Employee Handbook Meeting House Lane Medical Practice, PC

# **SECTION 1: INTRODUCTION**

This Employee Handbook is a guide to personnel practices, policies and employee benefits. We hope you find it a useful tool and that it answers many of your questions about your employment and MHLMP's expectations of you as an employee. Throughout this Handbook "MHLMP" refers to Meeting House Lane Medical Practice, PC.

# **SECTION 2: EMPLOYMENT-AT-**WILL

The provisions in this Handbook are guidelines and do not establish a contract or any particular terms or conditions of employment between you and MHLMP. None of the policies constitute a promise of employment. While we hope you will enjoy working for MHLMP, if you should ever become dissatisfied, you are free to terminate your employment at any time for any reason. Similarly, MHLMP may terminate your employment at any time for any reason. This "employment- at-will" relationship may not be modified for any employee. No contract or promise relating to employment may be made, unless approved in writing and signed by the President, & Administration and the employee.

Changes and variations in the laws in different states and localities will sometimes affect policies and their application. When there are direct conflicts between this Handbook and applicable law, the law will prevail.

This Handbook supersedes all previously published employee handbooks and policy statements whether written or oral. All employees should read and become familiar with its contents. Where there are differences between the provisions of this Handbook and more specific statements contained in MHLMP's benefit or insurance plans or policies, those specific statements shall control. If you have questions, please contact the Practice Administrator.

MHLMP is a growing, dynamic organization. As you are notified of changes or additions to this Handbook, you are responsible for abiding by these changes and for updating your Handbook.

# SECTION 3: EMPLOYEE RELATIONS AND COMMUNICATION

We understand the importance of open communications and the valuable contributions you add to MHLMP's success. There are many avenues for you to provide your thoughts and suggestions, get answers to your questions or have your problems addressed. The primary resources to answer your questions or help solve your problems are listed in this section.

## Administration

Administration is the best and fastest source of information and generally should be the starting point to help you with questions or problems. They will answer questions or guide you to other sources who can. Remember, you and your work are important to your administrator. He or she will *try* very hard to work out any problems and find answers for you.

**HR Representative**

The HR Representative for the office is Michelle Mullin, the Practice Administrator. The Practice Administrator is located in 57 Hampton Road, Southampton, NY 11968, and her phone number is (631) 283-2430.

**Bulletin Boards/Binders**

MHLMP notices, memoranda and other important business communications may be distributed to employees directly and/or posted on the bulletin board.

After 2 wecks, the memoranda will be removed from the bulletin board and chronologically filed in the Practice Administrator's office in designated binders. Employees access the designated binders and view and/or copy past-posted notices and memoranda for their reference if needed.

It is the responsibility of all employees to regularly check for and review all internal notifications, the bulletin board (and the designated binders) for current information (ie., memoranda, announcements, policy changes, and staff schedules).

With regard to bulletin board postings and memoranda, employees must initial next to their name that they have read and understand the memorandum. If they have any questions about such posting, they should contact the Practice Administrator. The original memoranda with the employee initials will serve as a record that the employee was informed with regard to the subject, policy or procedure.

# **SECTION 4: EQUAL EMPLOYMENT OPPORTUNITY AND** DIVERSITY

MHLMP is an Equal Opportunity Employer and complies with all applicable federal, state, and local employment laws.

MHLMP is committed to selecting and hiring the best qualified applicants and employing a diverse workforce. Selection is based on the applicant's ability to satisfy the requirements of the position applied for, as well as prior experience, education, credentials, interviews and references from former employers.

MHLMP recognizes and values diversity and seeks avenues to recruit a workforce that represents a range of personal and professional backgrounds, and experiences and perspectives that arise from cultural and other differences. This includes persons of varying age, ethnicity, gender, disability, race, sexual orientation, and other characteristics protected by law.

It is also the policy of MHLMP that every employee has the right to work in an environment where each individual is treated with respect and dignity. Consistent with this policy, MHLMP promotes a work environment that *is* free of bias, prejudice, and harassment.

MHLMP prohibits discrimination on the basis of race, color, religion, creed, national or ethnic origin, age, sex, pregnancy, gender, sexual orientation, gender identity or expression, marital or familial status, citizenship status, disability, genetic predisposition or carrier status, status as a victim of domestic violence, or status in the uniformed services of the United States (including veteran status), or any other characteristic protected by law. This prohibition applies to all employees,

supervisors, contractors, vendors, and clients. MHLMP also prohibits retaliation against anyone who complains about discrimination or harassment, participates in a complaint investigation, or otherwise exercises rights guaranteed by law.

This policy applies to all terms and conditions of employment, including but not limited to hiring, classification, promotion or transfer, discipline, job assignment, termination, layoff, compensation, benefits, job training and development.

