgy95\_ppuraPJ0j1h2Q/viewform**](https://docs.google.com/forms/d/e/1FAIpQLSffjARvuTpzbBrxF6mJR73QgW4M1Msfgy95_ppuraPJ0j1h2Q/viewform)

Although BDA will attempt to fulfill all requested days off, there may be particular circumstances that negatively impact the learner, resulting in the Company’s inability to approve the requested day off. **We vehemently urge you to take scheduled days off during holidays and non-school days.**

**School Session Change Procedure**:

If you are unable to report to your assigned school session, you *MUST* also complete the cancelation form listed above prior to your scheduled arrival time. You must also notify your Behavioral Consultant. If a Behavioral Consultant is not yet assigned, please notify your Executive Coach.

If the call out team is not contacted prior to your scheduled session by completion of the form listed above, you may be required to start your scheduled session until coverage is available. **For additional assistance or last-minute urgent matters, please also text or call 609-316-7263.**

In any circumstance when you are not needed in your steady school district placement (i.e. school closures, student absenteeism, etc.), you are required to accept another shift in a different school or school district. In these instances, please use the form below and click on “claim this position” in the column of this form.

<https://docs.google.com/spreadsheets/d/1QIu3Gu7YTeBDlIHBO5FqTlexc-zHyhZ_nLFCy5RQdjM/edit#gid=0>

**Punctuality requirements:**

All BDA employees are required to be at the designated school or home session by the scheduled start time.

**Lateness:**

If you are running late for any session (i.e., school, home, community, etc.), you are required to notify the assigned Behavior Consultant and the client on the case **no later than your required start time**.

**Non- School Session Change Procedure:**

1. Complete the Session Change Form here [**https://docs.google.com/forms/d/e/1FAIpQLSffjARvuTpzbBrxF6mJR73QgW4M1Msfgy95\_ppuraPJ0j1h2Q/viewform**](https://docs.google.com/forms/d/e/1FAIpQLSffjARvuTpzbBrxF6mJR73QgW4M1Msfgy95_ppuraPJ0j1h2Q/viewform)

Notify the Behavioral Consultant on the case prior to the start of the session for **both employee and client cancellations.** If the family cancels an excessive number of sessions, this can be detrimental to the learner, and its important to discuss with your Behavioral Consultant or Executive Coach as to whether BDA should continue services with this learner.

1. If it is an employee session change, notify the family of the change prior to the start of the session. Note that **2 or more absences** or unapproved schedule changes within **a one-month period** and/or **10 total absences** within a **one year period** is considered excessive without the appropriate medical documentation and may result in disciplinary action up to and including termination of employment. Failure to report your absence is a greater concern than occasionally having to cancel your session.

# Paid Sick Leave

Sick leave will be earned at the rate of 1 hour for every 30-hours worked up to 40 hours per year, and is available to start using after 120 calendar days of employment. The maximum available sick leave to be used in a benefit year (January 1 – December 31) is 40 hours or 5 days.

Sick leave may be carried over from year to year up to a total of 5 days (40 hours). Unused sick leave over 5 days (40 hours) will be forfeited as of January 1 of the subsequent year.

**Employees are not eligible to be paid for unused sick leave at the end of the benefit year, upon separation of employment or at any other time.**

**Employees can use accrued sick leave for the following reasons:**

* Diagnosis, care or treatment of—or recovery from—an employee's own mental or physical illness, including preventive medical care.
* Aid or care for a covered family member during diagnosis, care or treatment of—or recovery from—the family member's mental or physical illness, including preventive medical care.

For purposes of paid sick leave only, “family member” means: a child, spouse, civil union partner, or parent of the employee of the employee’s spouse or civil union partner.

The minimum increment of sick leave time used shall be 4 hours, except if any employee is missing a shift or assignment that is scheduled to be for less than 4 hours. Unless the missed shift or assignment was scheduled to be for less than 4 hours, any missed work under a 4-hour increment may not be used towards sick leave.

**It is recommended that employees provide 7 calendar days’ prior notice when the need to use sick leave if it is foreseeable sick leave. Otherwise, employees must provide notice consistent with the procedure for requesting School Session Requesting Time Off**.

In the event of sick leave absences of 3 consecutive days or longer, the employee is required to provide reasonable documentation (such as medical documentation) that the leave is being taken for a permitted purpose.

Should a question arise regarding the legitimacy of a sick leave absence, a licensed health care provider’s certification may be required. Sick leave shall not count or be considered time worked for purposes of calculating eligibility for overtime in a given work week.

**Submitting Hours Worked:**

In order to be paid on time bi-weekly, each employee must submit his/her hours worked and progress notes on a daily basis. Failure to do so, or inaccuracies in your hours or notes, may result in delays in your paycheck by a minimum of two weeks or until the information is verified accurately.

## Separation from Employment

Separation from employment may be initiated by either BDA or the employee. Although prior notice from an employee is not required due to the “at-will” nature of employment, BDA encourages employees to provide written notification of at least 10 business days prior to any intended resignation. Pending receipt of such notice, an exit interview will be scheduled by the BDA HR team, the COO, or the CEO. Any resignation must be submitted in writing to the Head of Human Resources.

## Categories of Employment

**Employment Classifications**

Each employee of BDA is classified based on number of hours worked (full or part time) and as either exempt or non-exempt under the Fair Labor Standards Act and/or applicable state law based on the nature of the position’s duties.

* Regular Full-Time Employees

Regular full-time employees are those personnel who are not in a temporary status and who regularly work an average minimum of 30 hours per week on an ongoing basis. These employees may be classified as exempt or non-exempt for purposes of determining eligibility for payment of overtime.

Regular full-time employees are typically entitled to all benefits provided by BDA, subject to the terms, conditions and limitations of each specific benefit program.

* Regular Part-Time Employees

Regular part-time employees are those personnel who are not in a temporary status and who are regularly scheduled to work less than 30 hours per week. These employees may be classified as exempt or non-exempt for purposes of determining eligibility for payment of overtime.

Regular part-time employees are not eligible for benefits provided by BDA. All regular part-time employees, regardless of the number of hours they work, receive all legally mandated benefits (such as paid sick leave, temporary disability benefits, family leave insurance benefits, workers’ compensation insurance, contributions for Social Security and Medicare). Part-time employees must seek permission from the Head of Human Resources in PA to work more than 30 hours per week.

* **Non-Exempt Employees**

Non-Exempt employees are generally paid on an hourly basis and entitled to receive overtime pay at the rate of 1½ times their regular hourly rate for hours worked in excess of 40 in a work week (Sunday through Saturday), unless applicable federal and state law allows for a different method of compensation and calculation of overtime pay. Non-exempt employees are required to obtain their supervisor’s authorization prior to working any overtime hours. All time worked must be recorded accurately on the employee’s time-entry, and employees will be paid for all hours worked, however, any employee who works overtime hours without prior authorization may be subject to disciplinary action, up to and including discharge.

## Exempt Employees

Exempt employees generally are paid on a salary basis or a standard minimum weekly basis and are not eligible for overtime pay regardless of the number of hours they work in a work week, but may be eligible for additional pay for hours worked in excess of the standard work week.

## Deductions from Exempt Employees Based on Hours Worked

It is Company policy to comply with the salary basis requirements of state and federal law, particularly as to exempt employees. Therefore, the Company prohibits all supervisors and managers from making any improper deductions from the salaries of exempt employees. The Company wants employees to be aware of this policy and that the Company does not allow deductions that violate state and/or federal wage and hour laws.

Improper deductions violate Company policy. BDA encourages employees to report any allegedly improper deduction from an exempt employee’s salary using the complaint procedure described below.

## Complaint Procedure

If a salaried, exempt employee believes that an improper deduction was made from his/her salary based on hours worked (not a deduction to recover for an overpayment), he/she immediately should report this information to the Executive Vice President of Operations at [payroll@brettdassociates.com](mailto:payroll@brettdassociates.com).

To ensure that BDA understands your complaint, BDA requires that the complaint be in writing and include the employee’s name, department/ID number, a brief description of the issue and an identification of the pay period(s) to which the complaint relates.

Upon receiving a complaint, BDA will conduct a prompt investigation. BDA will take corrective action when it has reason to believe that, based on its investigation, there has been a violation of this policy. BDA may impose appropriate disciplinary measures upon any employees responsible for the improper salary deductions. If BDA finds that improper deductions were made from an exempt employee’s salary, BDA will reimburse the affected employee(s) promptly for the improper deductions and will renew its commitment to comply with the requirements of this policy.

## Pay Periods, Direct Deposit, Overtime & Off-The-Clock Work

**Pay Periods and Paydays**

BDA employees are generally paid every other week based on a pay period that includes two consecutive one week periods from Sunday through Saturday. Payday for all employees is once every two weeks on the Friday following the end of each pay period. In the event a payday falls on a holiday when banks are closed, employees will be paid the business day before the holiday.

