

SOUTHERN HIGHLANDS COMMUNITY MENTAL HEALTH CENTER
POLICY AND PROCEDURE MANUAL

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Policy 242 – Employee Code of Conduct and Ethics

I. POLICY

Southern Highlands Community Mental Health Center is an agency whose staff are comprised of persons from a variety of individual and professional backgrounds. Therefore, the agency recognizes the necessity for guidelines that prompt staff for a standard of conduct and to become centered ethically, thus enabling them to work effectively with the general public, other community agencies, peers and the consumers they serve. Southern Highlands promotes and expects adherence to its Employee Code of Conduct and Ethics.

II. DISCUSSION

The Employee Code of Conduct and Ethics is a set of guidelines intended to guide staff to make decisions based on established principles rather than outside influences, and to guide staff through the “grey areas” of staff conduct. This policy is to be in addition to all other policies which refer to consumer rights and employee conduct.

This policy outlines procedure for reporting and reviewing a violation of the Employee Code of Conduct and Ethics. It clarifies roles and responsibilities of those involved in the process of investigating a reported violation.

III. EMPLOYEE CONDUCT AND CODE OF ETHICS

Professional Conduct and Ethics

Southern Highlands’ reputation as a behavioral health provider is dependent upon all employees conducting themselves with integrity and professionalism. Southern Highlands understands and respects the need for personal expression however a professional appearance and attire must be maintained while providing services.

A. Professional Appearance (Standard 1)

Southern Highlands requires employees to be professional in appearance to include cleanliness and appropriate dress.

REQUIREMENT:

- Hair should be clean, neatly groomed, and styled. This includes facial hair (beards/mustaches). Hair should not be a distraction for consumers.
- Hands should be clean with neatly trimmed nails.
- Body odor should be absent. Use of antiperspirant is encouraged unless contraindicated for health reason. Any personal fragrance should be minimal and not create discomfort for consumers or co-workers.
- Clothing should be clean and free from odor.

Attire: Appropriate attire encompasses many looks and allows employees to feel comfortable and look professional at work. All attire must be neat, clean and in good condition. Attire may include polo shirts, dress shirts, turtlenecks, blouses, sweaters, cardigans, pant suits, community or entity specific sweatshirts/tee shirts only, casual pants, scrubs, casual skirts and dresses. Regardless of program or department, if jeans are worn they must be clean, in a good state of repair and fit properly. Jeans may not be excessively long, they may not be oversized, and they must be cut so that body parts are not clearly defined. Loose fitting shorts no more than three inches above the knee may be worn in the Greenhouse and Residential programs only.

Inappropriate Attire: This includes, but is not limited to, cut offs, beach attire, halter tops, tops that expose the midriff, dresses or skirts that are excessively short (no more than three inches above the knee), any top that exposes cleavage, sheer or revealing clothing or any clothing that is provocative or distracting to our consumers. Items of clothing that expose undergarments are not allowed. Tee shirts/sweatshirts with logos/pictures that are lewd, bizarre, promote drugs, alcohol or musicians are not allowed. Muscle shirts or sleeveless Tee shirts for men are not allowed. Minimal distressed/ripped jeans are permitted in non-office settings and must not show excessive skin or have any rips further above 2 inches of knee. Supervisor must ensure that jeans are appropriate. Tattoos are permitted if they are appropriate. Tattoos that show nudity, racially/ ethically offensive that could offend someone, slur/vulgar wording, drug paraphernalia, etc. need to be covered up.

Footwear: All footwear must be clean and in good repair. For safety and professional reasons, rubber flip-flops and extremely high heels/platforms will not be worn. Footwear worn in the Medical Records Departments, Residential, CPST, and ADS programs must have non-skid soles and low heels.

Jewelry: Jewelry should be tasteful and not overdone regardless of the department or job assignment. Jewelry cannot be racially/ ethically offensive that could offend someone, slur/vulgar wording, drug paraphernalia, etc Due to the potential risk of accidental injury to consumers and staff, rings with sharp pointed contours, hoop earrings, dangling earrings or necklaces will not be worn in ADS, Residential or CPST programs.

