

Chapter: Human Resources (HR)

Section 1: Code of Conduct

Policy

Utah State Hospital employees conduct themselves in accordance with the Utah State Hospital Employee Code of Conduct.

Philosophy

1. Utah State Hospital employees are committed to the belief that:
 - 1.1. Every individual, whether patient, employee, or a member of the public, has the worth and right to be treated with dignity.
 - 1.2. Every patient is entitled to individualized, active treatment which is consistent with current standards of care.
 - 1.3. The Utah State Hospital provides a secure, healthy, and comfortable environment.
2. Ethical behavior incorporates and goes beyond specific laws and regulations, recognizing the obligation hospital employees have to protect the rights of patients, the public, and other employees, while exhibiting exemplary behavior as a state employee.

Procedure

Reporting Violations: All violations are to be reported through the appropriate channels appropriate to the violation as soon as they are known. Based on the threat of said violation to the safety of patients and staff, employees who violate this policy are subject to administrative and legal action as deemed appropriate by supervisors and Human Resources

Corrective Action: includes Verbal Warning, Written Warning and/or a Corrective Action Plan.

Disciplinary Action: includes reprimand, suspension, demotion or termination.

Legal Action: includes civil and/or criminal prosecution.

1. Abuse, Neglect, or Exploitation of Patients. Willful or inadvertent abuse, neglect, or exploitation of any patient is contrary to the values, goals, and objectives of the hospital and is in violation of Utah State Law (UCA 62A-3-301 and 76-5-110).
 - 1.1. Abuse: (a) Attempting to cause, or intentionally or knowingly causing physical harm or placing another in fear of imminent physical harm; (b) physical injury caused by criminally negligent acts of omission; (c) Unlawful detention or unreasonable confinement; (d) gross lewdness; or (e) deprivation of life sustaining treatment except as provided for in Personal Choice and Living Will.
 - 1.1.1. Emotional or Psychological Abuse: Deliberate conduct that is directed at another person through verbal or nonverbal means and that cause the person

to suffer emotional distress or to fear bodily injury, harm or restraint, where none existed before.

- 1.2. Neglect means failure by a caretaker to provide care, nutrition, clothing, shelter, supervision, or medical care.
 - 1.3. Exploitation means unjust or improper use of a disabled person or of his resources for profit or advantage.
 - 1.4. Any Utah State Hospital employee or other person who abuses, neglects, or exploits a patient is guilty of a criminal offense and is subject to administrative action as well as criminal prosecution.
 - 1.5. Any employee who has reason to believe that a patient has been subject to abuse, neglect, or exploitation immediately notifies a supervisor and completes a written statement.
 - 1.6. Failure to report the abuse, neglect, or exploitation of a patient is a Class B misdemeanor and is subject to administrative action as well as legal action.
 - 1.7. All actual or suspected cases of patient abuse, neglect, or exploitation are reported to the Director of Risk Management, Hospital Security Supervisor, and/or the Superintendent's Office.
2. Relationships with Patients. Utah State Hospital employees do not exploit relationships with patients for personal advantage nor solicit hospital patients for private practice.
- 2.1. Employees do not exploit patients for personal advantage. Making contact of any nature with a patient after discharge, such as e-mail, phone calls, social media, foster care, intimate relations, guardianship, business transactions, etc. that is not related to the hospital admission is prohibited.
 - 2.2. Employees do not date or engage in sexual activities with patients. (USHOPP CH: Risk Management: Section 4)
 - 2.3. Employees do not use position or information acquired through position to coerce or otherwise influence public or patients to provide favors for themselves or others.
 - 2.4. Employees respect and protect the civil and legal rights of patients.
 - 2.5. Employees do not make financial transactions with patients or use their own money to purchase gifts or items for patients or accept gifts or money from patients.
 - 2.5.1. Utah State Hospital allows patients to sell and purchase items through the unit environmentalist.
 - 2.6. The conditions described in 2 through 2.6 apply to relationships with former patients for at least two years past discharge from the Utah State Hospital or two years past the employee's termination, employees will also abide by their own professional discipline's applicable code of ethics.
3. Confidentiality: Utah State Hospital patient records and information are confidential.
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- 3.1. Utah State Hospital employees are responsible to safeguard the patient record and its contents from loss, defacement, tampering, from access, use, and disclosure by unauthorized individuals.
 - 3.1.1. Employees only access the information needed to complete job duties from the patient records for which they have current responsibility.
 - 3.2. All requests for disclosure of patient information are directed to the hospital Medical Records Department.
 4. Employee Relationships: Employees treat fellow employees with respect and dignity.
 - 4.1. Employees do not participate in gossip, rumors, or other activities that would in any way undermine staff morale or subvert supervisory authority.
 - 4.2. Employees do not criticize, reprove, chastise, or discipline other employees in the presence of their peers or patients.
 - 4.3. Employees do not exploit their positions over other employees for personal favors or personal gain.
 - 4.4. Employees do not make malicious or frivolous complaints about their co-workers.
 5. Performance of Duties: During the performance of duties, employees:
 - 5.1. Use Utah State Hospital resources only for intended purposes.
 - 5.2. Maintain appropriate, approved work schedules.
 - 5.3. Do not engage in any activity that could be considered a dereliction of duty, including, but not limited to, absence without leave, abuse of leave, neglect of standard performance, inattention to duty, neglect of responsibilities, or leaving the work area unattended or inappropriately attended.
 - 5.4. Follow the direction of supervisors.
 - 5.5. Review e-mails daily, when at work and on work time, and respond to supervisors' e-mails within one scheduled working day.
 - 5.6. Inform supervisor of any work related issue such as conflict with coworkers, inability to complete duties, sudden illness, etc.
 6. Unlawful Harassment: Employees do not engage in any behavior or conduct of an unlawful nature based on race, religion, national origin, color, sex, age, disability or protected activity under the anti-discrimination statutes that is unwelcome, pervasive, demeaning, derisive or coercive and results in a hostile, abusive or intimidating work environment or tangible employment action. Violators are subject to disciplinary action including termination and/or referral for criminal prosecution.
 - 6.1. The processing of unlawful harassment complaints, the investigation thereof, and the implementation of corrective or disciplinary action is in accordance with Utah State Human Resource Management Rule R477-15 and Utah Department of Human Services Policy and Procedures 2-10.
 7. Alcohol and Drug Violations:
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- 7.1. Employees are prohibited from providing alcohol, controlled substances, or non-prescribed drugs to patients.
 - 7.2. Only authorized personnel (nursing or medical staff) administer medication to patients.
 - 7.3. Employees are prohibited from unlawfully manufacturing, dispensing, possessing, using or distributing any alcohol or controlled substance on state property at any time.
 - 7.4. Employees who are, or appear to be, under the influence of alcohol or controlled substances which impair or may impair function while on duty or on state property are subject to a probable cause drug test and/or corrective and disciplinary action.
 - 7.5. Employee personal medication must be secured from patient access.
 8. The Utah State Hospital is a campus free of tobacco use. Employees, patients, volunteers and the public are prohibited from using any tobacco products on the Utah State Hospital campus or while at work, this includes inside personal vehicles.
 - 8.1. The use of any tobacco product in state-owned vehicles is prohibited.
 - 8.2. Employees, patients, volunteers, and public are prohibited from providing or facilitating the purchase of tobacco products to patients.
 9. Maintaining Professional Skills: It is the responsibility of every employee to maintain current professional skills, honest work habits, and credibility with patients, fellow employees, and the public.
 - 9.1. All employees are responsible to attend mandatory in-services and training.
 - 9.2. All employees are responsible to report for a yearly TB test.
 - 9.2.1. Infection Control notifies employees prior to the due date of their yearly TB test.
 - 9.3. All employees are responsible, where required, to maintain a current license and certification.
 10. Studying and Reading: Employee work load on each shift is scheduled so as to eliminate free time. Should free time develop, personnel insure that its use is directed toward unit and hospital benefit. Reading and studying of materials not provided by the hospital or specifically approved by the Unit Administrative Director, Supervising Nurse, Shift Supervisor, or RN in charge is not allowed.
 - 10.1. Employees are expected to be alert and attentive at all times.
 - 10.2. When an employee is given approval to read and/or study, he/she must do so in a visible place (hall, etc.) where patients can be observed.
 11. Sleeping While on Duty: Employees do not sleep while on duty at any time.
 - 11.1. Employees are expected to be alert and attentive at all times.
 12. Television: Employees do not watch TV while on duty unless for training or hospital purposes.
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13. Personal communication at work: The use of phones, pagers, etc. does not distract from patient care or interfere with the work setting. Personal calls or personal text messages are made only during breaks and lunch or in time of emergency or urgent circumstances. Units or departments may have more stringent policies based on the needs of the unit or department.
 14. Break and Lunch Periods: For every four hours worked, a fifteen minute break may be provided.
 - 14.1. Break periods are scheduled so that patient coverage and the regular business of the unit are not interrupted.
 - 14.2. The lunch break is a minimum of thirty minutes.
 15. Prohibited Items and Devices: Employees may not bring any weapons, contraband, unauthorized controlled substances, items that can implement escape, explosives, spirituous or fermented liquors, or any devices that are normally considered to be weapons (not including firearms) onto the hospital campus, nor do they have any of these items in their vehicles while on campus.
 - 15.1 As required by law, firearms may not be brought into secure areas of the hospital.
 - 15.1.1 Secure areas of the hospital include the Forensic Mental Health Facility, Lucy Beth Rampton Building, Beesley Building, MS Building, Youth Center, and any building constructed on the Utah State Hospital campus to replace or expand these buildings that perform similar functions of the above listed buildings.
 - 15.1.2 Each secure area has a locked storage locker located in the foyer which employees and visitors may use to secure their firearm. In the alternative, employees may lock their firearm in their vehicle, out of sight.
 - 15.1.2.1 Firearms secured in vehicles must have a secondary security device such as a trigger lock or be stored in a locked container in the vehicle.
 - 15.1 It is against Utah law to bring a firearm into a secure area. All violations are referred to law enforcement for prosecution and violators may be terminated from employment at the hospital.
 - 15.2 If an employee's weapon is used unlawfully, with or without their consent, while on hospital grounds, State Risk Management and the Utah State Hospital does not cover any related claims and the employee is required to obtain legal representation at their own cost.
 16. Employee Theft or Financial Impropriety: Utah State Hospital employees are expected to use state resources honestly. This includes respect for other hospital employee and patient belongings.
 - 16.1. In accordance with the Division of Finance Employee Theft or Financial Impropriety policy, problems or potential problems involving employee theft or financial impropriety are immediately reported to one of the following hospital personnel:
 - 16.1.1. Hospital Director of Risk Management.
 - 16.1.2. Hospital Security Supervisor.
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16.1.3. Hospital Legal Services Manager.