**Direct Check Deposit**

As a convenience to employees, the Company will deposit your paycheck directly into your account(s) if your bank(s) or financial institution(s) is a participant in the direct deposit program. Checks are deposited as early as possible on each payday every other Friday.

Employees should review their paycheck advices on a regular basis. Paycheck advices contain all of the details for the pay period, including your total pay, rate of pay, hours worked, deductions taken, including taxes, net amount of your check, and the applicable dates. If an employee notices an error or discrepancy in his/her paycheck or deposit advice, the employee should immediately notify the payroll team by emailing [payroll@brettdassociates.com](mailto:payroll@brettdassociates.com)

## Overtime For Non-Exempt Employees

At times, in order to meet the needs of the business and/or the needs of our clients, it may become necessary for employees to work overtime. Overtime will be scheduled with as much advance notice as possible. There will be times, however, when overtime cannot be scheduled in advance, such as emergencies and in cases of unexpected operational needs.

Overtime compensation will be paid to employees in non-exempt positions at a rate of one and one-half (1½) times the regular hourly rate for all hours worked over forty (40) hours during a workweek or otherwise in compliance with applicable law. Non-exempt employees are required to obtain their supervisor’s authorization prior to working any overtime hours, may not work "off the clock" and must be paid for all work performed. All time worked must be recorded accurately on the employee’s time-entry because employees will be paid for all hours worked, however, any employee who works overtime hours without prior authorization may be subject to disciplinary action, up to and including discharge. More information is in the Time-Entry section of the Employee Handbook. Exempt employees are not eligible for overtime compensation, but may be eligible for additional pay for hours worked in excess of the standard work week.

## Off-The-Clock-Work

All employees are prohibited from working off-the-clock. This means that it is the employee's responsibility to record accurately all time worked in the BDA’s time recording system, including hours outside of the employee's scheduled shift time. Employees must notify their supervisor (and, receive advance approval if possible) if they need to work outside of their regularly scheduled shift. No one, including a supervisor, can force or permit an employee to work off-the-clock. If an employee feels that he or she is being pressured in any way to do so, the employee must notify Human Resources immediately.

## Time-Entry

In order to comply with the record-keeping requirements, BDA is required to maintain accurate time records for our employees. To meet this requirement, employees must accurately record all work time and/or paid time off on a daily basis unless not possible, and then as soon as possible thereafter.

Employees must record actual hours worked accurately, and on a daily basis whenever possible because time entries are the basis for client invoices as well as for payroll. All paid sick leave must be recorded accurately and timely by all employees.

Each employee is responsible for checking the accuracy and completeness of his/her own time-entry. Time entries are official BDA documents used as the basis to pay employees and to invoice clients, so completing another employee's time-entry, and intentionally submitting false time records all are prohibited. By acknowledging receipt of this Employee Handbook (see last page), each employee agrees to record accurately all hours actually worked on a daily basis (unless the timing is not possible) and further agrees not to misrepresent the hours worked either by overstating the actual hours or understating them. Non-exempt employees must record, as time worked, any time performing services related to their duties or otherwise working on behalf of the Company, even if such time is prior to or after the scheduled shift start or stop time. This does not include the commute to and from the work site each day.

In order to accurately record one's work time, employees must follow these guidelines: (i) never work "off-the- clock"; (ii) when taking a meal period (generally 30 minutes or more), employees must not perform any work duties; (iii) an employee's work day and work hours may be longer than the employee's scheduled shift; (iv) paid work time includes all time an employee is required to read and/or respond to memos. emails and notices related to the employee's job prior to beginning or after completing the employee's primary work function; (v) paid work time includes any break lasting 20 minutes or less (although some assignments will not allow for actual breaks based on a student’s needs); (vi) paid work time does **not** include any unscheduled time between when an employee’s regular assignment ends (typically in a school district) and an additional, optional assignment begins (typically in a client’s home or alternative location); and (viii) paid work time does **not** include time spent on voluntary learning or training activities undertaken at the employee’s initiative, and not required, assigned, or approved by the Company or a supervisor.

**Receiving Payment:**

If you fail to submit your hours via BDA’s online time system on a timely basis, **you cannot be paid for hours not recorded, and payment may be delayed.**

## Materials Reimbursement:

For all full-time employees requesting materials reimbursement, the purchase must be approved prior to the transaction via email at payroll@brettdassociates.com Subsequently, the receipts need to be either mailed or scanned and emailed to payroll@brettdassociates.com to receive reimbursement.

## Guidelines For Clinical Staff

## Reasons for Employees to Immediately Contact BDA’s Highest Levels of Leadership

* + - * Allegations by others of abuse or neglect of a client or your own observations of abuse or neglect, as defined by PA Department of Human Services – Child Welfare Services (CWS). In addition to the internal report, the employee, as a mandated reporter, is required to make an immediate and direct report of suspected child abuse if they have reasonable cause to suspect that a child is a victim of child abuse.  The report must be made to PA ChildLine, either electronically at www.compass.state.pa.us/cwis or by calling 1-800-932-0313. Note that if the employee makes the report orally, the employee also must complete a written report of suspected child abuse (CY 47) and forward it to the county children and youth agency within 48 hours after making the oral report. The form can be obtained at [www.KeepKidsSafe](http://www.KeepKidsSafe).pa.gov or from the children and youth agency.
      * Any reported or observed excessive use of a restrictive procedure, i.e. timeout, physical restraint, overcorrection, that exceeds 15 minutes in duration. Any use of a restrictive clinical procedure such a physical restraint also must be reported here; https://docs.google.com/forms/d/e/1FAIpQLSeo3xVFQ\_c-W9Ec1ItI38zyydxmbEnrhj8DuN55pp8LQKi0gw/viewform
      * Any discussion with school district staff or organization about decreasing hours or potential loss of a contract with the client;
      * Any injury to a student or an employee;
      * Any employee automobile accident while working;
      * Any reported or observed violation of a client’s rights;
      * Any news media inquiries. No employee is permitted to speak to or communicate with any media representative without prior COO or CEO approval;
      * Any client that is expressing or demonstrating suicidal or homicidal ideations or attempts (911 also should be contacted for emergency circumstances – see below);
      * Any threat against an employee or client with a weapon or contraband;
      * Any student served by BDA receiving a suspension from school;
      * Any client elopement (leaving the supervision grounds for more than 5 min.);
      * Any reported, observed or suspected bullying of any client;
      * Any threats of legal action directed toward BDA or any employee.

**Chain of Command for Contacting The Highest Levels Of BDA Leadership As Listed Above**

* If there is a serious threat or actual injury to the client requiring immediate medical treatment, severe injury to peers, family, or staff, call 911
* After calling 911, call our Chief Operating Officer (COO) at 856-628-2965 and if you do not speak with the COO directly, leave a voice message and also send a text message.
* If the COO does not respond within 15 minutes, call the Chief Clinical Officer (CCO) at 609-280-3382 and if you do not speak with the CCO directly, leave a voice message and also send a text message.
* If the CCO does not respond within 15 minutes, call the CEO at 856-305-1433 and if you do not speak with the CEO directly, leave a voice message and also send text message.

**Access to Student Records:**

Pursuant to 22 Pa. Code § 12.31, et seq., the governing board of every school entity shall adopt a plan for the collection, maintenance and dissemination of student records, which must conform with applicable State and Federal laws, regulations and directives identified in guidelines issued by the PA Department of Education (PADOE). Boards must share their plan with the State only upon request from the Secretary of the PADOE.

## BDA Secure Network:

BDA maintains all student records on a secure network which requires a user ID and password for access. The security of the Company’s Network is monitored by administrative employees, who have full access to all levels of information. The Company also has IT professionals on-call to assist with technology needs.

BDA may only disclose personally identifiable information from a pupil record under one of three circumstances: 1) written consent from a parent, guardian or adult pupil, 2) receipt of a court order, or 3) by authority of statute.

For pupil records, the consent form must:

* + - * include the name of the student whose record is being released,
      * specify the records that may be disclosed,
      * state the purpose of the disclosure,
      * identify the party to whom the disclosure will be made, and
      * include the signature of the parent or legal guardian (or the student, if the student is an adult, i.e., 18 years or older).

As a matter of practice, a school district may also wish to require the consent to state the time period during which disclosure will be permitted.