# **SECTION 5:** **ACCOMMODATIONS FOR DISABLED** EMPLOYEES

## Commitment to Equal Employment Opportunities

MHLMP complies with the Americans with Disabilities Act (ADA), as amended by the ADA Amendments Act (ADAAA) and the New York State Human Rights Law (NYSHRL) and is committed to providing equal employment opportunities to qualified individuals with disabilities. Consistent with this commitment, MHLMP will provide a reasonable accommodation to applicants and employees if the reasonable accommodation would allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship.

MHLMP also does not discriminate against individuals on the basis of pregnancy and also provides reasonable accommodations for pregnancy, childbirth, and related medical conditions in accordance with applicable law. Employees should submit any requests for an accommodation to the Practice Administrator.

## B. Requesting a Reasonable Accommodation

If you believe you need an accommodation because of pregnancy or disability, you are responsible for requesting a reasonable accommodation from the Practice Administrator. You may make the request orally or in writing. MHLMP encourages employees to make their request in writing and to include relevant information, such as:

1. A description of the accommodation you are requesting.
2. The reason you need an accommodation.
3. How the accommodation will help you perform the essential functions of your job.

After receiving your oral or written request, a supervisor will engage in a cooperative dialogue to determine the precise limitations of your disability and explore potential reasonable accommodations that could overcome those limitations. MHLMP encourages you to suggest specific reasonable accommodations that you believe would allow you to perform your job. However, MHLMP is not required to make the specific accommodation requested by you and may provide an alternative, effective accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on MHLMP.

## C. Medical Information

If your disability or need for accommodation is not obvious, MHLMP may ask you to provide supporting documents showing that you have a disability within the meaning of the ADA and

Employees with questions are encouraged to direct their inquiries to the Practice Administrator, and may do so without fear of reprisal.

# **SECTION 7**: **ANTI-HARASSMENT AND NON-DISCRIMINATION POLICY**

MHLMP is committed to maintaining a collegial work environment in which all individuals are treated with respect and dignity. In keeping with this commitment, MHLMP will not tolerate unlawful harassment or discrimination of any type undertaken by any person, including any supervisor, co-worker, vendor, or patient of MHLMP.

Harassment and discrimination consist of unwelcome conduct, whether verbal, physical or visual, that is based upon a person's protected status, such as race, age, sex, color, religion, creed, national origin, sexual identity or expression, marital or familial status, medical conditions, sexual orientation, gender, gender identity or expression, disability, citizenship status, genetic information, military or veteran status, or any other protected group status. MHLMP will not tolerate harassing or discriminatory conduct that affects the terms or conditions of employment, that interferes unreasonably with an individual's work performance, or that creates an intimidating, hostile, or offensive working environment.

Each employee is responsible for creating an atmosphere free of discrimination and harassment, sexual or otherwise. Further, employees are responsible for respecting the rights of their co- workers.

## A. **Sexual Harassment Deserves Special Mention**

Unwelcome sexual advances, requests for sexual favors, and other physical, verbal or visual conduct based on sex constitute sexual harassment when (i) submission to the conduct is an explicit or implicit term or condition of employment, (ii) submission to or rejection of the conduct is used as the basis for an employment decision, or (iii) the conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile, or offensive working environment. Sexual harassment may include explicit sexual propositions, sexual innuendo, suggestive comments, sexually oriented "kidding" or "teasing," "practical jokes," jokes about gender-specific traits, foul or obscene language or gestures, display of foul or obscene printed or visual material, and physical contact such as patting, pinching, or brushing patting, pinching, or brushing against another's body.

Harassment, including sexual harassment, is prohibited by Title VII of the 1964 federal Civil Rights Act, the New York State Human Rights Law and, in some instances, local law. The New York State Human Rights Law also protects against harassment based on gender identity or transgender status. Harassment on the basis of actual or perceived sexual orientation is also prohibited by the New York State Orientation Non-Discrimination Act. Harassment is considered a form of employee misconduct and sanctions will be enforced against individuals engaging in harassment and against supervisory and managerial personnel who knowingly allow such behavior *to* continue.

The following remedies may be available if an employee brings a successful claim for harassment under federal and state laws: compensation for lost wages or benefits, injunctive relief such as reinstatement or promotion, pay in lieu of reinstatement, compensatory damages for emotional distress, punitive damages and legal fees related to the costs of litigation.

## B. **Reporting** and **Investigating**

If you feel that you have experienced or witnessed unlawful harassment or discrimination, you are strongly urged to notify the Practice Administrator MHLMP's appointed Harassment Officer. If you feel uncomfortable in relating such complaint to the Practice Administrator, MHLMP has assigned an alternate Harassment Officer, Dr. Frederic Weinbaum, for you to contact with any concern or complaint. You may also report the matter to any other member of management to whom you feel comfortable reporting the incident.