Medical Exceptions: Requests for medical exceptions/accommodations must be made in writing to the Chief Executive Officer.

Policy Enforcement: Supervisors and Department/Program Directors are responsible for enforcing the Professional Appearance section of this policy and training all new employees as to its content. The first offense of inappropriate attire will result in the employee being counseled as to why the attire is inappropriate and reminded of the attire guidelines. The second violation will result in employees being sent home to change the item that is in violation of the attire guidelines. PTO must be utilized for work time missed. If PTO is not available, time off will be without pay. Disciplinary action will be pursued in the case(s) of employees whose attire continues to be offensive, distracting or in direct conflict with this policy.

B. Professional Composure (Standard 2)

Southern Highlands encourages employees to express differences in opinion. Any differences in opinion are to be expressed in a respectful professional manner.

Employees are encouraged to assume the best of intentions of co-workers rather than assuming otherwise.

Southern Highlands maintains a work place that is safe for consumers and employees and in no way will tolerate discrimination, harassment, physical or verbal aggression or intimidation of others.

REQUIREMENT:

- Differences in opinion are to be voiced in a respectful manner. Opinions should be voiced away from consumers and not in front of the consumers.
- Behavior will ensure work environment maintains feeling of safety.
- Address disagreements in accordance with conflict resolution procedures – one-on-one approach.
- If one-on-one approach does not resolve issue, staff will request mediation from supervisor.
- Refrain from interfering with corporate change; any concerns or ideas regarding change should be addressed directly with management and in professional, not underhanded manner.
- Address issues with co-workers directly; avoid gossip.
- Refer co-workers to the conflict resolution procedures if they attempt to engage you in a dispute.

- Maintain professional interaction regardless of the modality of communication. E-mail and other electronic means of communication can be effective and are subject to the same requirements.
- Demonstrate the value of each team member's contributions to service delivery.

PROHIBITED:

- Raised/Loud voice – yelling.
- Threatening language – no language can be used to threaten sense of safety, security. Even in “jest” or joking manner it can have negative effect on others.
- Loud boisterous behavior or conversations which can be distracting or unsettling to consumers or co-workers.
- Foul language – slang terms, foul language is prohibited. Not only can the language be demeaning but it also projects unprofessional behavior / environment. Even if language is used between co-workers it damages the professional image of the organization.
- Gossip – talking with other co-workers regarding peers or attempting to involve others in a dispute.
- Aggressive body language – pointing finger, clenched fist, clenched jaw, eye rolling, or any other aggressive/negative posturing.
- Passive aggressive behaviors – attempts to undermine the goal of the organization; “sabotage” change, attempts to have co-workers resist change; providing false or incomplete information in an attempt to negatively affect operation, co-worker, or consumer.
- Discriminatory language – any negative language with respect to race, religion, sex, disability, nationality or other factor may be construed as discrimination and are strictly prohibited. Use of such language is considered discrimination and is outside the policy of Southern Highlands and may be subject to legal action.

C. Professional Respect (Standard 3)

Southern Highlands requires employees to demonstrate respect for all individuals – co-workers, consumers, the organization or any person encountered during course of business. Professional respect includes promoting diversity and inclusion of all individuals. Employees are reminded that identification as a Southern Highlands employee on social media sites (Facebook, Twitter, LinkedIn, Snapchat, etc.) may be construed by others as a message from Southern Highlands.

REQUIREMENT:

- Communicate openly, effectively and often.
- Negative or “bad” news should be delivered in person and as soon as feasible.
- Take responsibility for mistakes and attempt to correct them if possible.
- Be aware of “how you say, what you say.”
- Be accountable to timelines/deadlines.
- Be fair in interaction.
- Be solution focused.
- Demonstrate respect for the chain of command. The chain of command is intended to provide protection to consumers, employees, corporation assets and promotes effective and efficient operation.
- Demonstrate respect for supervisor/supervisee. Express differences in opinion with your supervisor/supervisee in professional manner.
- Listen, ask questions and communicate concerns calmly and clearly. Always be respectful and courteous.
- Treat employees/co-workers as you would like to be treated.
- Be cooperative with team and corporate activities.
- Share the workload.
- Stay busy and assist co-workers as needed.
- Speak well of your employer. Do no harm to Southern Highlands’ image, internally or externally.
- Respect Southern Highlands as an organization.
- Respect other professionals in the community.