Informed consent to share patient health care records must include:

* + - * the name of the person whose record is being released,
      * the type of information to be disclosed,
      * the types of health care providers making the disclosure,
      * the purpose of the disclosure, such as whether the disclosure is for further medical care, for an application for insurance, to obtain payment of an insurance claim, for a disability determination, for a vocational rehabilitation evaluation, for a legal investigation or for other specified purposes,
      * the individual, agency, or organization to which disclosure is made,
      * the signature of the patient or the person authorized by the patient and, if signed by a person authorized by the patient, the relationship of the person to the patient or the authority of the person,
      * the date on which the consent is signed, and
      * the time period during which the consent is effective.

## How do the requirements of the Health Insurance Portability and Accountability Act (HIPAA) affect schools?

Patient health care records maintained by schools are considered education records and are thus subject to the Family Educational Rights and Privacy Act (FERPA) rules, but are not medical records subject to the privacy portions of HIPAA. When a school wants or needs health information from outside health care providers, schools will need to adhere to the disclosure requirements of the outside health care providers (which are HIPAA-governed) in order to gain access to the information.

The Family Educational Rights and Privacy Act (FERPA) (20 U.S.C. § 1232g; 34 CFR Part 99) is a Federal law that protects the privacy of student education records. The law applies to all schools that receive funds under an applicable program of the U.S. Department of Education.

FERPA gives parents certain rights with respect to their children's education records. These rights transfer to the student when he or she reaches the age of 18 or attends a school beyond the high school level. Students to whom the rights have transferred are "eligible students."

* + Parents or eligible students have the right to inspect and review the student's education records maintained by the school. Schools are not required to provide copies of records unless, for reasons such as great distance, it is impossible for parents or eligible students to review the records. Schools may charge a fee for copies.
  + Parents or eligible students have the right to request that a school correct records which they believe to be inaccurate or misleading. If the school decides not to amend the record, the parent or eligible student then has the right to a formal hearing. After the hearing, if the school still decides not to amend the record, the parent or eligible student has the right to place a statement with the record setting forth his or her view about the contested information.
  + Generally, schools must have written permission from the parent or eligible student in order to release any information from a student's education record. However, FERPA allows schools to disclose those records, without consent, to the following parties or under the following conditions (34 CFR § 99.31):
    - School officials with legitimate educational interest;
    - Other schools to which a student is transferring;
    - Specified officials for audit or evaluation purposes;
    - Appropriate parties in connection with financial aid to a student;
    - Organizations conducting certain studies for or on behalf of the school;
    - Accrediting organizations;
    - To comply with a judicial order or lawfully issued subpoena;
    - Appropriate officials in cases of health and safety emergencies; and
    - State and local authorities, within a juvenile justice system, pursuant to specific State law.

Schools may disclose, without consent, "directory" information such as a student's name, address, telephone number, date and place of birth, honors and awards, and dates of attendance. However, schools must tell parents and eligible students about directory information and allow parents and eligible students a reasonable amount of time to request that the school not disclose directory information about them. Schools must notify parents and eligible students annually of their rights under FERPA. The actual means of notification (special letter, inclusion in a PTA bulletin, student handbook, or newspaper article) is left to the discretion of each school.

Destruction of Records:

Destruction of records is authorized only when conducted in compliance with the Department’s records disposition schedules, as approved by the Archivist of the United States, and the GRS, issued by the NARA as described in 36 CFR, Section 1228.100. Criminal penalties are assessed for the willful and unlawful destruction, damage, or removal of Federal records, as described in 18 U.S.C. Section 2071.

Service Logs:

* + School’s name.
  + Student’s name (including first and last name).
  + Student’s birth date.
  + Category of service provided (ABA).
    - Date(s) of service (DOS). Several dates or sessions may be included on one record if they are for the same category of service.
  + Time, quantity, or miles provided.
    - Whether service was provided in a group or individual setting.
  + Services that are listed in the IEP.
    - Attendance records verifying the child was in school on the DOS.
  + Brief description of the specific service provided.
    - Student’s progress or response to each service delivered.

## Management & Verification of Service Logs:

The Chief Clinical Officer (CCO) or a designee randomly goes out to the consultation site to ensure the employee is where he/she is supposed to be during that time. The COO may assign a Director of School Consultation or other Executive Coach(s) to check the site sign in sheet to verify accurate record keeping. Service logs are also may be reviewed by two (2) administrative employees with clinical expertise, and then filed on the BDA Google Drive.

## Progress Notes:

Progress notes should be entered using objective data-based observations. Any cancelation by the client must be documented in the progress note.

Sample Appropriate Progress Note Components:

* + Data based. Example: *Student A.H. was compliant for 85% of intervals observed and aggression occurred during 8% of intervals observed. Functional communication was observed during 66% of the intervals observed. The consultant trained and monitored the guardian or school personnel and implementation of the behavior intervention occurred with 90% procedural integrity. It is suggested that the school personnel respond to A.H.’s communicative responses more immediately. Plans are to continue communication training at the next consult.*
  + Description of variables affecting behavior Antecedents-Behaviors-Consequences (A-B-C) (Only if in this phase of the FBA)
  + Referring to author of report 3rd person, “the consultant…”
  + Consultants’ recommendations
  + Follow-up consultation objectives

Example:

“John Smith was compliant for 95% of intervals observed, however he exhibited one episode of non-compliance during the last 5 minutes of the visit in the presence of the employee. His non-compliance consisted of flopping to the floor and a verbal outburst. The antecedent that preceded his non-compliance was when the teacher placed a demand on JM to transition off the computer and line up at the classroom door for the bus. This event is in accordance with the functional behavior assessment results suggesting that problem behaviors are associated with demands. The consequence was that the student delayed the demand to line up for the bus. The employee recommended an escape extinction procedure for this behavior. Future consultation will focus on strengthening functionally equivalent behaviors to replace the problem behaviors used to escape demands.”

## Employee Mistakes in Progress Notes/Timesheets:

Employees that make mistakes in progress notes are required to immediately email the payroll team at [payroll@brettdassociates.com](mailto:payroll@brettdassociates.com) and will be required to make the corrections prior to receiving payment (resulting in a delay in payment to the employee). This is necessary to ensure correct payment to the Employee.

## Ensuring Validity of Employee Licenses:

It is the responsibility of each BDA employee to maintain all credentials and certifications up-to date, and submit current, valid copies via our payroll System. Changes should be submitted to [receptionist@brettdassociates.com](mailto:receptionist@brettdassociates.com)

## Criminal History Approvals:

BDA Employees are required to complete, satisfy and maintain all necessary funding source background, criminal history & motor vehicle checks and reports and notify Human Resources immediately at [receptionist@brettdassociates.com](mailto:receptionist@brettdassociates.com) of any changes and/or pending charges.

**All Employees**: Random quality satisfaction surveys may be conducted to determine client satisfaction by interviewing the client, the guardian, or the school staff and sending them a survey via email. The results of these surveys will be shared with you for professional development.

## Employee Requirements:

* + Employees who transport clients are required to maintain a valid driver’s license, valid auto insurance, up to date vehicle inspection and a signed guardian consent form with indemnification language.
  + Employees’ liability is mitigated by the BDA professional liability insurance policy
  + Employees who transport clients must maintain a criminal history report without a criminal history or pending charges. Employees must archive their criminal history clearance and are required to pay the fees for these clearances as required by our various funding sources.

*Any changes to the status requirements should be immediately reported to the Head of Human Resources.*

**MAINTAINING YOUR PERSONNEL RECORDS**

It is each employee’s responsibility to update their profiles within all BDA systems with current information regarding your address, telephone number, and email address changes, as well as notify Human Resources of any changes, to ensure current, accurate information amongst all systems. You may also change your direct deposit information and tax exemptions, name, etc. Additionally, other current certifications pertaining to your personnel records may be requested at any time.

## Disciplinary Action:

For purposes of this Handbook, disciplinary action is intended to be progressively administered and may include but not be limited to a verbal warning, written warning, demotion, unpaid or paid suspension or termination. Although intended to be used progressively, BDA reserves the absolute discretion and right to proceed to any level of discipline depending upon its evaluation of the severity of the conduct at issue and does not guarantee that one form of discipline will necessarily precede another.

## Standards and Expectations for the Workplace

**Identification:**

Every consultant must wear their BDA picture ID badge while working in school settings, home settings, and in the community.

## Appearance and Appropriate Dress:

Appearance helps set a tone of respect, whether we have contact with students, patients, partners, other members of the public, or with colleagues. It is important to present a neat and professional appearance with those we serve and those with whom we work. Clothing you might choose for camping, working in the yard, walking on the beach or exercising probably isn’t appropriate in a school or client’s home setting.

Examples of clothing not to wear are halter tops, sweat pants, running shorts and cut-off jeans. **Employees are not permitted to wear jeans or white sneakers during school consults**. The impression you give is the impression the public will have of BDA. You are encouraged to discuss what is considered appropriate with your coach/supervisor. For safety reasons, employees should not wear open toe footwear, necklaces, body piercings, long fingernails, or large earrings.