Reports of sexual harassment may be made verbally or in writing. A form for submission of a written complaint is attached to this Policy, and all employees are encouraged to use this complaint form. Employees who are reporting sexual harassment on behalf of other employees should use the complaint form and note that it is on another employee's behalf.

MHLMP takes all complaints seriously and will conduct a timely investigation, which may include interviewing all parties involved and any potential witnesses. Based on the circumstances, MHLMP may decide, in its discretion, to suspend an employee accused of committing acts of harassment or discrimination, either with or without pay, during the pendency of an investigation. To the extent practicable and appropriate, MHLMP will endeavor to keep the complaints and the terms of their resolution confidential.

## C. Supervisory Responsibilities

All supervisors and managers who receive a complaint or information about suspected sexual harassment, observe what may be sexually harassing behavior or for any reason suspect that sexual harassment is occurring, are required to report such suspected sexual harassment to the Practice Administrator or Dr. Frederic Weinbaum.

In addition to being subject to discipline if they engaged in sexually harassing conduct themselves, supervisors and managers will be subject to discipline for failing to report suspected sexual harassment or otherwise knowingly allowing sexual harassment to continue. Supervisors and managers will also be subject to discipline for engaging in any retaliation.

## D. **Corrective Action**

If an investigation confirms that harassment or discrimination has occurred, MHLMP will take corrective action, including discipline of any individual believed to be involved in the prohibited conduct. Examples of corrective action that may be implemented as determined appropriate by MHLMP, include, but are not limited to: training, monitoring of the accused harasser, written warning, reprimand, job restructuring or reassignment, suspension without pay, and/or termination of employment.

## E. **Anti-Retaliation**

Retaliation against individuals who complain of harassment or discrimination or those who testify or assist in any legal proceeding is unlawful. MHLMP forbids retaliation against an employee who, in good faith, reports any concern or complaint regarding harassment or discrimination, or cooperates in good faith in a harassment or discrimination investigation or legal proceeding. All employees are expected to cooperate fully with such investigations. Individuals who make false statements during the course of a harassment or discrimination investigation and/or fail to comply with this policy will be subject to disciplinary action, up to and including termination. In addition, any employee who misuses this policy and makes a false complaint will be subject to appropriate discipline by MHLMP.

## F. **External Complaint Processes Available** To **Complainants**

In addition to MHLMP's internal complaint procedures, complainants may also institute external complaints by contacting the following entities:

**New York State Office** of **the Attorney General** (OAG) Civil Rights Bureau: Civil Rights Bureau, New York State Attorney General's Office, 28 Liberty Street, New York, NY 10005; or at (212) 416-8250 or (800) 771-7755; or at civil.rights@ag.ny.gov. Note: filing a **complaint with the OAG is** not a **substitute for bringing** a **case in court, and** it **does** not **affect any** of **the** filing **deadlines** or **other administrative** prerequisites for **filing** a case in **court** or **with other government agencies.**

* **New** York **State Division** of Human **Rights**: New York State Division of Human Rights, Central Headquarters: One Fordham Plaza, 4th Floor, Bronx, NY 10458, (888) 392-3644.
* U.S. **Equal Employment Opportunity** Commission: United States Equal Employment Opportunity Commission, New York District Office, 33 Whitehall Street, 5th Floor, New York, NY 10004, (800) 669-4000.
* **Suffolk** County **Human Rights** Commission: H. Lee Dennison Building, 100 Veterans Highway, Hauppauge, NY 11788, (631) 853-5480

Depending on the law on which a complaint is based, an individual may also have the right to file a lawsuit against their employer in state or federal court.

# **SECTION 8: WORKPLACE** VIOLENCE **PREVENTION**

MHLMP is committed to preventing workplace violence and to maintaining a safe work environment. In furtherance of that commitment, MHLMP has adopted the following guidelines to deal with intimidation, harassment, or other threats or acts violence that may occur during business hours or on its premises.

All employees are to be treated with courtesy and respect at all times. MHLMP will not tolerate violence or threats of violence in any form in the workplace, at work-related functions or outside of work if it affects the workplace. This policy applies to all MHLMP employees, clients, patients, customers**,** guests, vendors and persons doing business with MHLMP.

It will be a violation of this policy for any individual to engage in any conduct, verbal or physical, which intimidates, endangers or creates the perception of intent to harm persons or property. Examples include but are not limited to:

1. Physical assault, whether made in person or by other means (e.g., in writing, by phone, fax or e-mail).