17. Identification Badges: Utah State Hospital employees, students, and volunteers wear Identification badges while on USH campus.
 - 17.1. Identification badges are the property of Utah State Hospital and are not defaced or altered in any manner.
 - 17.2. Identification badges are worn above the waist with the photo and name visible.
 18. Official Communication: Any employee who is communicating with an outside agency, in which their communication may be interpreted to represent a position/opinion of the hospital, must have that communication reviewed by the hospital administration.
 - 18.1. Employees may not represent personal opinions as those of the hospital. (See Chapter: Management and Administrative Services, Section 2: Official Communication)
 19. Non-Participation in Any Aspect of Patient Care: An employee of the Utah State Hospital may request to be excused from participating in an aspect of patient care on grounds of conflicting cultural values, ethics, or religious beliefs.
 - 19.1. The request must be submitted in writing to the Administrative Director, Unit Nursing Director, or Department Director. This request must state the cultural, ethical, or religious reason and the aspect of care that is affected by non-participation.
 - 19.2. The request is reviewed by the Unit/Department Directors and a recommendation is made to the hospital administration for review.
 - 19.3. If an accommodation is possible, the supervisor notifies the employee and others who need to be involved in the accommodation. An understanding that if events prevent the accommodation at a specific point because of an emergency situation, the employee is expected to perform assigned duties that do not negatively affect the delivery of care or services.
 - 19.3.1. If an employee does not agree to render appropriate care or services in an emergency situation because of personal beliefs, the employee is placed on leave with pay and the incident is reviewed.
 - 19.4. If an accommodation is not possible, the employee is allowed to explore other job opportunities within the hospital where an accommodation might be possible.
 - 19.5. The hospital ensures that granting such a request does not negatively affect a patient's care or treatment.
 20. Campus Speed Limits
 - 20.1. Employees drive according to the posted speed limits on the hospital grounds, which are a maximum of 20 mph on Center Street and 15 mph on all other areas of the hospital campus.
 21. Parking on Hospital Campus: Employees park vehicles only in areas designated for parking.
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- 21.1. Vehicles parked improperly or illegally are issued a warning with a copy of the notice sent to the employee's supervisor.
 - 21.2. A second violation in a twelve-month period results in a second warning with a copy of the warning sent to the employee's supervisor, who may take disciplinary action.
 - 21.3. A third violation in a twelve-month period will result in a Provo City parking ticket being issued, to be handled by the Provo City Municipal Court system. Also, notice of the ticket will be sent to the employee's supervisor, who may take further disciplinary action.
 - 21.4. Employee vehicles parked inappropriately, that are causing a safety problem or that are not moved in a timely fashion after the employee has been asked to move the vehicle, may be towed at the employee's expense.
 - 21.5. Never leave a vehicle unattended with the engine running. This is a violation of Utah State Law (UCA 41-6-106) and creates a major security risk.
 - 21.6. Keys left unattended in an unlocked vehicle will be removed and taken to the switchboard / security.
22. Administration of Policy: State and Department of Human Services rules regarding employee conduct take precedence over institutional policy if a contradiction should occur before new departmental rules can be incorporated in the next edition of this policy.
- 22.1. All administrative actions or criminal proceedings are done in accordance with appropriate Utah Laws, and Administrative Rules.
 - 22.2. New employees receive this policy during their initial orientation. Each employee signs and dates the acknowledgment form which is placed in their Personnel file.
 - 22.3. All employees review this policy at least annually during performance plan evaluations.