## Political Activity:

No employee shall solicit any money, influence, service, or other thing of value or otherwise promote any political committee or promote or oppose the nomination or election of a political candidate, the adoption of any measure or the recall of any public office holder while on the job, during working hours, or on behalf of the Company. However, employees have the right to express their personal political views and to engage in political activities during non-work time, provided such activities do not interfere with their performance of job duties for BDA, nor interfere with any other employees’ ability to perform job functions. Employees shall not identify themselves as an employee of BDA when engaging in any off-duty political activities, particularly with regard to political activities involving any BDA client.

## Driving on the Job:

The student’s guardian is encouraged to transport the student when implementing community integration goals. However, if approved by the Chief Clinical Officer (CCO), the employee may transport the student. BDA employees are not permitted to transport students to or from school without prior CCO approval, which may be requested at drpatprogar@brettdassociates.com. Any employees that drive while working for the Company must have a current valid driver’s license from their state of residence, an acceptable driving record, and legally compliant auto insurance. BDA requires a DMV driving abstract, proof of insurance and vehicle registration, and a valid vehicle inspection sticker before any employee may drive any student.

Employees are responsible for knowing and following all traffic laws. Employees, who transport clients, are required to report all vehicle incidents, including citations, occurring during work hours. In addition, employees must report any driving related convictions and any driving violation that may affect their driver’s license, whether occurring during or outside of work hours, to Human Resources at [receptionist@brettdassociates.com](mailto:receptionist@brettdassociates.com). Employees are personally responsible for any traffic and parking citations they receive. Your supervisor and others will review law violations and citizen complaints about your driving.

## Vehicle Safety:

BDA employees are expected to follow safe driving practices, including wearing seat belts, requiring clients to wear seatbelts, using headlights at night, requiring clients to sit in the back seat with the safety locks engaged, and taking measures that allow for total concentration on driving. Other examples for safe driving practices are determining explicit directions before departing, not operating cell phones except while using hands-free technology, not texting while driving, not using other equipment while the vehicle is moving, and not driving when one’s ability to react is impaired.

## Health and Safety in the Workplace

BDA is committed to maintaining a safe workplace. When an employee is injured doing his/her job, we want them to receive the medical care that they need. To further its goal, BDA may issue safety rules and guidelines. You are required to comply with all BDA’s rules and guidelines, as well as any applicable federal, state, and local laws regarding workplace safety. In addition, you must keep your work area organized and free of any potential hazards. Failure to follow BDA’s safety rules and guidelines may result in discipline, up to and including termination of employment.

If you witness or observe any unsafe conditions or potential hazards (such as wet floors/broken equipment/defective appliances), you must report them to your supervisor immediately or, if your direct supervisor is unavailable, to Human Resources at [receptionist@brettdassociates.com](mailto:receptionist@brettdassociates.com)as soon as possible.

All employees must immediately, or no later than the end of the workday. and accurately report all workplace injuries, accidents, or illnesses to the Head of Human Resources at 609-980-2678 as well as complete an incident report, regardless of the severity of the accident or injury. The incident report can be found here <https://docs.google.com/forms/d/e/1FAIpQLSfl0pd6U1V0NCdEmcGzfxjYom5IC8n6uxQktMsz15ipRyBSqg/viewform>

Employees are also expected to report incidents that were close calls. If you have been exposed to disease or a chemical, an injury, a near injury, or auto accident while working for BDA, an incident report must be completed.

BDA prohibits any form of discipline, reprisal, intimidation, or retaliation for good faith reporting of a health and safety concern or a violation of this policy or for cooperating in related investigations. BDA reserves the right to verify any employee health and safety concerns.

Employees have the right to report work-related injuries and illnesses, and BDA will not discharge, discriminate, or otherwise retaliate against employees for reporting work-related injuries or illnesses. (See section on Worker’s Compensation Insurance in this Handbook.)

## Universal Precautions Policy

All employees are encouraged to use precautions to protect both the client and the employees from possible infections through exposure to bodily fluids. The goal is to minimize possible risk of exposure to infection. Each employee and client has individual needs, so the use of gloves may be appropriate in circumstances in addition to those outlined below. It is strongly encouraged that both parties discuss individual needs.

Gloves are to be worn during any procedures when hands may come in contact with bodily fluids, mucous membranes or broken skin, including the following:

1. When blood is present and visible (i.e., cuts, in urine, in stool, menstruation, etc.).
2. When handling excretions (i.e., vomit, urine and stool/feces, etc.).
3. When coming in contact with open skin wounds or lesions, including handling dressings.
4. During all bladder and bowel care
5. When providing oral care, especially if gums are broken or bleeding.
6. Whenever secretions are present (i.e., nasal secretions, sputum from cough, etc.)
7. Whenever handling soiled linens or clothing, incontinence and sanitary items etc.
8. Whenever cleaning urinals, bedpans, drainage bags, or toilets.
9. Whenever an employee has cuts, open or chapped areas on hands.
10. Gloves are to be disposed of after each use.
11. When helping a client change clothes or shower.

NOTE: HANDWASHING MUST BE DONE BEFORE AND AFTER PROVIDING ANY DIRECT CARE, EVEN THOUGH THE EMPLOYEE WORE GLOVES.

## Smoking Policy:

The Company’s policy on smoking is designed to protect the health, promote the comfort, and improve the working and living environment of employees, clients and visitors. With the exception of the designated smoking areas within proximity of the Corporate Office, employees shall not smoke while representing the Company, within sight of any client in proximity of the employee, appearing on television or making other public appearances. Smoking is also prohibited in all public buildings and on school grounds, however smoking may be permitted in off-site private meetings or events held in environments other than as described in this paragraph, and only after obtaining verbal consent of **all** participants in such meeting or event.

## Cell Phone Use:

Employees should not talk or text on cell phones in a classroom or home during a consult. The cell phone should be silenced or on the vibrate setting while at a consultation site. The employee should step away from the consultation site if a cell phone conversation is warranted.

## Company Email:

Full-time BDA employees have a customized email address though the Company, and owned by the Company. This provides a professional Company email address at no charge to the employees, but employees should have no expectation of privacy in their Company email. Full-time employees are required to use this Company email address for all consultation correspondence. Your BDA email should have the approved uniform signature as instructed and updated with instructions as distributed by the Company. The Company reserves the right to view, suspend, or shut down any employee’s email account or access, if management has concerns over behavior unbecoming of a professional, to investigate work-related issues and circumstances, and for any other reason in its sole discretion.

**Social and Professional Networking Guidelines**

Social media encompasses a broad sweep of online activity. These activities include, but are not limited to, using or participating in social or professional networking sites, such as Facebook and LinkedIn, posting or reviewing content on photo or video-sharing sites, such as YouTube, Vine, or Instagram, creating “wikis”, and authoring or commenting on blogs, such as Twitter (collectively, “Social Media”).

Employees are encouraged, but not required, to create a professional profile on LinkedIn to network with other professionals in our field. Employees also are encouraged, but not required, to use LinkedIn or other social media accounts to share or disseminate any empirically derived information in the field of Applied Behavior Analysis to further our science, subject to the guidelines set out in this policy.

BDA also recognizes and respects that it is your individual decision to engage in Social Media activities outside of BDA time on your own personal equipment. However, it is important for you to be careful with communications that may impact BDA or our employees, even if you make the communications in your personal capacity, as all BDA employees are tasked with the responsibility to carry themselves in a professional manner and as a representatives of the BDA at all times. It is the right and duty of the BDA to protect its employees and itself from, among other things, unauthorized disclosures of confidential proprietary information and posts or comments that could violate federal, state, and/or local laws.

To ensure that the BDA and its employees adhere to their ethical and legal obligations, employees are required to comply with BDA’s Social and Professional Networking Guidelines. BDA’s intent is not to restrict the flow of useful and appropriate information, but rather, to minimize the risk to BDA and its employees and to allow employees to participate with confidence in all social media platforms. Nothing in this policy is intended to prevent, interfere with, or otherwise restrain an employee’s rights under the National Labor Relations Act (“NLRA”), or any other federal or state statute protecting employee workplace rights.

BDA has put together the following list of **Do’s and Don’ts** for issues that may be raised by social networking and other aspects of online activity. Although the guidelines set forth below may not cover every situation, they provide general guidance. Employees are expected to use their best judgment while engaging in Social Media activities. Employees are still held to a professional standard of conduct when posting or sharing educational information in that the content must be empirically supported in the behavior analytic literature. Any non-evidence-based content must state that it is not representing the views of the BACB or BDA.

