

SOUTHERN HIGHLANDS COMMUNITY MENTAL HEALTH CENTER

POLICY AND PROCEDURE MANUAL

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Policy 220 – Recruitment and Selection for Employment

- A. **Authority** – The Chief Executive Officer is engaged by the Board of Directors and is authorized to engage all other personnel.
- B. **Opportunity** – Southern Highlands Community Mental Health Center will recruit the best qualified candidates for any position that shall be added or shall become vacant in the agency. Southern Highlands Community Mental Health Center is an equal opportunity employer and therefore no individual will be discriminated from a position or from an appropriate salary on the basis of race, religion, creed, national origin, age, disability, blindness, marital status, sexual orientation, or gender. Due to state regulations, all applicants must be 18 years or older.

Employment situations are presumed to be at-will except when the employee has a contract. At-will means that an employer can terminate an employee at any time for any reason except an illegal one, or for no reason without incurring legal liability. Likewise, an employee is free to leave a job at any time for any or no reason with no adverse legal consequences. These policies and procedures are not to be considered an implied contract.

- C. **Notice** – In addition to any advertising, notice of all positions for which vacancies exist will be posted at all sites for a minimum of five (5) working days. Program participants and present staff will have the right to apply to fill any vacancy. Screening of applicants will be on the basis of merit and by qualifications as outlined on the job or position description.
- D. **Application for Employment** – The following statement will be placed on the Center's application for employment forms in order to ensure accurate information. "I authorize investigation of all statements contained in this application. I understand that misrepresentation or omission of facts called for is cause for rejecting my application or dismissal if discovered after I am hired."
- E. **Verification** – The accuracy of the information given on all applications for employment will be verified, including criminal background checks, salary and former employer checks, academic credentials, licenses and references. All findings will be preserved in writing in the applicant's file. For prospective home based and respite providers who do not have a high school diploma or equivalent competency will be verified through the interview process. The supervisor will submit a request to the Credentials Committee for approval of potential employment.

F. Procedure for Internal Applicants

It is the goal of Southern Highlands to have the most qualified employees in every position. Applicants, both internal and external, will only be interviewed if they meet the minimum qualifications for the vacancy. Internal applicants will be given preference ONLY if they have equal to or greater qualifications than the external applicant. When looking at those qualifications, the Supervisor / Director should consider the current available job records, including but not limited to, use of PTO, Disciplinary Action, Clinical Supervision files, and any other objective criteria available. Supervisors / Directors should not interview any applicant who does not meet the minimum qualifications or has shown poor performance in their current position. Internal applicants must have completed the first 90 days of employment or **90 days in their current position** and cannot be on an improvement plan.

1. Applicant sends Human Resources a Letter of Intent.
2. Human Resources sends the Letter of Intent to the employee's current supervisor and the supervisor of the vacant position.
3. Interviewing Supervisor / Director contacts Human Resources for:
 - a. Disciplinary Actions of the applicant
 - b. Frequency of PTO use
4. Supervisor / Director calls or emails Human Resources to schedule interviews giving both the date and time they want the interview scheduled.
5. Human Resources schedules the interview with applicant and confirms with Supervisor / Director.
6. Supervisor / Director interviews applicants.
7. Supervisor / Director sends interview packet to Human Resources with selection to make offer.
8. Human Resources contacts employee to offer position.
9. Human Resources contacts supervisors to set up transfer dates.
10. Human Resources types transfer memo for Chief Executive Officer to sign.
11. Human Resources calls applicant and lets them know the transfer date and that they will be receiving a transfer memo.

