

**ODYSSEY HOUSE**  
**Human Resources Manual**

**INTRODUCTION**

Revised: March, 2001

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This human resources manual provides you with general information about human resources policies, employee benefits and work regulations for all employees of Odyssey House. The information in this manual supersedes that outlined in the previous manual dated July, 1997.

All employment at Odyssey House is at will, with no contractual right, expressed or implied. No supervisor or any representative of Odyssey House, other than an officer of the company, has authority to enter into any agreement for employment, written or oral, for any specified period of time, or otherwise, or to make any such agreement contrary to the foregoing.

The purpose of this handbook is to provide an explanation of the policies and procedures of Odyssey House. However, it is not to be regarded as a contract and any questions or clarifications which may be required should be directed to the Human Resources Department.

Many of the pay practices, employee policies and benefits described generally in this manual are covered in documents which are changed or modified from time to time and are available for reference in the Human Resources Department. These official texts cover Health, Dental, Disability and Life Insurance and the 403(b) plan and control, govern or supersede any statement made in this manual or by any supervisor. Where there is no official plan document, the information in this manual is the governing factor.

Revisions, changes and additions to this manual are issued by the Human Resources Department. Appropriate page replacements are made as necessary.

### **NON-DISCRIMINATORY STATEMENT**

It is the policy of Odyssey House to seek the most qualified applicants for the purpose of attaining the goals of the organization as well as to provide them with an opportunity to pursue their own professional development. For this reason, Odyssey House, Inc. employees the most qualified people available without regard to age, sex, race, color, creed, religion, national origin, sexual orientation, disability, marital status or citizenship status; and provides equal opportunity to all employees with respect to compensation, promotions, transfers and all other terms, privileges and conditions of employment.

All position openings are listed with the Human Resources Department and, when appropriate, efforts are made to fill any openings internally through promotions or lateral job changes before seeking outside applicants.

It is Odyssey House policy to provide accessibility for the physically challenged to all Odyssey House programs.

### **ORGANIZATIONAL GOALS & OBJECTIVES**

Why does Odyssey House Exist?

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- To provide comprehensive and innovative services to the broadest range of Metro New York's population who:
  - abuse drugs
  - abuse alcohol
  - have mental illness
- To provide high quality, holistic treatment impacting all major life spheres: psychological, physical, social, family, educational, and spiritual
- To support personal rehabilitation, renewal, and family restoration
- Throughout its activities, to act as a responsible employer and member of the community and manage the assets of the organization in a professional manner.

### **EQUAL EMPLOYMENT OPPORTUNITY**

Odyssey House maintains a non-discriminatory policy on hiring of its personnel. Odyssey House and its operational divisions will not discriminate against any employee or applicant for employment because of age, sex, race, color, creed, religion, national origin, sexual orientation, age, disability, marital status or citizenship status in all employment decisions including but not limited to recruitment, hiring, upgrading, demotion, downgrading, transfer, training, rate of pay or other forms of compensation, layoff, termination and all other terms and conditions of employment.

Odyssey House is in compliance with the rules and regulations of Title VII of the Civil Rights Act as amended by the Equal Employment Opportunity Act, Federal and Executive orders 11246 and 11375, and of the New York State Fair Wage Act and the New York State Labor Department. The Company emphasizes the maintenance of competitive market relationships in terms of wages and ensuring the competency and skill of the potential employee. Vertical movement within the organization is encouraged and opportunity personal and professional growth is provided in all ways possible consistent with the interest of the individual employee, the maintenance of quality of services and the financial resources available.

The responsibility for the overall development, implementation and monitoring of the Equal Employment Policy of Odyssey House rests with the Chief Financial and Administrative Officer. The Human Resources Director reports to the Chief Financial and Administrative Officer and ensures that the organization is meeting its affirmative action obligations.

Human Resources Management is charged with the responsibility of making known the policy and commitment of Odyssey House to employ members of minority groups and women, utilizing community resources and other employment agencies that do not charge fees and are engaged in assisting minorities.

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Odyssey House endorses and will comply with the Americans with Disabilities Act and any local or state laws prohibiting discrimination in employment against applicants or employees with disabilities. Specifically, Odyssey House will not discriminate against any qualified applicant or employee with a covered disability in hiring, promotion, discharge, wages, job training, fringe benefits or any other aspect of employment. Moreover, Odyssey House will provide reasonable accommodation to qualified applicants and employees with disabilities provided that the accommodation does not impose an undue hardship on operations.

Applicants and employees have the right to file a complaint about suspected harassment or discrimination in employment because of disability. Complaints should be filed with the Human Resources Director or with the Chief Financial and Administrative Officer. Upon receiving a complaint, the administration will conduct an investigation and take appropriate steps to resolve the problem and to redress any harm to employees. Typically, the investigation will include an interview of the complainant, the alleged harasser, a review of the applicable working conditions or job requirements, and discussions with any other person who may provide related information. The responsible Odyssey House official will make every effort to ensure that complaints are resolved promptly, effectively and confidentially.

Persons filing a complaint or assisting in its investigation will not suffer any adverse employment action as a result of that action. Employees found in violation of this policy will be subject to discipline, including termination of employment where appropriate.

(See Appendix B for procedures for handling allegations of discrimination/sexual harassment).