Revised: 3-29-94

Revised: 7-26-94

Revised: 9-95

Revised: 4-96

Revised: 8-98

Revised: 4-99

Revised: 4-00

Revised: 8-01

Revised: 1-02

Revised: 10-04

Revised: 9-05

Revised: 10-07

Reviewed: 6-11

Chapter: Human Resources (HR)

Section 2: Grooming and Dress Standards

Policy

Employees of the Utah State Hospital (USH) maintain a professional standard of dress to ensure positive role models for patients, to present a positive appearance to the public, and to reduce the possibility of accident or the transmission of infection.

Procedure

1. To promote and maintain a professional standard of dress, employees will dress appropriately, keep clothing in good repair, and maintain reasonable personal hygiene standards.
 - 1.1. This standard of dress is meant to provide a safe work environment; promote a competent and professional image; encourage the public trust and confidence; and be appropriate with respect to job duties, work setting, and existing community standards.
 - 1.2. Individuals requesting an accommodation or exemption should contact the Human Resource office.
 2. Supervisors are responsible to monitor and enforce the dress standards in their area(s) and may determine if other items such as footwear, jewelry, or clothing interfere with the reasonable performance of an employee's duties or are disruptive to the therapeutic environment.
 - 2.1. Though the perception of what is and is not "appropriate" attire may appear to be subjective, the opinion of the supervisor shall prevail.
 3. The following includes, but is not limited to, the Hospital's dress standards:
 - 3.1. Clothing not allowed: Garments with words or logos with alcohol, tobacco products, drugs, violence, sexual connotations, gang associations, derogatory, negative, or vulgar messages; spandex pants; halter or tank tops; tube tops; shorts which do not completely cover the knee when standing; immodest shirts, blouses, skirts, or clothing which reveals a bare midriff or exposes undergarments; Military attire; Clothing with holes or rips, frayed, torn, or unclean is not allowed (Standards for clothing for recreational activities need to be appropriate for the activity.)
 - 3.1.1. Exercise Clothing: Exercise clothing is not allowed while working unless the employee is engaging in a recreational activity where such clothing is deemed necessary
 - 3.2. Headgear: No headgear is allowed on patient care units unless the employee is participating in a unit recreational activity. This includes hats, bandanas, etc.
 - 3.3. Shoes: All employees entering a patient unit must wear enclosed toe shoes with a strap on the back. All other employees wear shoes appropriate for their job. No flip flops.
 - 3.4. Jewelry: Only minimal, appropriate pierced earrings are allowed. Ear gauges should be plugged closed with plugs (with plugs matching skin tone). All other visible pierced jewelry needs to be removed when at work, i.e. tongue, eyebrow, lip, nose.
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- 3.5. Tattoos: Tattoos should be covered by clothing as much as possible. Inappropriate tattoos (those that may be considered violent, obscene, gang related or depict nudity) must be covered at all times.
4. The following grooming and personal hygiene standards expected of USH employees. This includes , but is not limited to:
 - 4.1. Practice good hygiene, which includes hair and nail care.
 - 4.1.1. Hair, mustaches, and beards must be neatly trimmed and/or styled so not to interfere with job performance or safety. Hair color should be natural shades or subtle undertones.
 - 4.1.2. Fingernails should be kept clean and well cared for; direct care employees nails should be no longer than ¼ inch from the fingertip in length. Fingernails can be square or round in shape, but should not extend the width of your finger.
 - 4.2. Strong perfumes, colognes, and other scents may not be worn. Be sensitive to those who may be allergic or offended by third hand smoke, body odor, perfumes, aftershave lotions or scented powders, lotions and sprays.
4. Violations are subject to corrective and/or disciplinary actions in accordance with Department of Human Resource Management (DHRM) rules.
 - 4.1. Employees who violate the dress and grooming standards can expect to be sent home to correct the problem. Employees sent home will not be reimbursed for the time away from the work place.
5. Utah State Hospital will reimburse individuals at a reasonable rate, as pre-approved through Risk Management or the Business Office, for glasses, watches, clothing, etc., which were damaged or destroyed in the process of dealing with patient-behavior-management problems or patient activities.
 - 5.1. The hospital will not reimburse for items damaged through normal wear.
 - 5.2. The hospital will not reimburse for items of exceptional value, even if damaged or destroyed during an event mentioned above.
 - 5.3. Employees are encouraged to wear clothing suitable and appropriate for their job and the task in which they are involved.

Reviewed: 11-94

Revised: 9-96

Revised: 3-97

Revised 8-97

Revised: 10-00

Reviewed: 9-04

Revised: 6-07

Revised: 3-09

Revised: 6-10

Reviewed: 5-13

Revised: 12-13

Chapter: Human Resources (HR)

Section 3: Internal Bidding Procedures

Policy

Recruitment and selection processes are governed by Department of Human Resource Management (DHRM) Rules R477-4. The Utah State Hospital adheres to these rules and affirmative action/fair employment principles and practices.

Procedure

Selection of staff is accomplished through objective evaluation of job-related qualifications of candidates.

1. The hiring authority within the hospital unit or department contacts the Human Resources Office when a vacancy occurs. Human Resources announces and posts vacancy notices.
 - 1.1. All vacancies are announced for a minimum of seven calendar days.
 2. Human Resources assures that consideration is given for candidates who speak languages other than English and for those familiar with special languages for the blind and deaf when required by program and/or patient need.
 3. Probationary, career service, and "temporary" employees may bid, on all posted vacancies whether within or outside their unit/department, unless specified otherwise.
 - 3.1. In accordance with Section 4, "Nepotism," of this chapter, employees shall be notified of their ineligibility for hire when the position is one in which they would supervise or be supervised by a relative or where they would work in the same department or on the same unit with a relative.
 4. Applications are rated and a list of qualified candidates is forwarded to the hiring authority by Human Resources.
 - 4.1. Human Resources, in conjunction with management, determines eligible candidates to be interviewed in accordance with DHRM rules.
 5. An interview panel is established which serves under the direction of the hiring authority. The same panel members shall be used to conduct all interviews in order to ensure consistent rating throughout the interview process.
 6. It is the applicant's responsibility to be available for scheduled interviews.
 - 6.1. Interviews may be postponed due to the unavailability of an applicant upon approval of the unit/department interview team.
 - 6.2. The interview panel allows reasonable notification time to applicants.
 7. Candidates shall be rated in a fair and consistent manner using objective tools which measure job-related qualifications.
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- 7.1. The hiring authority shall receive prior approval of interview questions from the Human Resource Manager (or designee) for structured interviews.
8. The hiring authority conducts reference checks on final candidates in accordance with DHRM policies and upon written consent of the candidate.
 - 8.1. The hiring authority may request assistance from the Human Resources Office.
9. The hiring authority must notify the Human Resources Office prior to making a job offer to obtain approval and to assure that correct hiring policies and procedures have been followed
10. Candidates not selected are notified verbally or in writing as soon as possible by the interview panel.
11. Once an employee is selected to fill a position on a different unit or in a different department, the effective date of the transfer shall be at the beginning of a payroll period.
12. Human Resources maintain records of interviews and selection for three years.
13. All USH Psychiatric Technician jobs will be considered open bids and will follow the Employee Transfer/Job Bidding Program.