Furthermore, BDA’s policies, including all principles set forth in this Handbook, apply to your online presence and communications if they relate to BDA, its employees’, or its clients’ reputation and legal standing – even if you are engaging in these activities outside of the office or on a personal phone, computer, or other device.

## What You Should Do

* **Act responsibly and ethically.** Think before you act or post and use common sense. Be mindful: what you publish will be public for a long time, and what you do and say may be viewed by your co-workers. When posting, refrain from posting references to illegal drugs, posting explicit sexual references, or posting obscene, derogatory, threatening, intimidating, harassing or otherwise inappropriate material (such as slanderous or libelous comments about BDA or its employees or clients) or postings that violate the BDA’s Anti-Discrimination, Anti-Harassment, and Anti-Retaliation Policy or other work rules.
* **Adhere to this Handbook and all applicable policies.** This Policy and other policies in the handbook or any other applicable rules or guidelines, govern your behavior with respect to electronic communications. Inappropriate postings that may include discriminatory remarks, harassment, and threats of violence or similar inappropriate or unlawful conduct will not be tolerated and may subject you to disciplinary action up to and including termination.
* **Obey the law.** Respect privacy, libel, defamation, employment discrimination, and other laws.
* **Use good judgment.** Ensure that your profiles and postings are consistent with how you would present yourself to your co-workers and BDA management.
* **Be respectful.** Always be fair and courteous to your colleagues. If you decide to post complaints or criticism, avoid using statements, photographs, video or audio that reasonably could be viewed as malicious, obscene, threatening or intimidating, that disparages BDA, or that might constitute harassment or bullying, or invade privacy rights. Examples of such conduct may include offensive posts meant to intentionally harm someone’s reputation or posts that could contribute to a hostile work environment on the basis of any Protected Status, as defined in the policy on Equal Employment Opportunity.
* **When in doubt, ask.** If you are not sure if certain conduct online is appropriate or legal, please consult with your coach/supervisor or the Head of Human Resources.

## What You Should Not Do

* Use Social Media to harass, threaten, defame, or discriminate against supervisors, co-workers, and the like in violation of federal, state and/or local laws or in violation of BDA’s policies.
* Use ethnic slurs, personal insults, obscenity, or engage in any other conduct that would violate BDA’s Anti- Discrimination, Anti-Harassment, and Anti-Retaliation Policy or other work rules.
* Use copyrights, trademarks or logos of BDA for commercial use without prior written approval of BDA’s management.
* Disclose, post, or refer to any confidential or proprietary information of or about BDA or any of our clients.

## Reporting Violations

If you become aware of any violations of this policy, report them immediately to your supervisor and the Head of Human Resources.

BDA investigates and responds to all reports of violations of BDA’s Social and Professional Networking Guidelines and other related policies. BDA reserves the right to take legal action where necessary against employees who engage in prohibited or unlawful conduct. BDA prohibits taking negative action against any employee for reporting a possible deviation from these Guidelines or for cooperating in an investigation. Any employee who retaliates against another for reporting a possible deviation from these Guidelines will be subject to discipline, up to and including termination.

BDA may monitor and reserves the right to review any posting or communication to assure compliance with its policies. Employees who violate BDA’s Social Networking Guidelines may be subject to discipline, up to and including termination of employment. Therefore, we ask that you take these matters seriously.

*Nothing in these Guidelines is intended to prevent, interfere with or otherwise restrain an employee’s rights under the National Labor Relations Act (NLRA) or any other federal or state statute protecting employee workplace rights.*

## Standards of Conduct

The work rules and standards of conduct for the Company are important, and the Company regards them seriously. All employees are urged to become familiar with these rules and standards. In addition, employees are expected to follow the rules and standards faithfully in doing their own jobs and conducting the Company’s business. Please note that any employee who deviates from these rules and standards will be subject to disciplinary action, up to and including termination of employment.

While not intended to list all the forms of behavior that are considered unacceptable in the workplace, the following are examples of rule infractions or misconduct that may result in disciplinary action, up to and including termination of employment.

* Theft or inappropriate or unauthorized removal or possession of property belonging to the Company, to any client, employee or other person connected to the Company;
* Falsification of timekeeping records;
* Violation of the Company’s Drugfree Workplace policy;
* Fighting or threatening violence in the workplace;
* Boisterous or disruptive activity in the workplace;
* Negligence or improper conduct leading to damage of Company-owned or client-owned property;
* Insubordination or other disrespectful conduct;
* Violation of safety or health rules;
* Sexual or other unwelcome workplace harassment;
* Excessive absenteeism or any absence without notice;
* Unauthorized use of telephones, cell phones, or other Company-owned equipment;
* Using Company equipment for purposes other than the Company’s business (i.e., playing games on computers or personal use of Internet access);
* Unauthorized disclosure of business “secrets” or confidential information;
* Unsatisfactory performance or conduct;
* Violation of policies and/or procedures listed in this Handbook; and
* Violation of any obligations, including the non-compete provision, in the employee contract.

Disclosure of confidential client information or records or proprietary BDA business information to those not working for the Company is only permitted with prior written consent from the COO and the guardian (where the information relates to a client).

The Company considers its confidential and proprietary information, including the confidential and proprietary information of our clients, to be one of its most valuable assets. As a result, employees must carefully protect and must not use for non-work purposes or disclose to any third party, confidential and proprietary information belonging to the Company or its clients. Such protected information includes, but is not limited to, the following: matters of a technical nature, such as computer software, product sources, product research and designs; and matters of a business nature, such as client lists, client contact information, associate information, on-site program and support materials, candidate and recruit lists and information, personnel information, placement information, pricing lists, training programs, contracts, sales reports, sales, financial and marketing data, systems, forms, methods, procedures, and analyses, and any other proprietary information, whether communicated orally or in documentary, computerized or other tangible form, concerning the Company’s or its clients’ operations and business.

Employees should ensure that any materials containing confidential or proprietary information are filed and/or locked up before leaving their work areas each day. During the workday, employees should not leave any sensitive information lying about or unguarded.

If you have any questions about this policy, consult your supervisor or the Company Head of Human Resources.

## Backing-Up & Privacy of Files:

All client computer files should be backed up on the Company’s Google Drive in the event that your computer’s hard drive crashes or you are not available and another clinician needs to access your clients’ files. This prevents loss of information. Laptops and computers must have a pass code to protect unauthorized users from obtaining sensitive client information, and Employee must share their passwords with their coach or the COO or his/her designee.

## BENEFITS

General Overview

BDA has contracted health insurance benefit plans for its regular full-time employees and their eligible dependents.

As a general matter, only regular full-time employees are eligible for benefits, other than legally mandated benefits, which are granted to all employees. All Company benefits are subject to the terms, conditions and limitations of each specific benefit program. An employee that demonstrates a pattern of dropping below 30 hours of work per week may be subject to a change in the employee’s contributions to the premiums for health insurance or a possible loss of eligibility for these health benefits.

BDA reserves the right to modify or terminate any and all benefits at any time, with or without notice, in accordance with the applicable plan terms. Wherever possible, BDA will give employees as much advance notice as possible and practical of any changes. Nothing in this policy or BDA shall create the right, contractual or otherwise, to any employee benefit.

**Note:** The benefits information found in this Handbook is intended to provide a general overview of the plans. The actual benefits are controlled by the terms of the applicable plan documents, summary plan descriptions and insurance policies. Questions regarding the interpretation of these plans will be answered in accordance with the actual plan documents and insurance policies. To the extent that anything provided in this Handbook conflicts with the plan documents or policies, the terms of the plan documents or policies will govern.

## Benefits Continuation (COBRA)

Full time employees and their eligible dependents (spouses, including same-sex spouses, civil union partners, domestic partners, and dependent children), who are enrolled in the Company’s group medical insurance and/or dental insurance plans, have the right to continue group insurance coverage if they become disqualified for insurance because they experience a “qualifying event.” A qualifying event occurs if: the employee leaves the Company (whether voluntarily or involuntarily, other than for gross misconduct); the employee’s hours are reduced from full-time to part-time or the employee is not working an average of at least 30 hours per week over an extended time period; death; divorce; a dependent child becomes emancipated; and other life events. Employees and/or their dependents ordinarily may continue their coverage for up to eighteen (18) months after their coverage ends (or longer under certain circumstances), by paying 102% of the monthly premium cost. Eligible persons will be notified about their rights and responsibilities under COBRA, provided the Company is aware of the qualifying event.

## Workers’ Compensation Insurance

BDA provides a comprehensive workers’ compensation insurance program at no cost to employees. This program covers the medical costs due to an injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers’ compensation insurance also provides partial lost wage replacement benefits after a seven-day waiting period. BDA reserves the right to investigate, including surveillance when appropriate, the validity of each workers compensation claim to ensure it’s appropriately assigned.