- I. EMPLOYMENT PROCEDURE
    - A. RECRUITMENT
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All recruitment will be handled within the Odyssey House Program or Department. In accordance with the approved procedure for hiring new employees, the Program Director/Department Manager will conduct interviews, check references, review credentials, and make job offers. See Appendix C for additional information pertaining to inquiries.

**B. MEDICAL EXAMINATIONS**

It is recommended that prospective employees undergo a medical/physical examination prior to completing the employment process at Odyssey House. After receiving an offer of employment all new applicants must show evidence of having had a TB test within the last year indicating a negative result. If not, a test will be arranged and interpreted before assuming an assignment. For positions in the Family Center and for positions involving the handling of food, special physical examinations are required. Fingerprinting is also required for positions in the Family Center.

**C. REFERENCE CHECKS**

All requests for information about past employees of Odyssey House are to be referred to the Human Resources Department for handling. With written authorization, the Human Resources Department will release the job title of the past employee and dates of employment. No other information will be released. Under no circumstances is any member of the staff permitted to provide information to persons outside of the Odyssey House organization seeking information about past employees.

**D. RE-EMPLOYMENT**

1. Former “regular” Odyssey House employees may be rehired based on current qualifications and previous performance records.
2. Employees who were terminated because of staff reductions may be considered before new applicants.
3. In certain circumstances the introductory period (see pp. 5-6) may be waived in re-employment with the authorization of appropriate management.

**E. HIRING OF RELATIVES**

1. There is no policy prohibiting the employment of relatives of current employees.
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2. The employment of a relative of an Odyssey House employee is subject to the approval of the Director of Human Resources.
3. The hiring of a relative of a Corporate Officer as an employee or as a consultant is subject to approval by the President/CEO.
4. Supervisors cannot be in a position in which they process, check, review, or otherwise supervise the work of a relative.
5. Under no circumstances can a supervisor exercise decision making authority that would influence the salary progress of a relative employed by Odyssey House.

#### F. ORIENTATION

It is the responsibility of the Human Resources Department and the immediate supervisor to ensure that new employees receive proper orientation to Odyssey House, to their position and to their work environment.

General staff orientation sessions for new employees are conducted by the Human Resources Department on a monthly basis. This orientation will include training in HIPAA regulations.

Trainees and interns will be oriented by their supervisors in their assigned programs.

#### G. INTRODUCTORY PERIOD

1. The introductory period for new employees is six (6) months. This period allows the employee to assess his/her job expectations and also permits the supervisor to determine whether the employee can satisfactorily perform the work to which he/she is assigned.

During this period it will be determined whether the employee, based in a clinical program, has the temperament and skills to function within a specific treatment milieu such as the therapeutic community without adversely affecting the residents.

2. The initial introductory period may be extended for up to ninety (90) days if the performance of the employee has raised questions as to the suitability of the employee for the type of work involved or his/her ability to perform the duties of the position.
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3. A performance evaluation must be completed before the end of the six month period. If the result of the evaluation indicates that a satisfactory level of performance has been attained during the period, and that the New Employees Training Series has been completed and certified (see Appendix D for copy of New Employees Training Series Record of Completion form), the introductory status will end and the status of the employee will change to regular employee. Should the evaluation be less than satisfactory a decision must be made to either extend the introductory period or to terminate employment.
4. The period can be extended if the employee has assumed new job responsibilities prior to the end of the period and there has been insufficient time to make a thorough evaluation. Interruptions of employee service will not be credited to the introductory period of time and in such circumstances, the period will be extended by the amount of lost time.
5. During the introductory period, employees are not entitled to paid sick leave or vacation. However, after the introductory period, they may be reimbursed for sick leave and vacation taken during the period.
6. Employees are entitled to holidays according to the approved holiday schedule during the introductory period.
7. During the introductory period, employees may resign or be terminated without the customary notice.
8. Employees whose employment is terminated during the introductory period are not entitled to accrued vacation.
9. TRIAL PERIOD: Employees promoted or transferred as a result of prior successful work performance are placed on a trial status for a period of three to six (3-6) months to assess skills, work performance and work attitude in new post. During the trial period, individuals are eligible for all fringe benefits.

#### H. WORK SCHEDULE

The required work schedule varies with each position and is determined at the time of employment. Necessary changes in work schedule will be determined by the relevant management staff in accordance with the needs of the program/department.

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**I. HUMAN RESOURCE FILES**

Odyssey House maintains individualized human resource files on each employee that contain funding source, letter of approval (if required), salary information, employment application form, resume and letters of reference, work performance evaluations, information regarding any disciplinary action or commendation, copies of licenses or other certificates and correspondence as required. The human resource file is kept in the human resources office and is updated periodically by Human Resources Management.

**II. BENEFITS**

All Odyssey House paid benefits are made available to employees with the provision that the financial support will be forthcoming from the funding sources.

**A. HEALTH INSURANCE**

On the first of the month after the completion of one month of service, Odyssey House employees are eligible for coverage under one of the available health insurance plans. Employees who wish to participate in one of the available health insurance plans are required to contribute toward part of the cost in accordance with a scale which is subject to periodic review. The scale of contribution is periodically reviewed in relation to prevailing premium rates charged by the health insurance providers. Odyssey House reserves the right to change carriers at times when such changes are considered to be in the best interest of Odyssey House and the employee. (Not available to part-time employees regularly scheduled to work less than 1,560 hours per year).