Implemented: 10-91

Reviewed: 5-92

Revised: 11-94

Revised: 11-98

Revised: 3-02

Reviewed: 9-04

Reviewed: 6-07

Revised: 3-09

Revised: 5-12

Revised: 3-15

Chapter: Human Resources (HR)

Section 4: Nepotism

Policy

The Utah State Hospital does not employ individuals in positions where they would supervise or be supervised by a relative or where they would work in the same department or on the same unit with a relative.

Definitions

Relatives: Father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, niece, nephew, first cousin, grandparents, grandchildren, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, step-children, step-parents, stepbrothers, or step-sisters.

Procedure

1. Relatives of the Superintendent, Hospital Clinical Director, Assistant Superintendent, and Assistant Hospital Clinical Director may not be hired for any position within the hospital.
2. Acuity employees may work on a unit or in a department with a relative except when a conflict has been identified by unit or hospital administration.
3. Exceptions to this policy are granted in accordance with Utah Code Annotated.
 - 3.1. The Hospital Superintendent or designee must approve all requested exceptions.
 - 3.2. If a nepotism issue is created by an administrative move, the Hospital Superintendent or designee will consider and may grant an exception to this policy.

Implemented: 2-9-84

Reviewed: 3-6-86

Revised: 10-28-87

Revised: 4-18-88

Revised: 7-16-90

Reviewed: 5-92

Revised: 5-93

Revised: 12-93

Revised: 2-07-95

Reviewed: 1-96

Reviewed: 8-97

Revised: 7-01

Reviewed: 9-04

Reviewed: 5-07

Reviewed: 3-09

Reviewed: 5-12

Chapter: Human Resources (HR)

Section 5: Non-Disciplinary Leave Without Pay

Policy

Employees may be granted Leave Without Pay (LWOP) for medical, personal, or administrative situations.

Procedure

1. LWOP requests must be in writing from the employee to his/her supervisor with medical, personal, or administrative documentation. Requests must be received in advance of the anticipated leave, whenever possible.
2. Unit/Department directors review LWOP requests to determine the following:
 - 2.1. Has there been leave abuse?
 - 2.2. Does LWOP benefit both the employee and the state?
3. Unit/Department directors may grant up to 24 hours of leave without pay per occurrence.
4. Continued LWOP status beyond 24 hours must be approved by the Superintendent or designee.
5. Unit/Department directors prepare a written recommendation to approve or deny the employee's LWOP request beyond three days.
6. Approval of LWOP conforms to rules and regulations of the Department of Human Resource Management. Rule 477-7-13, Governing Leave of Absence Without Pay.

Reference: DHRM R477-7-13

Implemented: 9-92

Revised: 11-94

Revised: 11-98

Reviewed: 10-01

Reviewed: 9-04

Revised: 6-07

Reviewed: 3-09

Revised: 5-12

Chapter: Human Resources (HR)

Section 6: Overtime Authorization

Policy

Utah State Hospital manages employee overtime in accordance with Department of Human Resource Management (DHRM) Rule 477-8-4 and the Fair Labor Standards Act (FLSA). The purpose of this policy is to establish rules and procedures that manage the use of overtime in a manner that ensures efficiency and economy.

Procedure

1. Utah State Hospital employees complete a bi-weekly time sheet, showing all hours worked, that is reviewed by the authorizing supervisor. FLSA non-exempt employees must complete an overtime agreement at the time of hire; employees have the option to modify this agreement at the beginning of each calendar year.
 2. Employees may not work overtime unless it is pre-approved. Employees who work unauthorized overtime may be subject to subsequent disciplinary actions.
 3. Overtime is used only when all other options have been exhausted. This includes reassignment of employees on a hospital-wide basis.
 4. The following authorizing supervisors may authorize/approve overtime:
 - 4.1. Superintendent or designee;
 - 4.2. administrative directors or designee;
 - 4.3. unit supervising registered nurses or designee;
 - 4.4. department directors or designee.
 5. Compensation of overtime is impacted by budget restraints. Authorizing supervisors are responsible for efficient scheduling and proper use of overtime so employee compensation does not exceed the existing budget.
 6. In emergency or disaster situations, overtime authorization is extended to the immediate supervisor.
 - 6.1. An emergency or disaster is any unforeseen event that interrupts the operations of the hospital and requires immediate action.
 - 6.2. The immediate supervisor informs the authorizing supervisor of overtime approval the following work day or as soon as possible.
 7. Employees required by agency management to be available for on-call work shall be compensated for on-call time at a rate of 1 hour for every 12 hours the employee is on-call. When an employee is "on call," this status authorizes overtime.
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8. Compensation time for FLSA-exempt employees lapses (returns to zero) at the end of the overtime year for the Department of Human Services (tenth pay period).

Implemented: 6-92

Revised: 8-95

Revised: 11-98

Revised: 4-00

Revised: 10-01

Reviewed: 9-04

Reviewed: 5-07

Revised: 3-09

Revised: 5-12

Chapter: Human Resources (HR)

Section 7: Performance Evaluations

Policy

State Hospital employees receive a performance evaluation at least annually before the end of each fiscal year. Probationary employees receive a performance evaluation at 6 months and at the conclusion of the probationary period if the probationary period is beyond 6 months. Evaluations may be done on a more frequent basis if needed.

Procedure

The USH performance management system includes the following criteria:

1. Performance standards and expectations for each employee are specifically written in a performance plan by deadlines established by administration, which are consistent with DHRM Rules.
2. Supervisors advise their employees of the duties to be performed, the time frames, job expectations, and the supervisor's role in providing assistance in successful performance.
3. Employees have the right to include written comment to accompany a performance evaluation.
4. The performance management system provides an overall performance rating for each employee. The rating scale is determined by hospital administration at the beginning of each performance cycle.
5. Supervisors use the Performance Management Plan for evaluating employee performance.
6. Conflict of Interest and Code of Conduct declarations are completed for each employee at the time of the Performance Evaluations annually.
7. Supervisors may solicit the feedback of work associates of employees when evaluating the performance of an employee.

Reference: DHRM R477-10-1

Implemented: 11-20-90 Reviewed: 3-09
Reviewed: 5-92 Revised: 9-11
Revised: 11-94
Revised: 11-98
Reviewed: 10-01
Reviewed: 9-04
Reviewed: 5-07
Revised: 7-07

Chapter: Human Resources (HR)

Section 8: Shift Differential

Policy

Utah State Hospital pays an additional dollar amount to direct care nursing personnel who work evening, night, holiday, or weekend shifts. The purpose of differential pay is to attract and retain qualified and stable employees to work "off-hour" shifts in providing nursing care to patients.