G. Selection for Employment

1. All vacancies will be filled with the best qualified candidates. Opportunity for employment will be open to any person who, on the basis of merit, can present satisfactory evidence of qualifications for the position.
2. **Drug Screen** – Prospective employees will be referred for a drug screen. Application for employment states: “I understand that as a condition for my application to be considered, I consent to undergo drug and alcohol screening. I understand that if my test results are positive, I shall not be considered further by SHCMHC”.
3. **Driving Record** – Prospective employees must have and maintain a valid driver’s license or be eligible to obtain a valid driver’s license if position requires providing transportation. Any employee providing transportation must have a valid driver’s license. A satisfactory driving record is required. Driving records will be investigated for all new employees upon employment and annually thereafter. All employees who drive Center vehicles, are paid mileage, or drive during work hours must maintain a satisfactory driving record. A satisfactory driving record is defined as:
 - a. There shall be no suspensions or revocations of license during the immediate preceding twenty-four (24) calendar months, and
 - b. There shall be two (2) or less convictions for moving violations during the immediate preceding thirty-six (36) calendar months or one (1) conviction for moving violations during the immediate preceding twelve (12) calendar months.
4. **Selection** – The supervisor will submit the interview packet to personnel. The supervisor will make a recommendation for employment. Once the drug screen and driving record are received, the Chair of the Credentialing Committee and Human Resources will review the packet to determine if all requirements are met, appropriate documentation is submitted, and that the applicant is suitable for employment. If approved by both the Chair of the Credentialing Committee and Human Resources, the applicant will be offered employment pending approval from the WV Cares Background Check.
5. **Employment Offer** – Once Human Resources and the Chair of the Credentialing Committee have verified the accuracy of the employment packet and credentials, the Human Resource staff will call the applicant and make an offer contingent upon the eligibility for employment from WV Cares. If the employee accepts employment with the contingency, the applicant will come to the office to sign additional forms, be given the tentative employment letter, and make an appointment for fingerprints. Once potential employee is offered the position the potential employee will be given a timeframe of 36-hours to accept the position and if they do not respond back Human Resources will offer the position to the next candidate if applicable.

6. **WV Cares** is a program operated by the WV Department of Health and Human Services to determine employment eligibility for certain programs including behavioral health. Once the department receives the results of the fingerprints, they will also check eligibility with the OIG, SAM, State and National Sex Offender, and APS/CPS records. If the employee is eligible for employment, Southern Highlands CMHC will receive notification. Human Resources will notify the employee and provide them the date of orientation. If the employee is ineligible for employment, both the applicant and Southern Highlands CMHC will receive notification. Human Resources will then send a letter to the applicant rescinding the employment offer. If the applicant disagrees with the determination, he/she may appeal the decision with WV Cares. Southern Highlands has no authority to change or override these decisions.
7. **Job Vacancy in the Same Job Group or Higher** – If a current employee is chosen for a job vacancy in the same job group or higher, the employee will maintain their current rate of pay or entry level whichever is higher. If an employee is chosen to fill a position in a lower job group, a review of the entry level and the current rate will be conducted. Rates for the higher job groups will not be maintained.
8. **Other Employment** – Before any full-time or part-time employee accepts employment outside the Center, the employee must submit a request to the Chief Executive Officer including the type of work, hours to be worked, and any other relevant information. If the Chief Executive Officer feels there is a potential conflict of interest, the request will be denied.

NOTE: The elements of conflict of interest are defined as use of Center (clinic) premises, equipment and the possible referral of Center consumers into the employee's private practice. At no time shall an employee actively solicit a Center consumer into his/her private practice. This does not apply to family members hired as Person Center Support providers.

9. **Nepotism**
 - a. All job applicants will be reviewed in accordance with potential ability to perform the function assigned. The relationship of the applicant with a current employee will not be a factor in employment consideration. If immediate family members are hired they will not be in a situation of supervising one another.
 - b. Immediate family is defined to include:

Husband	Wife	Daughter
Son	Father	Mother
Sister	Brother	Grandparents
Grandchildren	Step Children	Foster Children

Father-in-Law
Sister-in-Law

Mother-in-Law
Daughter-in-Law

Brother-in-Law
Son-in-Law

Or any person acting in the role of immediate family.

Section 220
Page Five

10. **Probation** - New para-professional employees will have a three-month probationary period and new professional employees will have a six-month probationary period. During such probationary period, the Center or the individual may terminate the employment relationship without the usual advance notice.

After an employee has been employed for 90 days, all rights and benefits accrue, and paid time off (PTO) leave will then become retroactive to the date of employment in conjunction with Section 270-B-2. All time off during this period will be leave without pay. If the employee does not meet all expectations of an employee by the end of their probationary period. The probationary period may be extended for an additional 60 days.

11. **Promotions and Transfers** – Position vacancies will be posted at every location of the Center and its delegate sites. Present staff may apply for any vacancy and the personnel records will be reviewed to determine if the employee has the qualifications necessary to fill the vacancy.