At the time of employment, the details of the plans available will be made known to new employees. Information about current benefits is available to all employees from the Human Resources Department.

**B. LIFE INSURANCE**

On the first of the month after the completion of one month of service, all employees are eligible for life insurance coverage in the amount two times his/her annual salary. This coverage is provided with cost to the employee. The coverage is provided without cost

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to the employee. Details of the plan are made known to the employee at the time of hire. Information about current employee life insurance benefits is available in the Human Resources Department. (Not available to part-time employees regularly scheduled to work less than 1,040 hours per year).

#### C. WORKER'S COMPENSATION

1. Insurance coverage for work-related injuries is provided through his program which is paid for entirely by Odyssey House.
2. All work-related injuries should be reported to the appropriate Program Director and the Human Resources Director.
3. During a period during which an employee is absent from his/her position, it will be necessary to provide monthly medical progress reports. These reports should include an estimated date of return. If such a date cannot be determined, the appropriate medical provider should state "Undetermined." At the time such a determination can be made, a date of expected return must be indicated. Failure to report for work without adequate documentation and prior notice will result in termination of employment.

#### D. DISABILITY BENEFITS

1. Short-time Disability: Upon completion of four (4) consecutive weeks of employment, employees are automatically enrolled in the New York State Disability Plan which offers protection against loss of income due to prolonged illnesses and injuries that are not job-related.
  2. Long-Term Disability: All employees are eligible to participate in the Long Term Disability Program at the time of employment. The cost of Long Term Disability Insurance is paid by the employee through payroll deductions. Employees who do not accept the coverage at the time of employment have to provide evidence of insurability if the coverage is requested at a later time.
  3. An employee who fails to return to work on the date the medical provider indicates as the date by which the employee can resume his/her duties will be considered to have resigned his/her position. This applies to both short term and long term disability.
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**E. SOCIAL SECURITY (FICA)**

1. Social Security provides a monthly income to employees upon normal retirement.
2. Also provided are survivor benefits for eligible members of the employee's family in the event of his/her death.

**F. UNEMPLOYMENT COMPENSATION**

1. Odyssey House pays a special tax to the State Government to fund the unemployment compensation program.
2. Benefits vary between states, but usually are based on salary, length of service and reason for unemployment.

**NOTE:** The previous section is intended to provide only a brief reference to benefits. The full texts/booklets of insurance plans should be consulted for detailed information.

**G. ACCRUED LEAVE**

1. Under the Accrued Leave policy, "regular" full-time employees with less than three years of service are eligible for twenty days of accrued leave during a full fiscal year. Employees who have completed three years of service are eligible of twenty-five days of accrued leave.

Employees with up to three years of service accrue at the rate of .77 days per pay period beginning July 1<sup>st</sup> of the current fiscal year and those with MORE than three years accrue at the rate of .96 days per month based upon 26 pay period.

For approval of paid time off, the number of days requested must be equal to or less than the number of days accrued as of the beginning date of the requested leave. If the required number of days have not been accrued, written approval of the Human Resources Director will be required.

Employees with less than one full year of service accrue time off on a pro-rated basis from the date of employment to June 30<sup>th</sup> of the fiscal year in which employment occurs.

2. The Odyssey House fiscal year is July 1<sup>st</sup> through June 30<sup>th</sup>.
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3. New employees are not entitled to accrued leave. However, upon successful completion of the introductory period, leave taken is reimbursable.
4. Leave can be accrued up to a maximum of 40 days. Upon reaching an accrual of 40 days, the accrual process will stop. When the total accrual is reduced to an amount less than 40 days, accruals will resume.
5. Scheduled time off for vacation and other personal needs must be requested a minimum of two weeks in advance at the discretion of the Department Supervisor by means of an approved Authorization for Leave form.

Requests for leave time should be for no less than a unit of one half day.

Supervisors, at their discretion, may request evidence of illness or emergency in the event of unplanned absences.

Excessive use of unplanned accrued time off or a pattern of abuse will be subject to scrutiny and disciplinary action.

6. On a semi-annual basis during the fiscal year, the Payroll Department will prepare a listing of unused accrued employee leave.
7. If at the time of termination/resignation it is determined that the employee has taken more leave than accrued/authorized at the time of termination/resignation, that amount of leave will be deducted from the final pay check.
8. Accrued leave is not available to part-time employees.

#### H. FAMILY LEAVE

Incompliance with the Family and Medical Leave act of 1993, Odyssey House grants leave(s) of absence to employees who meet all of the following qualifications.

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1. Staff must be employed by Odyssey House for at least twelve (12) calendar months prior to the start of the leave.
2. Staff must have been actively employed for a minimum of 1250 hours during the 12 month period preceding the request for leave.

Requests for family leave must be made, in writing, 30 days prior to the starting date of the leave. Such requests for periods of up to twelve weeks will be honored, in compliance with the Family Medical Leave Act, for the following reasons:

1. Birth and after care of a child.
2. Placement of a child with the employee for adoption or foster care.
3. To care for a spouse, child or parent.
4. Because of a serious health condition that makes the employee unable to work at all or to perform any of the essential functions of his/her job.