Procedure

1. Eligible Job Titles: psychiatric technicians, licensed practical nurses, registered nurses.
2. Eligible Shifts: any shift in which half or more of the hours are within differential hours.
 - 2.1. Regular hours are 6:30 a.m. through 2:30 p.m.
 - 2.2. Differential hours are 2:30 p.m. through 6:30 a.m. (8:00 a.m. on weekends and evenings).
3. Differential pay is not paid to employees participating in camping trips.
4. Vacations, holidays, sick leave, and compensatory leave are paid at the regular rate of pay and do not include differential pay.

Implemented: 5-92

Reviewed: 11-94

Revised: 8-97

Revised: 10-01

Revised: 2-03

Reviewed: 9-04

Reviewed: 5-07

Reviewed: 3-09

Reviewed: 5-12

Chapter: Human Resources (HR)

Section 9: Employee-Patient Relatives

Policy

To ensure impartial care/treatment of patients, Utah State Hospital employees do not work on units which house patient-relatives.

Definition

Relative is defined as: father, mother, husband, wife, son, daughter, sister, brother, uncle, aunt, nephew, niece, first cousin, mother-in-law, father-in-law, son-in-law, daughter-in-law, step-children, step-parents, step-brothers, or step-sisters.

Procedure

1. In the event that an employee is working on a unit which houses a patient-relative, the employee is administratively re-assigned to another unit/department.
 - 1.1. When clinically indicated and possible, the patient may be transferred to another treatment unit.
2. The employee being re-assigned does not receive a salary reduction.
 - 2.1. Consideration is given in protecting the employee's shift and days off.

Initiated: 4-93

Revised: 1-94

Revised: 8-97

Reviewed: 10-01

Reviewed: 9-04

Reviewed: 5-07

Reviewed: 3-09

Reviewed: 5-12

Chapter: Human Resources (HR)

Section 10: Criminal Offenses

Policy

Utah State Hospital employees work with disabled and highly vulnerable clientele. The hospital does not employ individuals who have been convicted of crimes which pose a threat to the safety and well-being of USH patients, staff, and operations.

Procedure

1. Criminal background checks are completed on all new Utah State Hospital employees and volunteers, including employees transferring from another state facility. Criminal background checks are completed on all current USH employees and volunteers at least annually.
2. All new hospital employees and volunteers are required to complete and sign an Informed Consent and Release of Liability form, as a condition of employment, allowing the hospital to conduct a criminal background investigation through the Bureau of Criminal Identification (BCI). Refusal to consent to a BCI check is subject to administrative action, which may include termination.
3. BCI reports are classified as confidential and reviewed by authorized hospital administrative personnel only.
4. Employees who are under the supervision of the criminal justice system and/or have committed, either convicted or by admission, a felony offense and/or with a misdemeanor offense including, but not limited to, crimes against children under the age of eighteen or against disabled adults, drug/alcohol abuse, possession of drug paraphernalia, assault, abuse, theft, exploitation, neglect, or sexual offenses are subject to administrative action which may include termination.
5. Employees that have committed a criminal offense and/or are under supervision of the court, must report this conviction to the Director of Human Resources within seven days of the conviction.
6. Exceptions to this policy must be approved by the Hospital Governing Body.

Initiated: 1-94

Implemented: 1-95

Revised: 8-98

Revised: 3-02

Revised: 10-04

Reviewed: 5-07

Revised: 3-09

Reviewed: 5-12

Revised: 6-13

Chapter: Human Resources (HR)

Section 11: Employee Family Members and Employee Visitors at Work

Policy

Utah Department of Human Services (DHS) values families and is committed to fostering a family-friendly workplace. Family members are allowed on campus as approved per the procedures outlined below to ensure the safety of family members, maintain the confidentiality of patients, and promote a professional work and therapeutic atmosphere.

Procedure

1. Children and family members are welcome in the workplace as long as their presence does not disrupt office productivity, violate federal or state law or jeopardize safety or confidentiality. DHS does not permit the continual presence of children in the workplace in lieu of child care arrangements.
2. Employee family members and employee visitors are not allowed in patient living areas, except when approved by a member of the Service Management Team or Unit Clinical Director.
 - 2.1. The Service Management Team may consider issues such as school projects, volunteer activities, etc., when giving approval.
3. Employee family members and employee visitors are expected to adhere to the same code of conduct as employees when at the hospital in regards to behavior and dress code.
 - 3.1. Employees are responsible to assure their visitors meet the standards of the Utah State Hospital.
4. Employee family members and employee visitors who wish to participate in the volunteer program must work through the Volunteer Coordinator and adhere to protocols addressed in Volunteer Services.

Initiated: 2-94

Revised: 4-94

Revised: 10-96

Reviewed: 8-97

Revised: 10-01

Reviewed: 9-04

Reviewed: 3-09

Reviewed: 5-12

Revised: 8-14

Chapter: Human Resources (HR)

Section 12: Investigation Policy

Policy

Utah State Hospital Administration initiates investigations as needed.

Procedure

1. Investigations of a concern may be requested by writing to Hospital Administration.
 2. Hospital Administration determines the need for an investigation, and if needed, determines the level of investigation, with input from the service management team. Service management team includes: Unit Administrative Director, Unit Clinical Director, Supervising RN, Discipline Director, and Administrative Services Director.
 - 2.1. Unit/service area conducts investigations.
 - 2.2. Hospital investigators conduct investigations.
 - 2.3. Hospital administration requests external investigations.
 - 2.4. Investigations involving physicians must be in compliance with Med Staff Bylaws, Rules, and Regulations.
 3. Administration notifies service management team of level of investigation, with a copy to Human Resources.
 4. Unit/service area investigation procedure:
 - 4.1. Unit/service area management meet with each employee and/or patient involved.
 - 4.2. Unit/service area management send report of findings, conclusions, and actions to Hospital Administration and Hospital Human Resources.
 5. Internal hospital investigation procedure:
 - 5.1. Hospital Administration makes assignment to investigation team.
 - 5.2. The investigation team meets with each employee and/or patient involved.
 - 5.3. The investigation team sends report of findings and conclusions to Hospital Administration.
 - 5.4. Hospital Administration determines action, based on investigation report and informs supervisor(s).
 - 5.5. Hospital Administration sends investigation report to Hospital Human Resources for filing in confidential file.
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- 5.6. The investigation team sends a letter of conclusion(s), as appropriate, to complainant and accused, for all unlawful harassment investigations.
6. External hospital investigation procedures:
 - 6.1. Hospital Administration requests external investigation teams to conduct investigations with the assistance of hospital personnel, as indicated.
 - 6.2. The investigation team meets with each employee and/or patient involved.
 - 6.3. The investigation team sends report of findings and conclusions to Hospital Administration.
 - 6.4. Hospital Administration determines action based on the investigation report and informs supervisors as appropriate.
 - 6.5. Hospital Administration sends the investigation report to hospital Human Resources for filing in confidential file.
 - 6.6. The investigation team sends a letter of conclusion(s), as appropriate, to complainant and accused for all unlawful harassment investigations.
7. Hospital Administration clarifies the role of the service management director/team in each investigation.
8. Notification of any licensing board is initiated through the Discipline Director and Human Resources.
9. All investigations comply with the DHS Investigation Guidelines.