PROHIBITED:

- Negative comments about supervisor/supervisee or other members of management to other employees.
- Attempts to undermine supervisor’s authority or respect; attempts to diminish the supervisor’s image.
- Attempts to embarrass or humiliate employees.
- Contributing to chaos.
- Gossip.
- Negative representations of Southern Highlands or Southern Highlands employees or consumers in public to include social media.
- Using consumers, members of the public, or others as a “sounding board” for personal employee complaints concerning Southern Highlands.

D. Professional Boundaries (Standard 4)

Southern Highlands’ employees shall recognize that effectiveness depends upon the ability to maintain sound interpersonal relations with appropriate

boundaries. It is recognized that any real or perceived conflict of interest may negatively affect Southern Highlands' professional reputation.

REQUIREMENT:

- Employee shall ensure that time at work is dedicated to the organization. This is necessary to avoid confusion regarding personal and professional activity.
- Any out of work relationship between employees shall ensure no interference with the team dynamic, communication of the work place.
- Employees who are involved in romantic relationships with each other are required to complete the Consensual Relationship Agreement (See Policy 284)
- Employee shall avoid activities which may be construed as staff need versus consumer need.
- Employee shall avoid activities which may be construed as friendship versus medically necessary behavioral health service.
- Employee shall avoid activities professional in nature with family, friend, professional associate or any other individual whose best interest may be jeopardized by such service.
- Employee shall report any conflict of interest which may develop to include any situation which gives appearance of exploitation or taking advantage of consumers. See attached form.
- Employees shall treat co-workers, consumers and any individual encountered during course of business with respect, courtesy, fairness and demonstrate good faith.

PROHIBITED:

- Excessive time spent in personal conversation with co-workers.
- Discussing staff members with consumers.
- Sharing personal information with consumers that is not treatment related.
- Developing a personal relationship with consumer to include
 - Financial dealing
 - Romantic or physical relationship
 - Any relationship which has inherent power differential
- Encouraging or fostering dependence on the service provider.
- Use of company time/resources for personal use or outside activities.
- Participation in outside employment which interferes with ability to perform work duties.
- Use of influence within organization to benefit family, friend or other individual.
- Relaxed language, inappropriate jokes.

- Personal relationships with consumer(s) on social media including instant messaging programs.
- Text messages or emails containing identifiable information or PHI is prohibited.

E. Professional Competence (Standard 5)

Southern Highlands' employees shall be proficient in their professions standard of practice. Employees are to continue to develop clinical skill and shall recognize the boundaries of competence. Employees will not exceed their level of competence unless working under the direct supervision of another professional and as part of the expansion of clinical skill/supervision.

Employees will maintain relevant licensure, continuing education, certification or other status as required for the profession. Employees will not misrepresent professional qualification, education, experience, or affiliations.

F. Professional Compliance (Standard 6)

Southern Highlands' employees shall conduct themselves in a manner that does not discredit or interfere with operations of Southern Highlands, including clinical or business, billing, or coding process.

REQUIREMENT:

- Southern Highlands' employees are required to report any proposed or actual disbarment, suspension or ineligibility to participate in federal programs.
- All professional licensed employees shall report any disciplinary actions or censure taken upon their license to supervisor or Human Resources.
- All employees shall work honestly.
- All employees shall document activities accurately and timely.
- Provision of medically necessary services which are appropriate based on the consumer's diagnosis and symptoms.
- All employees shall adhere to all Medicare/Medicaid and other regulations and laws.
- All employees shall use Southern Highlands' financial resources responsibly.
- All employees shall follow safety-related standards and regulations as they apply to their position.
- All employees are required to report any suspicion of billing fraud, waste or abuse.
- All employees shall cooperate with any investigations including but not limited to consumer rights, abuse/neglect, billing fraud waste or abuse.