Family and Medical Leave are without pay. When applying to return to work, the employee will be given first consideration for his/her former position or a comparable one, depending upon the personnel situation of the company at that time. Failure to return to work on the agreed upon date without prior explanation will result in termination of employment.

Health Insurance, if provided by Odyssey House at the time of leave, will remain in effect for the duration of the approved family leave. Dependent coverage payments must be provided by the employee during the leave period.

#### I. HOLIDAYS

1. Employees are given a copy of the list of annual holidays in December. These are holidays which will be observed by Odyssey House during the next calendar year.
  2. If a holiday falls during an employee's vacation period, the vacation may be extended to include the holiday.
  3. Religious Holidays.
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- a) This policy is intended as a means of excusing, from work, employees whose religious practices prohibit them from working on specified days.
  - b) Employees whose religious practices prohibit them from working on specified days must submit written requests for time off on those days.
  - c) An employee wishing to observe a religious holiday may obtain the approval of his/her supervisor to work on another regularly scheduled holiday or weekend day if the workload or nature of the employee's work makes this feasible. Otherwise, a vacation/personal leave day must be taken.
4. To receive holiday pay, an employee must be at work, or on an excused absence, on the scheduled work days immediately preceding and immediately following the holiday.
  5. Holiday leave benefits are not available to part-time employees.

### III. EMPLOYEE RESPONSIBILITIES

#### A. ABSENCES

1. If an employee is unable to report to work, he/she must directly inform the supervisor at the beginning of the working day. Leaving a message for the supervisor, through another staff member or a recorded phone message, is not acceptable.
2. He/she must leave a number where he/she can be reached.
3. Failure to report an absence will result in loss of pay for those days unreported and may be cause for dismissal.
4. When personal illness causes an employee to be absent from work, he/she will be provided with an income equal to full salary for such absence so long as the total absences do not exceed the number of accrued leave days.

#### B. CONDUCT

1. Employees are expected to project a positive and professional image at all times, given their fundamental duty to be a role model for residents.
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2. Residents are subject to very rigid rules. Employees should familiarize themselves with the rules so as to avoid all potential conflicts of interest.

**C. DRESS POLICY/APPEARANCE**

As role models for residents in treatment, Odyssey House staff must project a professional and businesslike image.

1. Jeans, shorts, T-shirts, sneakers or similar items of casual attire or suggestive attire are not permitted. Under special circumstances, such as moving or a warehouse visit, exceptions can be made.
2. Maintenance and food services employees must follow departmental guidelines for dress and grooming.
3. Employees who do not follow guidelines for dress and grooming will be sent home to change. There will be no compensation for time lost.
4. Violators of this policy will be subject to disciplinary action up to and including termination of employment.

**D. DRUG AND ALCOHOL FREE WORK PLACE POLICY**

As an organization committed to fostering the well-being and health of its residents and providing a safe work environment for its employees, Odyssey House follows a drug and alcohol free policy. The inappropriate use of alcohol and illicit drugs is not consistent with the mission of Odyssey House and poses a serious safety risk to all employees as well as being a hindrance to providing quality services to our residents. For this reason, as condition of employment and continued employment it is required that all employees adhere to this policy which includes a drug and alcohol free testing policy. Violation of this policy will result in disciplinary action up to and including termination of employment.

1. The use of illicit drugs or the illegal use of prescription drugs is prohibited. Appropriate use of prescription medications under medical supervision is allowed providing it does not result in safety problems or impairment in the performance of job duties.
  2. The sale, dispensation, possession, distribution, or manufacture of illicit drugs or controlled substance on Odyssey House premises or work sites or while otherwise engaged in Odyssey House business is prohibited.
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3. On-the job consumption of alcohol including the lunch hour is prohibited.
4. Alcohol use on personal time, to the extent that such use impairs the employee's ability to perform his/her job duties or affects safety, the reputation of Odyssey House, or the integrity of its programs is prohibited.
5. Any conviction of a violation of a criminal drug statute or any DWI/DUI conviction will result in disciplinary action up to and including termination and/or referral to an appropriate rehabilitation program. Employees must notify Odyssey House, in writing, of any conviction of a violation of a criminal drug statute or any DWI/DUI conviction no later than five days following such conviction.
6. In order to effectively implement this policy, when there is a reasonable suspicion that an employee is in possession of alcohol or illicit drugs in addition to drug testing, Odyssey House reserves the right to search employees, their possessions and Odyssey House issued equipment or facilities including desks, lockers, closets or any other secured facilities under their control while on Odyssey House premises or conducting Odyssey House business.
7. In accordance with this policy, the employment of any employee who is found to be a current illicit drug user or excessive alcohol user or who tests positive in violation of this policy will be terminated. Odyssey House will provide confidential assessment, counseling, to such employees and will consider their re-employment after they have successfully completed a rehabilitation program. Employment will not be refused to any person for past drug or alcohol abuse.

#### E. URINE TESTING

The basis for declaring that Odyssey House runs a drug-free therapeutic community rests, in part, upon the demonstration that each individual staff member may be requested to submit to urine analysis screening which is the only tangible proof that drugs are not being used. Refusal to provide a urine sample will result in termination of employment. Therefore, based on a reasonable suspicion that an employee may be using illicit drugs or abusing a prescription drug, Odyssey House reserves the right to request that an employee submit to a test (urinalysis) at any time. Refusal to follow this direction in a timely manner may result in termination of employment.