Initiated: 4-96
Revised: 10-01
Reviewed: 9-04
Reviewed: 5-07
Revised: 3-09
Reviewed: 5-12

Chapter: Human Resources (HR)

Section 13: Flexible Scheduling

Policy

Utah State Hospital employees work schedules that provide appropriate staffing and support for patient care and fellow employees.

Procedure

1. Employees are paid for all hours worked in accordance with the Fair Labor Standards Act (FLSA) and Department of Human Resource Management (DHRM) Rules.
2. Employees are assigned shifts by their supervisors.
 - 2.1. Employees may request flexible scheduling through supervisors which are consistent with overtime provisions of DHRM rules.
 - 2.2. Flexible schedules, such as 10 hour shifts, 12 hour shifts, variations from 8 - 5 working hours, etc., must be approved by a USH executive staff member prior to implementation.
 - 2.3. Flexible schedules are approved based upon consideration of the overall needs of the hospital.
 - 2.4. Flexible schedules are subject to change at any time.

Implemented: 10-00

Reviewed: 9-04

Reviewed: 5-07

Reviewed: 3-09

Reviewed: 5-12

Chapter: Human Resources (HR)

Section 14: Absenteeism and Tardy Policy

Policy

The purpose of the following policy is to maintain workplace efficiency, provide excellent inpatient psychiatric care and maintain a safe work environment, by defining acceptable employee attendance / tardy parameters. Employees must comply with DHRM rule that governs leave. Proper notification and approval guidelines must be followed. Failure to comply with the following policy may result in corrective or disciplinary action up to and including termination.

Definitions

- Unscheduled Absence:** Any absence during the work shift without prior authorization.
- Tardy:** Arriving to your assigned work area five minutes or more after your scheduled start time.
- Occurrence:** An unscheduled absence from or tardy to work (not to be combined). The exception is for an illness with a valid doctor's note; the total concurrent days missed with a doctor's note will count as one occurrence.
- Excessive:** Any unscheduled absence or tardy occurrence which is greater than the amount on the corresponding table:

Unscheduled Absence/Occurrence or Tardy Occurrence	
	2 in 1 month
	4 in 3 months
	6 in 6 months
	9 in 12 months

- Month:** A rolling thirty day time period.
- Call Off:** The process of an employee calling work to report that he/she can not come to work for that scheduled shift. This is to be used for sick call only. Extreme emergencies are approved through UND/SSRN.
- No Call / No Show:** When an employee does not show up for their scheduled shift nor calls work to report their absence by the end of their scheduled shift.
- Shift Abandonment:** Leaving your department or area of work before the end of your shift without the authorization of your supervisor.
- Abandonment of Position:** An employee who is absent from work for three consecutive working days without approval is considered to have abandoned the position and to have resigned from USH.
- Medical Documentation:** Any use of sick leave that exceeds three consecutive working days must be supported by administratively acceptable evidence (per DHRM Rule 477-7-4(6)). If there is reason to believe that an employee is abusing sick leave, a supervisor requires an employee to produce administratively acceptable evidence regardless of the number of sick hours used.

Call off Procedure

1. Direct care employees, security personnel, and food service employees must call at least two hours before the start of their shift, allowing time to find a replacement. All other employees must call before the start of the shift.
2. The employee must talk directly to the scheduler or SSRN to call off for the scheduled work shift. Leaving a message on the phone, with a co-worker, or having a family member call is not considered proper notification.
3. In the event an absence is greater than one day, the above procedure must be followed each and every day unless the employee has a doctor's note, at which point the employee is excused for the duration stated on the doctor's note.

Implemented: 1-01

Reviewed: 9-04

Revised: 12-05

Reviewed: 5-07

Revised: 3-09

Revised: 8-12

Revised: 4-13

Revised: 7-13

Revised: 12-13

Revised: 12-14

Chapter: Human Resources (HR)

Section 15: Student Loan Repayment

Policy

Utah State Hospital offers a student loan repayment program for the purpose of recruitment and retention of nursing positions which may be difficult to fill, within the limits of available resources. Student loan repayment applies only to outstanding loans, not the repayment of loans already paid by applicants.

Definitions

Nursing Positions: Any job classification within the hospital which provides nursing care to patients and requires a professional nursing license from the State of Utah, Division of Occupational and Professional Licensing (DOPL). Specific job titles Registered Nurse II, Registered Nurse III, Licensed Practical Nurse II, Nurse Practitioner/Clinical Nurse Specialist.

Psychiatrist: Any job classification within the hospital which provides psychiatric care as a psychiatrist to patients and requires a professional license as a physician from the State of Utah, Division of Occupational and Professional Licensing (DOPL). Specific job titles Medical Doctor, Medical Administrator

Year: A rolling 12 month time frame from the approval of the Loan Repayment Contract.

Procedure

1. The Student Loan Repayment program is established and maintained consistent with the policies and procedures of the Utah State Division of Finance, the Department of Human Services and all applicable state and federal law. The student loan repayment program is not an employee right and approval for participation in the program is determined by the Utah State Hospital Superintendent, in the Superintendent's sole discretion. The Utah State Hospital Superintendent will assess the following criteria:
 - 1.1. Utah State Hospital need for recruitment and retention of nurses and/or psychiatrists.
 - 1.2. Availability of funds, as determined by the Utah State Hospital's Governing Body and Executive Staff.
 - 1.3. The number of requests from applicants to participate in the program.
 - 1.4. Applicant factors such as qualifications and performance.
 2. In order to apply a for the student loan repayment program, an applicant program must:
 - 2.1. Be in the process of being hired by the Utah State Hospital as a psychiatrist or nurse into a full-time career service position or career service exempt Schedule AR position and eligible for benefits, or be a current full-time employee of the Utah State Hospital in a career service position or career service exempt Schedule AR position and eligible for
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benefits. No payments will be made until an employee is hired and on the payroll system.

2.2. Submit all loan information requested by the Utah State Hospital, including current loan balance information. Applicant must also provide documentation that verifies the origin of the student loan.

2.2.1. In order to apply for the second, third and fourth years of the student loan repayment program, the applicant must submit a "receipt of payment" to the institution(s) of the outstanding loan in the same amount of the previous year's loan disbursement.

2.3. Submit proof of successful completion of the educational requirements of the job-related educational program.

Note: Current employees of the Utah State Hospital, who are interested in applying for prospective educational assistance with tuition, may do so under the Department of Human Services policy 02-11, Educational Assistance.

3. At the sole discretion of the Utah State Hospital Superintendent, employees approved for the student loan repayment program are only approved for one year and must reapply for the program each year. The disbursement of the student loan repayment funds shall be granted in the following amounts:

3.1. **Nursing degrees up to and including a master's degree.** An employee may receive reimbursement up to but not exceeding \$2,500 per calendar year for a maximum of four years. The amount disbursed is determined by the Superintendent in his/her sole discretion. The total amount paid to any one employee shall not exceed \$10,000. The maximum number of applicants approved in the student loan repayment program for nursing positions shall not exceed 10 per year, and may be fewer depending on available funding.