- All employees are mandated reporters of suspected abuse and/or neglect and duty to warn. Employees are required to report to local Department of Health and Human Resources or local authorities as appropriate.
- Employees wishing to make a report of an ethical violation to his or her licensing board may do so.

PROHIBITED:

- False, fraudulent, inaccurate or fictitious billing.
- Use of Southern Highlands' financial resources to achieve personal financial gain.
- Providing services which are not medically necessary.
- Providing or receiving kick back for referrals.
- Interference with any investigation of ethical or legal violations.
- Retaliation against any employee who in good faith made report of suspected abuse/neglect, fraud, waste or other failure to follow regulation or code.

Public Relations

Employees serve as a representative for Southern Highlands both in interaction with consumers and with the general public. Employees represent Southern Highlands in appearance, word and deed.

A. Customer Care (Standard 7)

Employees should interact in a professional manner with consumers. Developing rapport with consumers is essential to good staff/consumer chemistry. Consumer advocacy ensures the consumer's best interests are basis for service provision.

REQUIREMENT:

- Extend warm and friendly greeting to consumers.
- Provide a safe and relaxed environment.
- Communicate empathy.
- Consider consumer wishes, desires and priorities in all aspects of treatment.
- Use active listening skills, use restatement, paraphrasing, or extrapolation to ensure consumer's perspective is understood.
- Keep your appointment with the consumer. Your appointment is a commitment to the consumer's well being.
- Be flexible. Re-visit consumer wishes, desires and priorities as needed.
- Be culturally sensitive. Lifestyle preferences, cultural backgrounds should be respected.

Corporate Relations

A. Dependability (Standard 8)

Employees are expected to devote work time to work activities.

REQUIREMENT:

- Arrive on time.
- Depart at scheduled time.
- Adhere to hours of work as scheduled.
- Avoid excessive breaks – frequency and/or duration.
- Complete documentation and work activities on time as deemed by your supervisor or program requirement. Documentation is vital in the health care environment. If it is not documented, it was not done. It is the employee's responsibility to ensure these requirements are completed in a timely and responsible manner.
- Self-motivation and discipline to perform job activities.

PROHIBITED:

- Late arrival.
- Early departure.
- Long breaks and/or frequent breaks.
- Social media usage during work.
- Excessive time in personal activities, excessive socializing with co-workers (web surfing, shopping, social media use, texting, phone conversations).
- Incomplete or late documentation or assignment completion. All required documentation is due within 72 hours of the service provided unless otherwise specified by supervisor.
- Sleeping on the job is prohibited and will result in immediate termination.
- Photography and videos are prohibited to ensure the protection of confidentiality of consumers.

B. Versatility (Standard 9)

Employees are to accept responsibility for the quality of work, impact of work on consumers and organization, and to adhere to professional and ethical standards set forth by licensing boards and/or Southern Highlands as an organization.

REQUIREMENT:

- Open to new ideas and change.
- Realistically oriented.
- Ability to identify with consumers/co-workers.
- Consumer centered rather than self centered.

CONFLICT RESOLUTION PROCEDURES

The conflict resolution procedure provides a solution based intervention for employees involved in a work place disagreement. The objective is to encourage those involved to engage in dialogue that is constructive and solution based. The procedures should begin early in the conflict.

Step 1: Engage in a one-to-one conversation with the other employee. The meeting should occur in private away from consumers and should adhere to the standards of Southern Highlands Code of Conduct and Ethical Practice (professional respect, professional boundaries, and flexibility).

Step 2: Agree to a resolution of the conflict and adhere to CONFIDENTIALITY regarding the discussion.

Step 3: If no agreement can be reached between the employees involved in the conflict – a request for mediation should be made to the direct supervisor.

Step 4: The direct supervisor will schedule a meeting between the involved parties and work in collaboration with the Chief Residential & Compliance Officer / Human Resources toward a resolution.