#### F. SMOKING POLICY

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Odyssey House provides a smoke free environment for all staff and residents.

Cessation of smoking is encouraged and services are provided to facilitate this effort.

Odyssey House staff are not permitted to smoke in or in the vicinity of any Odyssey House facility. Odyssey House residents are not allowed to smoke within Odyssey House facilities. However, designated outdoor smoking areas at Odyssey House premises are available to residents at all sites. Smoking by residents is restricted to these areas. Smoking is not allowed in individual staff offices or Odyssey House vehicles.

Odyssey House conforms to the NYC Smoking Code which provides for a smoke free working environment. All Odyssey House staff may direct complaints pertaining to alleged violations of the code to the Director of Human Resource for resolution. In the event that the allegations not resolved, staff can forward their complaint to the attention of the NYC Department of Health for resolution of the alleged violation as measured against the prevailing NYC code.

Retaliatory action against staff and applicants for employment for asserting or exercising their rights under the NYC code shall be prohibited as provided in Section 17-504(d).

Any questions regarding the smoke-free workplace policy should be referred to the Director of Human Resources.

#### **G. PERSONAL MAIL AND TELEPHONE CALLS**

The Odyssey House phone system is meant for Odyssey House business only. Personal use of the phone system should be limited.

There are times when it might be necessary to make personal phone calls during business hours within a local or metropolitan long distance areas (NY, NJ, CT). Such calls should be limited to two or three brief minutes. If, in an emergency, it is necessary to make other domestic long distance or international long distance calls, the supervisor should be notified and reimbursement of the related expenses is required.

#### **H. LEAVING PREMISES**

1. Employees must notify, and get permission from, their supervisor when leaving the premises during working hours.
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2. In all cases, the employee must let the front desk know his/her destination when leaving the building, time of expected return and interim telephone numbers.

I. CHANGE IN PERSONAL STATUS

The Human Resources Office must be notified of any change in status (marital status, address, telephone number, number of dependents, or beneficiaries) so that necessary records may be updated to keep benefits in effect.

J. CONFIDENTIAL INFORMATION AND INQUIRIES

1. It is the policy of Odyssey House not to release any human resource data to unauthorized persons or agencies.
2. Information concerning other employees and residents must be kept strictly in confidence.
3. Employees must keep in strictest confidence what ever information may be acquired concerning the affairs of Odyssey House or its procedures.
4. All requests for information on former residents and staff must be received in writing and accompanied by a release (authorization) from the individual.
5. Failure to comply with the above will result in disciplinary action up to and including termination of employment and may result in legal action.
6. Employees have the right to review their human resource files once a year. Requests to review files must be submitted in the form of a written memo.

K. JOB DESCRIPTIONS

1. If requested, a written description and statement of responsibilities and classification of the position will be made available at the time of the interview or at any subsequent date after the employee is hired.

Classifications are:

- a) A regular full-time employee is employed to work 35 hours per week for an expected period of six months or longer.
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- b) A regular part-time employee works a standard schedule of less than 30 hours per week for an expected period of six months or longer. Insurance company regulations preclude participation in the employee insurance programs.
  - c) A temporary full-time employee involves a work schedule of 35 hours per week, for an expected period of less than six months.
  - d) A temporary part-time employee involves a work schedule of less than 30 hours per week, for an expected period of less than six months. Insurance company regulations preclude participation in the employee insurance programs.
  - e) Supplementary part-time employment includes all other personnel who work less than 30 hours per week and work an irregular schedule with a variable number of hours. Insurance company regulations preclude participation in the employee insurance programs.
- 2. Temporary part-time and supplementary part-time employees are paid only for the hours worked and are not eligible for the various benefits.
  - 3. Consultants serve on a per day or per hour basis as determined by the Chief Financial and Administrative Officer. The schedule for time within the total time contracted will be set up by the Consultant and the Chief Financial and Administrative Officer. Consultant services established to assist the Administrative staff and those that cut across unit lines are coordinated with the Chief Financial and Administrative Officer. Consultants are engaged on a professional fee basis and are therefore not subject to the usual withholding taxes, nor are they eligible for the fringe benefits accruing to employees. The guidelines for consultant time/compensation are used in establishing each agreement.

#### L. RECORDING OF HOURS WORKED

- 1. Each employee is responsible for keeping a Time Sheet showing hours and days worked. Absences with reason and any other significant facts regarding employee attendance should be shown on the Authorization for Leave Form. The Time Sheet must be signed by the employee and the employee's supervisor. Employees are prohibited from recording other employees' time sheets.
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2. Time sheets will be submitted to the human Resources Department at the end of each pay period and are the basis for all sick pay, vacation and personal day calculations.
3. Time sheets will be kept as a permanent record for each contract year and are available to independent and government auditors.
4. Time sheets must be properly completed, signed by the supervisor, and submitted prior to the release of an employee's paycheck.

**M. WORK HOURS**

The normal hours of work consist of 35 hours per week, a working week consisting of 7 days. The agency must provide for 24 hour, 365 day on-site coverage, at its residential treatment facilities.