3.2. **Psychiatry degrees.** An employee may receive reimbursement for 8 years. The total amount paid to any one employee shall not exceed \$200,000. The amount disbursed is determined by the Superintendent in his sole discretion.

4. The Utah State Hospital student loan repayment contract shall be executed by the employee prior to reimbursement.

5. The Utah State Hospital reserves the right to disqualify any employee from participation in this program based on performance, including but not limited to:

5.1 An overall performance evaluation rating of unsuccessful and/or any disciplinary action in the past 12 months.

6. An employee accepted for the loan repayment program shall remain successfully employed by the Utah State Hospital for at least twelve (12) months from the date of each or any loan disbursements.

6.1 If an employee voluntarily terminates or is dismissed from employment with the Utah State Hospital prior to the 12- month period, the employee is required to repay a

prorated amount of the disbursement to the Utah State Hospital, within thirty days of the last day worked.

7. The student loan repayment will be processed through the state payroll system and all applicable taxes will be withheld. The amounts listed above are pretax amounts. The actual amount the employee receives will be less than the amounts above; after all applicable taxes are removed.
8. The Utah State Hospital student loan repayment program shall not duplicate other financial assistance which an employee receives. Employees who are receiving other forms of financial assistance, which do not need to be reimbursed, shall not request Utah State Hospital student loan repayment assistance, except to the extent that their loan costs are not covered by such other assistance. Employees shall disclose to USH all scholarships, tuition waivers, grants or other forms of student loan assistance.
9. All student loan repayment reimbursements are processed through the Human Resources Office. The Utah State Hospital maintains the following required documentation in a file separate from the employee's personnel file:
 - 9.1. Approved student loan repayment contract
 - 9.2. Copy of loan information including current balance and verification of the origin of the student loan.

The Utah State Hospital is not liable to an educational institution or loan agency directly. The employee has the sole discretion to provide reimbursement to the loan agency.

**UTAH STATE HOSPITAL
STUDENT LOAN REPAYMENT CONTRACT**

A CONTRACT made and entered into between THE UTAH STATE HOSPITAL and

EMPLOYEE

EIN

WHEREAS, the EMPLOYEE requests student loan repayment from the UTAH STATE HOSPITAL, the EMPLOYEE and the UTAH STATE HOSPITAL agree the UTAH STATE HOSPITAL will pay the EMPLOYEE's student loan as described in the Utah State Hospital Student Loan Repayment policy.

NOW THEREFORE, it is agreed by and on behalf of the parties hereto as follows:

1. All covenants and agreements herein contained shall be binding upon all parties hereto.
 2. This contract may be terminated based on reasons outlined in the Utah State Hospital Student Loan Repayment policy by either party by submitting a termination request in writing
 3. The UTAH STATE HOSPITAL certifies that:
 - A. It will pay the EMPLOYEE'S loan(s) of _____ per year [up to \$2,500 for nursing positions or up to \$25,000 for psychiatrists per year].
 - B. The loan(s) amounts agreed on above satisfy the conditions of the Utah State Hospital Student Loan Repayment policy and the supporting verification for the loan(s) is attached hereto.
 4. The EMPLOYEE by signing this contract agrees to the following:
 - A. This student loan repayment contract does not obligate the UTAH STATE HOSPITAL to provide future student loan repayments.
 - B. That the EMPLOYEE, by signing this contract, declares to Utah State Hospital management that s/he is not receiving duplicate financial assistance, such as federal loan repayment programs, at the time of application nor will the EMPLOYEE receive such duplicate financial assistance during the contract period.
 - C. That the EMPLOYEE shall provide verification of the student loan(s). The verification shall be provided from the party holding the loan and must indicate, at a minimum, the loan is an approved student loan, and the amount of the loan. The EMPLOYEE will provide verification of the current loan(s) balance(s).
 - D. That the EMPLOYEE will remain in the employment of the UTAH STATE HOSPITAL for twelve (12) full months following the last disbursement of funds or shall refund the pro-rated amount of the last disbursement from the UTAH STATE HOSPITAL.
 - E. In the event the EMPLOYEE terminates employment with the UTAH STATE HOSPITAL or the EMPLOYEE is dismissed by the UTAH STATE HOSPITAL within twelve (12) full months of the last disbursement, the State of Utah is authorized to withhold from the EMPLOYEE's paycheck the prorated amount of the last disbursement and require reimbursement from the EMPLOYEE for any remaining amount owed within thirty days of the last day worked.
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- F. This contract will be for the period of twelve (12) months. The EMPLOYEE will submit a new contract form each year, up to a total of 8 years.

IN WITNESS WHEREOF, the UTAH STATE HOSPITAL and the EMPLOYEE have caused this contract to be signed by the proper officials thereunto duly authorized.

Employee

Date

Superintendent or Designee

Date

Initiated: 01-08

Revised: 10-10

Revised: 12-14

Chapter: Human Resources (HR)

Section 16: Family Medical Leave Act

Policy

In accordance with the Family Medical Leave Act (FMLA), which is regulated by the United States Department of Labor Wage and Hour Division, Utah State Hospital will grant up to 12 weeks of unpaid, job protected FMLA and/or 26 weeks of unpaid, job protected leave during a calendar year for military caregiver leave.

Procedure

1. Eligibility: To qualify to take FMLA under this policy, the employee must meet all of the following conditions:
 - 1.1. The employee must have worked for the State of Utah for 12 months. The 12 months need not have been consecutive. Separate periods of employment will be counted, provided that the break in service does not exceed seven years. Separate periods of employment will be counted if the break in service exceeds seven years due to National Guard or Reserve military service obligations
 - 1.2. The employee must have worked at least 1,250 hours during the 12-month period immediately before the date when the leave is requested to commence.
2. Reasons for Leave: To qualify as FMLA leave under this policy, the employee must be taking leave for one of the following reasons listed below:
 - 2.1. Birth of a child, adoption of a child, or placement of a foster child
 - 2.1.1. Leave for purposes of childbirth, adoption, placement for adoption or foster care may not be taken intermittently or on a reduced leave schedule unless the employee and employer mutually agree.
 - 2.1.2. Spouses employed by the Utah State Hospital are limited in the amount FMLA they may take for the birth and care of a newborn child, placement of child for adoption or foster care, to a combined total of 12 weeks.
 - 2.1.3. Leave used for birth, care, or placement for adoption or foster care must conclude within 12 months of birth or placement.
 - 2.2. A serious health condition of the employee, spouse, dependent child or parent.
 - 2.2.1. A serious health condition entitling an employee to FMLA means an illness, injury, impairment or physical or mental condition that requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or condition that requires continuing care by a licensed health care provider.
 - 2.3. A qualifying exigency arising as a result of a spouse, son, daughter or parent being on active duty or having been notified of an impending call or order to active duty in support of a contingency operation.