Transfers from one location to another or one position to another will be made in the best interest of the Center, the individual and the community.

NOTE: Any **para-professional staff** being considered for a transfer will receive a two week notice of the transfer. **Any professional staff being considered for a transfer will receive a four week notice.** Any grievance resulting from being transferred from one location to another or one position to another will be dealt with according to the Center grievance policy.

12. **Employee Conduct** – An employee is expected to conduct himself/herself at all times in a manner befitting his/her status as an employee of the Center. The employee shall refrain from any actions and avoid any kind of public pronouncement which reflects adversely upon the Center. All employees will receive training and follow SHCMHC Employee Code of Conduct and Ethics Policy (Policy 242).

An employee should exercise the utmost discretion in regard to any matters of official business and records.

Any information which has been received by an employee on a confidential basis must be maintained in confidence. At no time shall a staff member discuss with a non-Center employee the status of a consumer without that consumer's written consent or as authorized by law and regulations of the West Virginia Department of Health. Information will be shared with Center staff on a need-to-know basis. Any other release of information to Center staff will be considered a breach of

confidentiality. See Policy 179 – Confidentiality for further clarification and Section 500 – HIPAA Policies.

All employees will be aware of all policies and consumer rights.

13. **Public Statements** – An employee may not speak to the press as an official spokesman of the Center without prior clearance of the Chief Executive Officer. All inquiries from the press should be referred to the Chief Executive Officer.

Any deviation from this policy will be considered a serious infraction of regulations and may result in disciplinary action.

14. **Gifts And Gratuities** – Employees of the Center and its Clinics are prohibited from accepting gifts or money from persons receiving benefits or services from the Center, its Clinics or from persons performing services under contract to the Center in a position to benefit from an employee's action. This does not include the offering of a plant or flowers for illness or loss of a loved one. Tokens of appreciation of insignificant monetary value (i.e., cookies, homemade items) can be accepted, but the staff's supervisor must be informed. Solicitation of gifts from consumers is forbidden and will result in disciplinary action. Cash cannot be accepted under any circumstances.
15. **Orientation** – On the first day of work the employee will be informed of all policies and procedures, receive printed materials and fringe benefit forms. Documentation of both the administrative orientation and clinical orientation will be maintained in the personnel file.

On the first day of employment, the employee shall be given a job description to have completed and signed.

After the completion of the aforementioned tasks, the employee shall return the document, signed and dated by the supervisor, to the Human Resources Manager. Written documentation of orientation shall be in each employee's personnel file.

16. **Work Schedule** – Normal Center hours will be 8:00 a.m. to 5:00 p.m., with one hour for lunch. Some locations are in operation 24 hours per day and will have employees scheduled based on consumer needs. All employees are expected to work their regular work schedule unless they have prior approval from their supervisor to change that schedule. Employees not working their regular 35/40-hour work week must use any available PTO prior to leave without pay. If employees do not work their regularly scheduled work week, PTO will not be used unless approved by supervisor. Supervisors must ensure they have coverage for their departments prior to approval of leave. Staff may be temporarily be assigned to other sites or program areas to cover a vacant shift as needed. The temporary program supervisor must ensure that temporary staff receive the required training for that program and is responsible for all supervisory during that time period. Staff must work the scheduled by the

temporary program supervisor and abide by that program's regulations. The primary site has priority. The primary site supervisor must give a 24 hour notice to recall staff. Supervisors will keep in contact with each other regarding the hours worked at temporary sites. Staff must report any issues to the temporary program supervisor they are working for at that time.

Any fixed change in the established work schedule must be authorized in advance in writing by the Chief Executive Officer. Employees requesting a change must do so in writing and provide full justification.