**N. OVERTIME**

1. Employees must consult their supervisors before the end of the day regarding the need to work over/above seven (7) hours. The supervisor will decide whether the work assignment needs to be completed the same day or can wait until the next day.
2. The supervisor will then obtain permission from a senior manager to authorize the employee to work above seven (7) hours.
3. There is no provision in Odyssey House policies for overtime compensation, except with the approval of the Chief Financial and Administrative Officer.
4. Employees who are eligible for compensatory time can accrue such time only with the explicit approval, in advance, of the supervisor. Such compensatory time should be used within the same pay period in which it is worked. If this is not possible, it must be taken in the next pay period.

Compensatory time is not to be accrued for the purpose of taking additional blocks of time in the future. Time that is not used within the prescribed guidelines will be lost.

5. Compensatory time will apply to employees other than managerial staff, who are not entitled to compensatory time.

**O. LUNCH**

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One hour is permitted for lunch and its scheduling is subject to supervisory approval.

P. HEALTH

Odyssey House recommends that employees undergo an annual physical/medical examination.

Q. DATING

1. Because of the uniqueness of the programs in our therapeutic community, random dating among staff may have a negative impact on the operations of Odyssey House and is therefore discouraged. See Appendix A, Policy on Sexual Harassment.
2. Under no circumstances is there to be any romantic or sexual involvement between employees of Odyssey House and residents in treatment, re-entry, or aftercare. Failure to conform to this policy will result in immediate termination of employment.

R. STAFF TRAVEL

1. Program personnel may receive reimbursement for travel expenses incurred while on official business only, and travel must be by the most direct route possible. An employee who travels by an indirect route or travels to additional destinations for personal business will assume the extra expense incurred.
  2. Prior approval of the Chief Financial and Administrative Officer is required for all out of state travel as well as attendance at conferences in or out of state.
  3. Public transportation must be used whenever possible.
  4. The following travel costs are NOT reimbursable: laundry, valet service, entertainment costs, personal telephone calls and telegrams, fares to and from college, moving or parking violation fines, non-emergency taxicab fares, charges for gasoline, accessories, repairs, towing, and other similar expenditures.
  5. All employee travel expenses must be documented in full.
  6. Reimbursement requests for meals, overnight per diem and transportation expenses, either by public transportation or privately owned vehicle, must be in compliance with the guidelines of the funding source.
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The full, written Odyssey House Employee Travel and Expense Reimbursement Procedure can be obtained from the Finance Department.

S. FINANCIAL TRANSACTIONS – EMPLOYEE/RESIDENT

Odyssey House policy prohibits commercial and financial transactions between employees and residents. Employees are not permitted to buy personal property from a resident or to sell personal property to a resident or to provide any kind of service at a cost to the resident. The prohibition extends to the borrowing of funds or property from a resident by an employee as well as any bartering or trading transactions between an employee and a resident. Violation of this policy will result in disciplinary action up to and including termination.

T. FALSIFICATION OF RECORDS

A vital part of the integrity of the Odyssey House program rests with the validity of the records which are kept both in regard to the residents in the program and the required business records of the organization. Deliberate falsification of any official Odyssey House record can result in immediate termination of employment.

U. SOLICITATION

To protect employees from embarrassment or unwelcome obligation, and to prevent disruption of the work environment, solicitation is prohibited.

This would include:

1. Solicitation of employees by other employees during working hours while either the employee soliciting or the employee being solicited is on duty.
2. Solicitation by non-employees on Odyssey House premises.

V. CORPORATE PROPERTY

All property, furnishings and equipment on Odyssey House premises are deemed to be the property of Odyssey House. This includes offices, desks, file cabinets, computers, closets, etc. Such property, while it may be assigned for the use of staff, remains the property of Odyssey House and is subject to examination should the need, in the opinion of Odyssey House management, arise. No private locking devices are permitted unless access is guaranteed to the management. Appropriate supervisors

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must have copies of any keys or combinations required for access to such facilities.

All manuals and other materials distributed by Odyssey House are considered Odyssey House property. Unauthorized distribution of such materials is subject to disciplinary action up to the level of termination and/or legal action.

W. BEEPERS/CELL PHONES

The use of personal beeper/cell phones on Odyssey House premises is prohibited. Only Odyssey House issued beepers or phones assigned to authorized staff are permitted. Consulting physicians, while performing their duties on Odyssey House premises, are exempted from this regulation.

X. BOUNDARIES

It is an essential function of all Odyssey House staff to model proper interpersonal boundaries regarding physical contact. Physical contact between staff and residents such as hugging, kissing, etc. is considered to be an inappropriate crossing of appropriate boundaries. As role models, such contact between members of the Odyssey House staff, on premises, is considered equally unacceptable. Violation of this policy concerning appropriate boundaries will result in disciplinary action including the potential for termination of employment.

Y. WEAPONS

The bearing of arms on Odyssey House premises is strictly forbidden under all circumstances. Staff who are authorized to carry arms for any reason, including the need to do so as a part of the duties performed at another place of work, may not bring such arms into Odyssey House premises. Violation of this regulation is grounds for termination.