Employees are required to notify Human Resources within 24 hours of the first business day following the injury or illness (or as soon as practicable), and thereafter submit all appropriate documentation. Employee shall also submit all information to [receptionist@brettdassociates.com.](mailto:receptionist@brettdassociates.com.%20)  Our Human Resources team will then coordinate all interaction with the workers’ compensation carrier.

If you have any questions about workers’ compensation benefits, please contact the Head of Human Resources.

**Temporary Disability Benefits**

The Company provides with access to group temporary disability benefits insurance coverage which they can elect to purchase based on an agreement between BDA and a third party provider (currently, AFLAC). Employees interested in investigating this voluntary coverage or having questions, should notify PA Human Resources.

## Leaves of Absence

**Vacation and Holidays**

BDA does not typically offer paid vacation days or paid holidays unless special arrangements are made in the employee’s individual contract.

**Medical and Family Leaves of Absence**

Eligible employees may request medical and family leaves of absence leave in accordance with the terms of this policy, without the risk of termination or retaliation for taking such leave. Eligibility criteria vary depending on whether the employee seeks a medical or a family leave. This policy is intended to comply, and shall be implemented in accordance, with the provisions of the Family Medical Leave Act (FMLA) and all other applicable federal or state leave of absence statutes.

**Medical Leave**

Eligibility - To be eligible for a medical leave of absence (“mloa”), an employee must have completed at least twelve (12) months of employment with the Company, worked at least 1250 hours in the twelve (12) months immediately prior to the first day of leave, and be suffering from a Serious Health Condition, as defined below (“mloa-eligible”). A mloa-eligible employee may request up to twelve (12) weeks of unpaid medical leave in any rolling twelve (12) month period. The Company will determine eligibility for medical leave as of the date the leave starts or is requested to start and look back at the prior twelve (12) month period.

Procedures **-** A mloa-eligible employee seeking a medical leave is required to give notice thirty (30) days prior to the anticipated first day of medical leave, except in emergency situations, when notice must be given as soon as possible. Except in an emergency situation, if a mloa-eligible employee fails to request medical leave at least thirty (30) days in advance, the starting date of the leave could be delayed. A mloa-eligible employee seeking medical leave must submit a written request for medical leave along with a Medical Certification from a licensed physician or other qualified health care provider documenting the employee’s Serious Health Condition. Forms are available from Human Resources. Any employee who fails to submit a signed and completed Medical Certification form may be delayed in starting or denied medical leave.

Serious Health Condition - A "Serious Health Condition" is an illness, injury, impairment or physical or mental condition (including those covered under workers’ compensation), which leaves the individual unable to perform the essential functions of his/her job (or leaves a child unable to attend school) and involves at least one of the following:

* Hospital Care - inpatient care (e.g., overnight stay) in a hospital or other medical care facility including any period of incapacity or treatment in connection with the inpatient care;
* Absence Plus Treatment - a period of incapacity of more than three (3) consecutive calendar days that involves either treatment two (2) or more times by a health care provider or treatment by a health care provider on at least one (1) occasion which results in a regimen of continuing treatment, such as physical therapy or a medication regiment;
* Pregnancy - any period of incapacity due to pregnancy or delivery or for prenatal care;
* Chronic Conditions Requiring Treatment - a chronic condition which requires periodic visits for treatment by a health care provider that continues over an extended period and may cause episodic periods of incapacity, such as asthma, diabetes, epilepsy or clinical depression;
* Permanent Long-term Condition Requiring Supervision - a period of incapacity which is permanent or long-term for which treatment may not be effective, such as strokes or terminal cancer; or
* Multiple Treatments (Non-Chronic Conditions) - a period of absence to receive multiple treatments from a health care provider for restorative surgery after an accident or injury, or to receive treatments such as chemotherapy for cancer or dialysis for kidney disease.

A Serious Health Condition may include treatment for substance abuse but does not include absences due to an employee’s use or abuse of alcohol or other controlled substances. A Serious Health Condition does not include routine physical, eye or dental examinations.

Duration of Medical Leave - Medical leave may be taken:

* Consecutively (multi-day or multi-week increments);
* Intermittently (separate blocks of time due to a single qualifying reason); or
* As reduced leave (leave schedule temporarily reduces an employee's usual number of hours per workday or work week, generally from full-time to part-time).

The duration and form of medical leave will be subject to medical necessity as determined by a physician or other qualified health care provider.

A mloa-eligible employee who requests intermittent or reduced medical leave shall make a reasonable effort to schedule such leave so as not to disrupt unduly the Company’s business operations, primarily inconsistent absences that have a negative impact on the progress of the clients. The total (up to twelve (12) weeks) of any intermittent leave schedule related to any Serious Health Condition may not extend over more than twelve (12) months, and the employee must provide thirty (30) days’ notice prior to starting intermittent leave, or as much notice as is reasonable and practical under the circumstances.

Salary Continuation During Medical Leave – Medical leaves of absence are unpaid; however, employees must exhaust all earned, unused sick leave concurrently at the start of a medical leave. Mloa-eligible employees absent due to a work-related injury or illness may be placed on medical leave simultaneous with receiving workers’ compensation benefits. Employees otherwise eligible for sick leave do not earn/accrue additional benefits while absent on an unpaid medical leave of absence.

Return from Medical Leave - Employees are expected to return to work on their scheduled return to work date. Employees are requested to give prior notice to the Head of Human Resources of their intent to return from medical leave at [receptionist@brettdassociates.com](mailto:receptionist@brettdassociates.com) and calling 609-980-2678. If an employee needs to extend a medical leave, he/she must try to submit the request to the Company at least two (2) weeks prior to the scheduled return date, and no less than seven (7) calendar days before the scheduled return to work date, except where the need for an extension is not foreseeable. Requests to extend medical leave beyond twelve (12) weeks are granted solely at the Company’s discretion. If an employee is able to return early from a medical leave, he/she should submit the request to return early to the Head of Human Resources within two (2) business days of learning of the ability to return to work early.

Before permitting an employee to return to work following a medical leave of absence, the Company may require that the employee provide a fitness-for-duty report from the treating health care provider, clearing the employee to return to work. The report must state either that the employee is able to resume working without restrictions or must list any medical restrictions the health care provider finds relative to the employee’s ability to perform the essential functions of his/her position. If the employee has restrictions resulting in light duty, the Company typically does not have light duty positions available. An employee may not return to work unless and until he/she submits a fitness-for-duty report to the Head of Human Resources and is cleared by the Company to return.

If an employee fails to return to work upon the scheduled expiration of a medical leave of absence for reasons other than a documented continuing Serious Health Condition, the Company will treat the employee’s failure to return as a voluntary resignation without notice. In such case and if applicable, the Company also may exercise its right to recover from the employee the amount of the premium costs which it paid for the employee’s health insurance coverage during the medical leave. Any employee who fails to return to work at the scheduled expiration of a medical leave of absence may forego any right to reemployment with the Company.

An exception exists for certain “key” employees who may not be guaranteed reinstatement if their absence will cause grievous economic harm to the Company. Under the FMLA, a "key" employee is one who is among the highest-paid 10% of the Company employees. The Company will notify "key" employees of their status, and of the implications of their status, at the time they request medical leave.

Rights Upon Returning to Work- Employees taking an approved medical leave of absence will be entitled to reinstatement to their former position, if available, or to an equivalent position of substantially equivalent compensation, benefits, status, responsibility and authority, if they return from the leave on the agreed upon date (including any approved extension), and the entire leave lasts no more than twelve (12) weeks. However, since our vulnerable clients’ need for consistency may result in a clinical hardship for this client, the employee will return to a different client when available. If an approved medical leave lasts longer than twelve (12) weeks, then the Company may return the eligible employee to the former position **if available,** or to another position **if,** at the time the eligible employee is released to return from medical leave, a position is available for which the employee is qualified.

Upon return from an approved medical leave, an eligible employee will be subject to any benefit enhancements or modifications awarded or applied to other employees while the employee was on leave, **if** the benefit enhancement or modification otherwise would have applied to the employee if he/she was actively working rather than on medical leave. Likewise, in the event an employee's position is eliminated or modified while he/she is on an approved medical leave and/or he/she otherwise would be subject to layoff or other modification, he/she may be laid off at the conclusion of the leave or subject to the modification upon returning to work.

**Family Leave**

**Note:** Eligibility and procedural requirements may be different for employees taking family leave to care for a family member who is a member of the US Armed Forces (see Military Caregiver Leave below).

Eligibility - To be eligible for a family leave of absence (“floa”), an employee must have completed at least twelve (12) months of employment with the Company, worked at least 1250 hours in the twelve (12) months immediately prior to the first day of leave (“floa-eligible”). The Company will determine eligibility for family leave as of the date the leave starts or is requested to start and look back at the prior twelve (12) month period.