- 2.4. Care for a covered service member with a serious injury or illness if the employee is the spouse, child, parent or next of kin of the service member.
 - 2.4.1. Spouses employed by the Utah State Hospital are limited in the amount of FMLA they may take for the care of a covered service member with a serious illness or injury to a combined total of 26 weeks.
 3. Requesting Leave: To request FMLA, the employee or an appropriate spokesperson, shall notify the Hospital for the need for leave and when the reason for requesting FMLA changes. When the need for leave is foreseeable (i.e., due to the expected birth or placement of a child) the notification for leave must be provided no less than thirty (30) calendar days before the requested start date of the leave. If the need for leave is not foreseeable, an employee must notify the Hospital as soon as practicable.
 4. Medical Certification: The employee must also submit to the Human Resource office a medical certification within 15 calendar days of their FMLA request or the leave may be delayed or denied.
 - 4.1. The medical certification must indicate whether the leave is to be continuous or intermittent. If the leave is intermittent, the health care provider must estimate the frequency and duration of each absence.
 - 4.2. The hospital may request a second opinion if it doubts the validity of the certification, but the hospital must cover the cost of the second opinion. In some instances, a third opinion, also covered at the Hospital's expense, may be necessary.
 - 4.3. The hospital will require recertification for the serious health condition every six (6) months or at the beginning of a new calendar year, whichever is shorter.
 - 4.4. The hospital may request recertification if the employee's attendance records are inconsistent with the leave originally certified by the employee's health care provider.
 5. Continuous FMLA: Continuous FMLA is taken in one block of continuous time and is not broken by periods of work.
 - 5.1. When an employee returns to work after being out on a continuous basis on FMLA due to their own serious medical condition, s/he will be required to provide a certificate that they are able to resume work with no restrictions. If the employee fails to provide the certification, the Utah State Hospital may delay the job restoration.
 6. Intermittent FMLA: Intermittent leave is taken in separate blocks of time due to a single qualifying reason.
 - 6.1. Employees on intermittent FMLA are required to call off each day they need to be off on FMLA and designate it as an FMLA day. Each employee is required to follow current hospital call off procedures absent exigent circumstances that prevent him or her from doing so. Exigent circumstances will be evaluated by the HR department.
 - 6.2. An employee needing intermittent FMLA leave for planned medical treatment must attempt to work out a schedule with the State Hospital that will meet the employee's needs without unduly disrupting hospital operations.
 - 6.3. Nursing discipline employees approved for intermittent FMLA leave will be placed in the nursing pool for the duration of their approved intermittent leave under FMLA.
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- 6.3.1. Throughout the duration of their approved intermittent leave, the nursing discipline employee maintains the same pay, benefits, job title, shift and days off, but will be placed in the pool of nursing employees and assigned to units as needed each shift.
 - 6.3.2. Once the employee is no longer on approved intermittent FMLA, they will return to their core patient care unit with the same pay, benefits, job title, shift and days off.
 - 6.3.3. While placed in the nursing pool employees remain under the supervision of their current Unit Nursing Director.
7. Health Benefits: While an employee is on FMLA, their health benefits continue during their leave period.
- 7.1. The employee is required to pay their share of health insurance premiums while on leave.
 - 7.2. The State of Utah may recover premiums it paid to maintain health coverage for an employee who fails to return to work from FMLA leave.
 - 7.3. The hospital's obligation to maintain health benefits under FMLA stops if and when an employee informs the hospital of the intent not to return to work at the end of the leave period or if the employee fails to return to work when the FMLA leave entitlement is exhausted. The Utah State Hospital's obligation also stops if the employee's premium payment is more than 30 days late. Employer coverage will not cease prior to the fifteen (15) days' written notice to the employee that coverage will be dropped.
 - 7.4. An employee is required to work a minimum of 30 days upon return from continuous FMLA leave or the Utah State Hospital has the right to recover premiums they paid while the employee was out on FMLA. (Except when the employee's medical condition or exigent circumstances will not allow the employee to return to work.)
8. Use of Paid and Unpaid Leave: An employee taking FMLA, may use their banked leave or choose to use unpaid leave during their absence.
9. This policy does not create any contractual rights nor does it create any rights in excess of federal law and no waiver of immunity is intended.

Implemented: 1-1-13

Chapter: Human Resources (HR)

Section 17: Staff Mobile Device Usage

Policy

The hospital promotes the safety of patients, staff and the community and ensures HIPAA compliance with all portable electronic devices.

Definitions

1. Patient Care Areas – Includes areas within the hospital where patients receive direct care including but not limited to the gym, clinics, school, Physical Therapy, Occupational Therapy, swimming pool, cafeteria, library, treatment mall or anywhere there are locked doors including the patient units.
2. Mobile Devices – Any device that may be used for information or entertainment purposes. A small handheld computing device that has an operating system and can run various types of application software. This includes but is not limited to a device with capability of wireless or LAN activity, make/receive audio / video calls, compose/send/receive email, access/surf the internet, take pictures, record audio/video, view/play videos or movies, play music, or play video games. A Mobile Device includes but is not limited to: mobile phones, smart phones, pagers, laptop computers, hand-held computers, MP3 player, iPod, cameras, DVD or CD players, E-readers, GPS receivers, hand- held games, two-way radios, hands-free ear pieces, etc.

Procedure

1. The use of mobile devices during business hours is authorized for providing hospital services or to conduct hospital business. The authorized use of these devices is intended to promote internal efficiency, safety, and security and strictly complies with HIPAA.
 2. Utah State Hospital issued or authorized mobile devices may be used in all locations and areas including patient care areas when used for legitimate business purposes to ensure quality of patient care and safety is not compromised. The use of hospital assigned mobile devices must comply with the State Administrative Manual guidelines, DHS policies, USH policies and HIPAA regulations.
 3. Use of personal mobile devices (non-agency issued) is not allowed for Direct Care Staff when working with and assigned to monitor patients except when it is necessary to communicate with and request assistance from other Hospital Staff regarding treatment related matters.
 4. USH is not liable for any loss, damage, or destruction of any personal mobile device brought into the workplace.
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6. A cell phone is provided to each unit for legitimate hospital business. Use of these phones must comply with hospital policy.
7. Restricted Use of Mobile Devices
 - 7.1. Communicating Protected Health Information (PHI) via text message is prohibited.
 - 7.2. Employees responsible for 1:1 monitoring are restricted from mobile device use unless communicating critical or unsafe situations.
 - 7.3. Mobile device use is restricted in medication rooms during medication pass times.
 - 7.4. Mobile devices used to take pictures and/or record audio/video of patients outside of Utah State Hospital policy is prohibited and constitutes an invasion of personal privacy.
 - 7.5. When conducting Hospital business and driving a state vehicle, staff are prohibited from using mobile devices including a mobile phone or similar device for any reason, so as not to compromise their driving ability and safety according to state law. A cell phone is provided with each state vehicle. If an urgent situation arises where the use of a mobile device is needed while driving on hospital approved business, staff are expected to safely pull over and stop the vehicle before use. If this policy is violated and an accident occurs, any costs, fees and fines may be solely the responsibility of the driver and may result in disciplinary action.
8. Emergency Use
 - 8.1. Employees are responsible to notify supervisor whenever a personal emergent situation occurs requiring the use of a personal mobile device.

Approved: 12-14