17. Personnel Records

- A. Personnel records, by individual, will be maintained centrally. Each file will contain the complete history of the person's employment with the Center starting with the application and including all subsequent actions.
 - B. The individual personnel file is regarded as confidential material and will be treated as such. The only persons with access to the file will be the employee, his immediate supervisor, Human Resources, and the Chief Executive Officer. Intervening supervisors will have access on a need-to-know basis only.
 - C. Progressive warnings in the employee's file will be removed 12 months after the last action for the violation. Records of suspension and/or termination will be part of the permanent record.
18. Students who are participating in a practicum or similar activity will be treated as a staff member and as such must complete an orientation to the Center. A personnel file will be maintained by the Human Resources Manager which will include the dates of placement at the Center, confidentiality statements by the student and instructor, statements of review of policy and procedures, and correspondence with the school. The student will be responsible for adhering to the policies and procedures of SHCMHC in the same fashion as any employee (Section 415).
19. Interactions between the student and consumer to meet the student's practicum needs must never be at the expense of the consumer's needs; therefore, research involving consumer-specific information or general information about the consumer population will not be considered.
20. Each student working on a practicum will be assigned a site or Field Supervisor (qualified staff) who will guide the student in their field. Any documentation in the consumer record will be co-signed by a qualified staff member. (See Addendum A.)

21. The student must inform the consumer of the purposes, goals, techniques, procedures, and limitations that may affect the therapeutic relationship before beginning the student practicum. When working with minors or persons who are unable to give consent, the parent or guardian must be informed and give consent.
22. Those students who are in an undergraduate or graduate practicum must have a learning contract developed following guidelines provided by their school program. The contract will be developed by the student with guidance by the site supervisor and field instructor. Upon completion, each will sign and forward a copy to the Chief Executive Officer for signature.

23. Re-Hire Status

A. Staff that have resigned from their position and wish to return will be reviewed on a case by case basis with Human Resources and the Supervisor requesting the former employee being re-hired. If the employee returns to work within one month of resignation they will not lose their seniority.

B. If a former employee returns to SHCMHC they will not be required to go through orientation process if all trainings are current. The employee will be required to submit a drug screen and must be eligible for employment through WV Cares.

C. A new performance plan will be completed for any staff that returns unless they return within one month of resignation. Supervision will be required for any staff returning after one month.

SOUTHERN HIGHLANDS COMMUNITY MENTAL HEALTH CENTER

CENTRAL ABUSE REGISTRY NOTICE

ORIENTATION COMPLIANCE

In compliance with H.B. 4141, legislation passed by the West Virginia Legislature on March 8, 1996, establishing a Central Abuse Registry, this agency must provide to current employees, persons providing services under a contract and to newly hired individuals the following notice:

All service providers in the state of West Virginia are subject to provisions of law creating a Central Abuse Registry. Any person providing services for compensation to children or to incapacitated adults, who is convicted of a misdemeanor or felony offense constituting abuse, neglect or misappropriation of property of a child or an incapacitated adult, is subject to listing on the Central Abuse Registry. The fact that a person is listed on the registry may be disclosed in specific instance provided by law. Listing on the registry may limit future employment opportunities, including opportunities for employment with residential care facilities, day care centers and home care agencies. It is the policy of Southern Highlands Community Mental Health center to promptly report all suspected instances of abuse, neglect or misappropriation of property to the proper authorities and to cooperate fully in the prosecution of these offenses.

I have read the above notice regarding the Central Abuse Registry and understand the content.

Signature

Date

HIRING PROCESS

Thank you for interviewing with Southern Highlands CMHC, Inc. The interview is the first step toward employment. As a contractor with the Department of Health and Human Resources and a Medicaid service provider, we must assure that you meet the other requirements for employment. A successful interview is not a promise of a job. We may interview and do testing on more than one applicant and make our decision at the end of the process.

The next step is a drug screen. This can take from 3 to 7 days depending on the tests the lab requires.

After that you will be sent for finger prints so that we can obtain a Criminal Background check and a driving record. At the same time, we send the form you signed to the Department of Health and Human Resources to assure that you do not have a history with Adult or Children's Protective Services.

A monthly check is completed prior to employment and every month thereafter with the Office of the Inspector General to assure that the applicant and/or employee has never been convicted of Medicaid Fraud.

If all of the above are satisfactory, your previous employers will be contacted to provide references.

Once all of the above is completed, a final review is completed by the Credentialing Committee. This review assures that all of the above has been completed and that the applicant meets the requirements of the position. A review of diploma, transcripts, licenses (if required), driving record, etc., are all completed.

JOB OFFERS ARE MADE ONLY BY A REPRESENTATIVE OF HUMAN RESOURCES.