A floa-eligible employee may request up to twelve (12) weeks of unpaid family leave in any rolling twelve (12) month period for one of the following reasons:

* To care for a newly born child or a child newly placed for adoption or foster care, or
* To care for family member (the employee’s parent, child, spouse) suffering from a Serious Health Condition which renders the family member unable to work, attend school, or to care for him/herself.

The definition for Serious Health Condition stated under Medical Leave above also applies to family leaves of absence.

Procedure - A floa-eligible employee is required to give the Company notice in a reasonable and practicable manner prior to any family leave to care for a family member, preferably thirty (30) days prior to the anticipated first day of any family leave, except in emergency situations, when notice must be given as soon as possible. A floa-eligible employee seeking to take family to care for a newborn or a child placed for foster care or adoption, must give at least thirty (30) days’ notice for consecutive leave and at least fifteen (15) days’ notice for intermittent leave, except in emergency circumstances. Failure to submit a timely request for any family leave may cause the starting date of the family leave to be delayed.

A floa-eligible employee seeking any family leave to care for a family member will be required to submit a medical certification from a licensed physician or other qualified health care provider, documenting the family member’s Serious Health Condition. Forms are available from the Head of Human Resources. Floa-eligible employees seeking any family leave for other permissible purposes shall be required to submit documentation appropriate to the reason for the leave. Any employee, who fails to submit a signed and completed medical certification form or other required documentation, may be delayed in starting or denied any family leave.

Duration of Family Leave – Any family leave may be taken:

* Consecutively (multi-day or multi-week increments);
* Intermittently (separate blocks of time due to a single qualifying reason); or
* As reduced leave (leave schedule temporarily reduces an eligible employee's usual number of hours per workday or work week, generally from full-time to part-time).

The duration and form of any family leave to care for a family member with a Serious Health Condition will be subject to medical necessity as determined by a physician or other qualified health care provider. Leave can be taken in increments of as little as one hour.

A floa-eligible employee, who requests intermittent or reduced family leave to care for a family member, shall make a reasonable effort to schedule such leave so as not to disrupt unduly Company’s business operations. The total (up to twelve (12) weeks) of any intermittent leave schedule related to a family member’s Serious Health Condition may not extend over more than twelve (12) months, and the employee must provide thirty (30) days prior notice, or as much notice as is reasonable and practical under the circumstances. The vulnerable nature of our client’s behavior and their need for consistency may result in the inability to approve intermittent leave, or may require the Employee be re-assigned, if an Employee’s intermittent leave will harm the client.

Leave to care for a new child may be consecutive, intermittent or reduced. Leave to care for a new child must commence within twelve (12) months following the child’s birth or placement for adoption or foster care.

If a husband and wife both are Company employees and floa-eligible, they may be limited to a combined total of twelve (12) weeks of family leave during any 12-month period if either spouse takes a leave: a) to care for the employee's parent with a Serious Health Condition, b) due to the birth of the employee's child, or to care for the child after the birth, or c) due to placement of a child with the employee for adoption or foster care or to care for the child after placement (“combined purposes”). The amount of leave available to each the husband and wife in a twelve (12) month period for leave to care for a spouse or child with a Serious Health Condition would be twelve (12) weeks minus the amount of time taken by that employee for one or more of the combined purposes during the same twelve (12) month period.

Salary Continuation During Family Leave – All family leaves of absence are unpaid; however, employees may use available sick time benefits during a family leave.

Return From Family Leave - Employees are expected to return to work on their scheduled return to work date. Employees are requested to give prior notice to the Head of Human Resources of their intent to return from any family leave. If an employee needs to extend any family leave, he/she must try to submit the request to the Head of Human Resources at least two (2) weeks prior to the scheduled return date, and no less than seven (7) calendar days before the scheduled return to work date, except where the need for an extension is not foreseeable. Requests to extend any family leave beyond twelve (12) weeks are granted solely at the Company’s discretion. If an employee is able to return early from any family leave, he/she should submit the request to return early to the Head of Human Resources within two (2) business days of learning of the need for an extension or of the ability to return to work early.

If an employee fails to return to work upon the scheduled expiration of any family leave of absence, the Company will treat the employee’s failure to return as a voluntary resignation without notice. In such case, the Company also may exercise its right to recover from the employee the amount of the premium cost which it paid for the employee’s health insurance coverage during the term of any family leave. Any employee who fails to return to work at the scheduled expiration of any family leave of absence may forego any right to reemployment with the Company.

An exception exists for certain “key” employees, who may not be guaranteed reinstatement if their absence will cause grievous economic harm to the Company. Under the FMLA, a "key" employee is a salaried employee who is among the highest-paid 10% of the Company’s employees. The Company will notify "key" employees of their status, and of the implications of their status, at the time they request any family leave.

Rights Upon Returning to Work- Employees taking any approved family leave of absence will be entitled to reinstatement to their former position, if available, or to an equivalent position of substantially equivalent compensation, benefits, status, responsibility and authority, if they return from the leave on the agreed upon date (including any approved extension), and the entire leave lasts no more than twelve (12) weeks. Following any family leave approved to last longer than twelve (12) weeks, the Company may return the eligible employee to the former position **if available** or to another position **if**, at the time the eligible employee is ready to return from any family leave a position is available for which the employee is qualified.

Upon return from any approved family leave, an eligible employee will be subject to any benefit enhancements or modifications awarded or applied to other employees while the employee was on leave, **if** the benefit enhancement or modification otherwise would have applied to the employee if he/she was actively working rather than on family leave. Likewise, in the event an employee's position is eliminated or modified while he/she is on any approved family leave and he/she otherwise would be subject to layoff or other modification, he/she may be laid off at the conclusion of the leave or subject to the modification upon returning to work.

**Military Caregiver Leave**

An employee who is the spouse, son, daughter, parent, or next of kin of a member of the U.S. Armed Forces, including a member of the National Guard or Reserves (“covered service member”), may request up to twenty-six (26) weeks of family leave to care for a covered service member, who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, due to a serious injury or illness. In order to qualify for Military Caregiver Leave, the employee must have been employed by the Company for at least twelve (12) months and worked at least 1250 hours in the twelve (12) months immediately prior to the first day of leave. Employees must submit a written request that includes a certification to support the request for leave to care for a covered service member with a serious injury or illness.

Qualifying employees also may request up to twenty-six (26) weeks of Military Caregiver Leave for “any qualifying exigency arising out of the fact that the spouse, son, daughter, or parent of the employee is on active duty (or has been notified of an impending call or order to active duty) in the armed forces in support of a contingency operation.” Employees must submit a written request that includes a certification to support his/her request for leave because of a qualifying exigency. Employees should address questions about military caregiver leave and the terminology used, to Human Resources.

Because military caregiver leave is a form of family leave, employees absent from work on an approved military caregiver leave, will have the same rights and restrictions regarding Continuation of Medical Benefits During Family Leave, Salary Continuation During Family Leave, Return From Family Leave, and Return to Work Rights, as stated in this Policy relative to employees taking other approved forms of family leave.

**Provisions Applicable To Both Medical and Any Family Leave**

Outside Employment - Employees are prohibited from accepting new full-time employment while absent on an approved medical or any family leave of absence. This requirement does not preclude an employee, who had a job outside of the Company prior to starting his/her leave of absence, from continuing that employment.

Confidentiality of Records - The Company will maintain records and documents relating to Medical Certifications, medical histories or medical conditions of employees and/or their family members as confidential records and store them in Employee Health Files, separate from the general personnel files.

Non-Retaliation - No employee will be subject to retaliation or any negative employment action as a result of requesting or taking medical or any family leave (including military caregiver leave) under this policy or as a result of testifying or reporting any actual violation of this policy or the law.

## Military Leave

All BDA employees may be eligible for unpaid Military Leave in accordance with the Uniformed Services Employment and Reemployment Rights Act (“USERRA”) and applicable state laws. BDA will not discriminate or retaliate against past and present members of the uniformed services and applicants to the uniformed services. When applicable state law provides additional rights beyond USERRA, BDA will comply with state law.

## Witness Duty

BDA will grant employees time off without pay to appear in court for witness duty when subpoenaed to do so on a non-work related matter. The employee must present the subpoena to Human Resources immediately after it is received so that operating requirements can be adjusted, where necessary, to accommodate the employee’s absence. The employee is expected to report for work whenever the court schedule permits.

## Jury Duty

BDA encourages employees to fulfill their civic responsibilities by serving jury duty when required. BDA will grant employees time off without pay when called for jury duty. The employee must present the jury duty summons to their supervisor and/or Human Resources as soon as possible so that BDA may make arrangements to accommodate their absence. Of course, employees are expected to report for work whenever the court schedule permits.