Z. CODE OF ETHICS (applies to all employees)

EXECUTIVE, CLINICAL, OPERATIONS, ADMINISTRATIVE, FINANCIAL AND CLERICAL EMPLOYEES:

1. Odyssey House Records

Odyssey House books and records must accurately reflect all measurable transactions affecting the corporation, including the disposition of corporate assets and time sheet reporting of hours worked. In particular, all bank and other accounts containing corporate

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funds shall be established and maintained in the name of Odyssey House, Inc. and all transactions and accounts involving corporate funds shall be clearly and accurately identified in books and records of Odyssey House. Staff will not participate in or condone, any actions which will result in the presentation of fraudulent financial reports or records of Odyssey House.

## 2. Compliance with Laws

Staff must follow the many laws, regulations, judicial decrees and orders applicable to the corporation or any of its property, employees, or actions. While this Code of Ethics refers to some specific legal areas, it cannot comprehensively note all applicable requirements. Nevertheless, all employees are responsible for complying with all applicable legal requirements. Staff are encouraged to seek advice from counselor or the Human Resources Department concerning compliance with such requirements.

## 3. Confidential Information

Some of the most valuable assets of Odyssey House include non-public information relating to Odyssey House. Staff will at all times during the period of their employment and thereafter keep in confidence all non-public information in compliance with the Confidentiality Agreement signed at the time of employment.

## 4. Conflicts of Interest or Violation of Trust Policy

Odyssey House requires that employees act in the best interest of Odyssey House at all times and that employees shall not take advantage of their positions with Odyssey House for private advantage or gain or for the advantage of any family members, friends or acquaintances. This policy requires employees to avoid any interest or activity which might create or appear to create a conflict with their duty to Odyssey House or a violation of Odyssey House trust in its employees.

Generally, employees should avoid situations which:

- interfere with the independent exercise of judgment in the performance of duties.
  - Conflict with the best interests of Odyssey House.
  - Reflect unfavorably upon the good name of Odyssey House.
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- Divide business loyalty between Odyssey House and an outside interest.

If any situation arises which might involve an actual or potential conflict or if you need guidance concerning this policy, discuss the matter on a confidential basis with your supervisor who, in turn, may discuss the matter with the Chief Financial and Administrative Officer. If your supervisor determines an actual or potential conflict may exist, the supervisor will establish a remedial course of action with you and document both the problem and solution by providing a written summary to you and Human Resources.

The duty to report actual or potential conflicts is a continuing obligation since an activity which was initially free of conflicts may become a conflict because of changed circumstances. Please refer to the attached list of examples of situations that should be avoided by employees. This list is not exclusive or exhaustive. Each situation should be considered based on its own facts. In this regards, employees should be sensitive to situations in which a family member or friend's involvement may give rise to conflict of interest for the employee.

Any employee who violates this policy or does not follow the remedial course of actions will be subject to disciplinary action, including possible termination of employment.

### EXAMPLES

- i. An investment in any actual or potential supplier, including contractors and other providers of services to Odyssey House of any kind other than investments in securities listed on a national securities exchange or periodically traded over the counter.
  - ii. Lending money to, or borrowing money from, any client or supplier, other than a bank or financial institution.
  - iii. Use of Odyssey House resources or your position with Odyssey House to advance outside business so personal interests.
  - iv. Seeking or accepting any gift, entertainment, service, lodging, favor, payment, or other compensation from a client, supplier, or other person or entity, which payment is or may be interpreted as having been offered in an attempt or as part of an attempt to influence your conduct or actions as an employee.
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- v. Furnishing any services to any actual or potential supplier to, or competitor of, Odyssey House.
- vi. Use or disclosure of information, which has not been publicly announced by Odyssey House, relating to its activities or plans for the benefit of anyone other than Odyssey House.
- vii. Representation of Odyssey House in any transaction or activity in which the employee knows that a relative, friend, or acquaintance has a significant interest.
- viii. Engaging in outside activities that interfere with the proper and efficient discharge of duties.
- ix. Acceptance of directorship or other position in any organization which has a mission in substantial competition or conflict with Odyssey House.
- x. Signing any document or form on behalf of Odyssey House in blank or without being satisfied that it is completed correctly.

#### 5. Health and Safety

It is the policy of Odyssey House to comply fully with all applicable health and safety laws and regulations. Every employee has responsibility for attaining and maintaining a safe work environment, and each employee is expected to perform his or her duties in accordance with all health and safety laws, regulations and corporate policies. All staff are responsible for immediately bringing to his or her supervisor's attention any hazardous condition in the workplace and any other suspected violation of health and safety laws and regulations.

#### 6. Odyssey House Property

Staff are expected to refrain from the personal use of, acquisition or misappropriation of Odyssey House services, facilities, materials, equipment or other assets unless advance authorization is obtained. The use, acquisition, disposal, or liquidation of corporate assets and services will be authorized only when it is in the best interests of Odyssey House. Employees are personally accountable for corporate

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funds, facilities, services or equipment over which they have control. Taking or using corporate services, facilities, or property for personal use without appropriate authorization or approval or without a valid business reason is prohibited. Expenses properly incurred in conducting Odyssey House business must be promptly accurately documented. No corporate funds or assets shall be used for illegal purposes.

#### CLINICAL:

In addition to the above ethical requirements, the following codes must be observed by all clinical staff:

All clinical staff are required to uphold the World Federation of Therapeutic Communities Staff Code of Ethics, which is discussed in the orientation process.