Step 5: A conflict resolution plan of action will be developed. The supervisor/mediator will be responsible for development of the plan. The plan will include specific areas of personal responsibility, timeline progress review, resolution plan narrative and evidence of agreement to the plan.

Step 6: The supervisor will engage in follow up with the employees involved as needed/indicated by the conflict resolution plan.

Step 7: If resolution is not achieved during this process, the matter will be referred to the CEO.

PROCEDURES:

- A. Upon employment the employee will be informed of the staff code of ethics and will receive a copy of the code. The employee will sign a form acknowledging receipt of the code with said form being filed in the employee's personnel file.

- B. An alleged violation of the Code of Conduct and Ethical Practice will be made to the employee's immediate supervisor. The complaint can be made orally, but must be documented in writing before the supervisor will take any investigative action.
- C. Upon receipt of a written complaint, the supervisor will immediately notify the CEO or designee of the possible violation.
- D. The CEO will notify, in writing, the employee accused of unethical conduct about the complaint and subsequent investigation.
- E. Upon completion of the investigation, the committee will provide a written report to the CEO within fourteen (14) days.

The report will include:

- 1. The nature of the violation.
 - 2. A summary of the investigation.
 - 3. A summary of conclusions including a statement on any violation of a professional code of ethics and procedures for activating the appropriate ethical review committee of any professional organization(s) the employee may belong to.
 - 4. Recommendation.
- F. The CEO will review the report and the committee recommendations. The CEO will make a decision of the action to be taken within one (1) week of receiving the committee report. The CEO may elect to implement disciplinary action in accordance to Section 280 of this manual.
 - G. Documentation of the investigation and final disposition will be filed in the employee's personnel file.
 - H. All persons involved in the investigation will protect the confidentiality of the investigation and the employee being investigated.
 - I. Any violation of consumer rights will be investigated by the Human Rights Committee per Policy 170. A recommendation may be made by the Human Rights Committee to refer a violation of ethics to the Ethics Committee.

Nothing in this Code of Conduct and Ethical Practice shall be construed or interpreted to create a contract of employment, either expressed or implied, nor is anything contained in this Code intended to alter a non-bargaining unit person's status of "Employment-at-Will" with Southern Highlands to any other status.

Violation of Southern Highlands Code of Conduct and Ethical Practice will result in disciplinary action, up to and including termination of employment.

Southern Highlands Community Mental Health Center

Professional Relationship Agreement

_____ and _____
(Consumer) *(SHCMHC Staff)*

have indicated having had a prior relationship in the past. Examples include relative (past or present) friend, neighbor, co-worker, classmate, or any other relationship. The details of this relationship are as follows:

The Program Director and Chief Residential & Compliance Officer have met to determine that the above relationship is not a current conflict of interest and therefore treatment or the therapeutic relationship would not be compromised.

Staff and consumer are aware that a professional relationship is required while _____ is a consumer at Southern Highlands CMHC. Any behavior outside of a professional relationship will not be tolerated and will result in a written warning for the staff, and immediate discharge of the consumer, or termination of the staff member involved. Staff will ensure that the confidentiality of the consumer is upheld as noted in Southern Highlands' Confidentiality Policy (Policy 179) and that the consumer's rights are not violated as noted in Southern Highlands' Consumer Rights Policy (Policy 170). Staff will adhere to the Employee Code of Conduct and Ethics (Policy 242).

Examples of unprofessional behavior may include but not limited to: showing favoritism, not enforcing the rules, disclosing information about the prior relationship, requesting favors, discussing past relationship with other consumers or staff, or anything else deemed inappropriate by Program Director. If the staff member or the consumer feels that there has been any unprofessional behavior while receiving services, they will report to their Program Director immediately.

My signature below states that I understand the above and that I will behave in an appropriate and professional manner while the consumer is in treatment at SHCMHC. A copy of this form will be placed in the consumers file as well as in the staff employee file.

Consumer: _____ Date: _____

Staff: _____ Date: _____

Program Director: _____ Date: _____

Chief Res. & Compliance Officer: _____ Date: _____