Victims of Domestic Violence Leaves for Philadelphia employees. In accordance with a Philadelphia ordinance (#080468-A), BDA will provide up to eight (8) weeks of unpaid leave time, for employees who themselves or for a family or household member, who is a victim of domestic abuse, sexual assault, or stalking. Employees requiring such leave should contact the PA Director of Human Resources.

## Protection for Emergency First Responders

BDA Employers will not terminate or discipline volunteer first responders who have responded to calls prior to the time they were due to report to work resulting in a loss of time from employment, but if employees are going to be late, still are expected to notify the Company in accordance with the Employee Call-out Policy, to ensure the safety of your client(s)..

## Company Property or Damage

**Insurance of Personal Belongings**

All employees should ensure that their own personal insurance policies cover the loss of anything occasionally left at the office or at a client location. The Company assumes no risk for any loss of or damage to personal property.

## Company Property & Supplies

No materials, or other Company property may be removed from the Company premises

without authorization. Taking such items without authorization is a most serious offense and could result in immediate dismissal. After supervisor approval to remove Company property from the premises, email [receptionist@brettdassociates.com](mailto:receptionist@brettdassociates.com) with all identifying information of the property make, model & serial number.

## Return of Property

Employees are responsible for BDA equipment, property and work products that may be issued to them and/or in their possession or control. These include, but are not limited to:

* credit cards,
* telephone cards,
* identification badges,
* office building keys and key cards and/or security passes,
* computers, tablets and other electronic equipment,
* electronic identification and user codes, including computers and telephone voice mail,
* intellectual property (*e.g.*, memoranda, reports, computer printouts, software), and
* any other work products/materials related to the business of BDA.

Employees must return all BDA property that is in their possession or control in the event of separation from employment, or immediately upon request by the Head of Human Resources or designee.

## Internet/Email

Company computers, computer files, the e-mail system, Internet access and the software furnished to employees are Company property and are to be used mainly for Company business. Employees’ use of BDA computers, e-mail and Internet access are intended solely for job-related activities. There is no reasonable expectation of privacy in any use of the Company’s Internet access, e-mail, or other systems/equipment.

The Company specifically prohibits the use of computers (including Internet access) and the e-mail system in ways that are disruptive, offensive to others or harmful to morale, including sexually explicit messages, images and cartoons, ethnic slurs, racial comments, off-color jokes or anything that could be construed as harassment or shows disrespect for others, defames or slanders others, or otherwise harms another person or business.

Employees may not access the Internet to log onto any Web sites that contain any such material, including any pornographic Web site, or any Web site that contains any discriminatory message, or disparages any group.

Employees may not use computers or the e-mail system for commercial messages of any kind or for messages of a religious or political nature, chain letters, solicitations, gambling or other inappropriate usage. E-mail and Internet access should be used in such a way that all transmissions, whether internal or external, are accurate, appropriate, ethical and lawful.

Illegal duplication of software or violation of copyright laws by the duplication or sharing of software, or the distribution of copyrighted material, is strictly forbidden. Also, an employee should not use a password, access a file or retrieve a stored communication that is not normally accessible to that employee.

## Computer Hardware/Software Security

Company equipment including computer hardware and software are valuable assets. They may be used only for Company business. You may not copy or use Company-purchased/leased software for personal purposes or in a manner contrary to the provisions of the software contract.

From time to time, especially when you are on vacation, business trips, and leaves of absence, your supervisor, manager, or another employee may access your computer files or your communication information to fulfill business needs. There is no reasonable expectation of privacy in any use of the Company’s internet access, e-mail, or other systems/equipment. All data or software placed on Company equipment may be scanned for the presence of computer viruses. Lastly, Company e-mails must have the uniform standard Company signature and Company cell phones must have a voice greeting stating who to contact in the employee’s absence. When the employee is away more than 2 business days, an automatic message must occur on both Company e-mail and voicemail stating the date of return and who to contact in your absence.

## Non-Disclosure of Privileged and Confidential Information

The protection of privileged and confidential information is vital to the interest and the success of BDA. As such, the disclosure, distribution electronic transmission or copying of documents and/or privileged and confidential information to any third party is prohibited without written consent of the affected individual and approval of the COO or CEO. Such information includes, but is not limited to, the following examples:

* Employee personnel records, including compensation data and medical statements.
* Program and financial information, including that of individual clients.
* Pending projects and proposals.
* Training Techniques, programs or curriculum associated with the BDA Program

All employees may be required to sign a non-disclosure agreement as a condition of employment. Any employee who discloses confidential information will be subject to disciplinary action (including possible separation).

## Personnel Records

Separate Personnel and medical records will be maintained on each employee, and are considered the property of BDA. Access to the information these files contain is restricted and confidential.

A personnel file will be maintained for each employee and it is the responsibility of each employee to promptly notify Human Resources in writing of any changes in personal data, including home mailing address, telephone numbers, dependents, and individuals to be contacted in the event of an emergency.

An employee health file will also be maintained for each employee (separate and apart from the personnel file), which will include medical information related to the employee, including, but not limited to, disability benefits claim forms, notes from doctors, requests for FMLA and NJFLA leave, requests for ADA accommodations, workers’ compensation history, and any documentation about past or present health, medical condition, or disabilities.

Upon written request to the COO or CEO, a current employee may review his/her personnel file except with respect to records provided by a third party who has declared them confidential.

BDA will notify the employee of the time and place for inspection of the personnel records, which will be at a reasonable place and time. The employee shall view the personnel records in the presence of a representative from BDA. The employee may not remove any documents from the personnel file, but may make their own handwritten notes.

BDA will comply with 1 request per year by current employees. Former employees will not be given access to personnel files.

## WHEN FAMILIES OR LEARNERS NEED HELP

We are not a provider of crisis emergency services, therefore we are not on call to go to homes or any clients in emergencies.

## Contact Perform Care

For Parents, Guardians, Youth and Providers

**Hours of Operation**

**24 Hours a Day, Seven Days a Week**

**Toll-free Phone 1-877-652-7624**

**ACKNOWLEDGEMENT OF RECEIPT OF COMPANY POLICIES &   
EMPLOYEE HANDBOOK**

I have received the current Company Employee Handbook and have read and understand the material covered. I have had the opportunity to ask questions about the policies in this handbook, and I understand that any future questions that I may have about the Handbook or its contents will be answered by a Human Resources Representative. I agree to and will comply with the policies, procedures, and other guidelines set forth in the Handbook. I understand that the Company reserves the right to change, modify, or abolish any or all of the policies, benefits, rules, and regulations contained or described in the Handbook as it deems appropriate at any time, with or without notice. I acknowledge that neither the Handbook nor its contents are an express or implied contract regarding my employment.

I further understand that all employees of the Company, regardless of their classification or position, are employed on an at-will basis, and their employment is terminable at the will of the employee or the Company at any time, with or without cause, and with or without prior notice. I have also been informed and understand that no officer, agent, representative, or employee of the Company, other than the CEO, has any authority to enter into any agreement with any applicant for employment or employee for an employment arrangement or relationship other than on an at-will basis and nothing contained in the policies, procedures, handbooks, or any other documents of the Company shall in any way create an express or implied contract of employment or an employment relationship other than one on an at-will basis.

Either your electronic signature on this form or your reply by email with the Handbook attachment will confirm your understanding and agreement to the above, as well as your receipt of the Handbook and understanding of its contents.

Signature Date

Employee Name: Printed

Certification of PA Department of Education Codes

I certify that I have been granted access to, and I maintain a current knowledge of, the following NJ DOE Codes:

* Pennsylvania Code 22 Pa. Code § 14.101, *et seq.* (Special Education)
* Individuals with Disabilities Education Improvement Act 2004 (IDEA)
* 22 Pa. Code § 12.31, et seq. (student records)
* Section 504 of Rehabilitation Act of 1973
* PA Statutes 24 P.S. § 9-922.1-A
* Title 49, Part I, Subpart A (Professional and Occupational Affairs) of the Pennsylvania Code
* Pennsylvania Department of State, Bureau of Professional and Occupational Affairs statutes and regulations governing licensed occupations
* Regulations prohibiting the exclusion of any persons due to age, ancestry, atypical hereditary cellular or blood trait, service in the US armed forces, color, creed, disability or handicap, gender identity or expression, genetic information, marital status, civil union status, domestic partnership status, national origin, nationality, pregnancy, race, sex, sexual orientation, or affectional orientation.

I certify that I am knowledgeable of the above codes, information, and policies. This statement is made in good faith and without collusion. I am aware that if these statements made by me are willfully false I am subject to punishment.

Signature

Date