The primary obligation of all staff is to ensure the quality of services to residents in treatment. The relationship between the staff and the resident is a special one and it is essential that staff have both the maturity and the ability to handle the responsibility entrusted to them.

All staff must be aware that they are part of a profession which must carefully monitor its own activities and those of its residents. This Code of Ethics relates to staff all all times, both at and away from their work.

Staff Members must:

1. Conduct themselves as mature and positive role models.
  2. Maintain all resident information in the strictest confidence with regard to all applicable laws and agency rules.
  3. Provide all residents with a copy of the "Resident Bill of Rights" and ensure that all aspects are understood and implemented by both staff and the residents.
  4. Respect all residents by maintaining non-possessive, non-punitive, and professional relationships with them.
  5. Provide service regardless of race, creed, religion, gender, national origin, sexual preference, age, disability, political affiliation, previous criminal record, or financial status.
  6. Recognize that the best interest of the resident may be served by referring that person to another agency or professional.
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7. Not engage in any sexual relationship of any kind with any resident.
8. Prevent the exploitation of residents for personal gain.

#### IV. WAGES

- A. It is the policy of Odyssey House to attempt to pay salaries equal to those paid for similar work in the local areas.
- B. Odyssey House does not provide cost of living adjustments. All salary increments are based upon performance and funding availability.
- C. In most cases, salary must be approved by the funding agency.

#### D. PAY SCHEDULE

Employees are paid by check on a bi-weekly basis on Friday.

#### E. DEDUCTIONS

Payroll deductions applicable to individual employees' particular residential locality as well as Federal Income Tax and Social Security Tax are made in each paycheck as required by law. Several additional contributions may be required such as contributions for dependent health coverage, long term disability insurance, or any other contributory plan.

#### F. INCREASES

1. All merit and promotion increases will be based upon proven performance and will not be given automatically to reward tenure.
2. All salary increases will be effective on the first day of the pay period. All such increases will be made known to employees by means of written communications from the Director of Human Resources.

#### G. PROMOTION INCREASES

1. Promotion is defined as a "regular" assignment to a position with a higher level of responsibility.
  2. Promotion increases may be recommended only after the individual has had sufficient time to be evaluated in the new position. This may insure that the employee can still go back to the original position if the
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new position does not work out. This evaluation should normally be made after thirty days in the new position.

3. An employee may be moved to a higher salary level at any time as long as the job definition is commensurate to the salary.
4. Salary may be increased at any time with a commensurate increase of responsibilities and work time demands from any funding contracts.

#### H. SALARY REVIEWS

When a funding source makes a provision for salary increases, affected employees whose performance is satisfactory will be reviewed. Odyssey House will try to compensate each employee at the market rate for his/her position.

### V. PERFORMANCE APPRAISAL, PROMOTIONS, TRAINING AND & PROFESSIONAL DEVELOPMENT, DISCIPLINARY PROCEDURE, GRIEVANCE PRECEDURE, SEXUAL HARASSMENT POLICY

#### A. PERFORMANCE APPRAISAL

1. The performance of all employees will be appraised during the introductory period and on an annual basis.
  2. Supervisors have an option to prepare formal Performance Appraisal Reports for each employee more frequently when:
    - a) There is a significant change in the employee's performance.
    - b) An employee being transferred has not been evaluated within three months preceding transfer.
    - c) If a supervisor is being transferred, evaluations for all subordinates who have not been evaluated within the preceding three months must be prepared.
  3. A supervisor should discuss the Performance Appraisal with the employee indicating steps for improvement.
  4. The employee may add comments if desired.
  5. The completed form, signed by the supervisor and employee, is sent to Human Resources Department for review as well as to be filed in the employee's file.
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**B. PROMOTIONS**

It is Odyssey House's policy to promote from within whenever possible. All promotions are based on the employee's capabilities and qualifications without regard to age, sex, race, color, creed, religion, national origin, sexual orientation, age, disability, marital status or citizenship status.

**C. TRAINING, PROFESSIONAL DEVELOPMENT**

Odyssey House encourages personal development and frequently provides in-house training when it is felt that it is mutually beneficial to staff members and Odyssey House.

**D. DISCIPLINARY PROCEDURE**

Except during the introductory period or in serious cases (e.g. resident rights, violations endangering residents' health or safety, theft, professional ethical issues, or gross insubordination) that necessitate immediate discharge, supervisors should, in general, use the following procedures in handling unacceptable performance and other disciplinary problems.

1. **VERBAL WARNING:** Supervisors must discuss unacceptable performance or behavior with the employee. These discussions should indicate the nature of the problem and the action necessary to correct it. The supervisor then prepares a memorandum of the incident and warning to file in the employee's human resource file.
  2. **WRITTEN WARNING:** When a problem continues despite verbal warnings, the supervisor should prepare a warning relating to the problem and have the employee sign to acknowledge receipt. The form should: define the problem; refer to previous warnings; outline the corrective action necessary; establish a reasonable but specific time period for follow-up; indicate the consequences for failure to correct the problem.
  3. The supervisor should discuss the Warning Report Form with the employee.
  4. This form should be signed by the employee indicating that he/she has read and understands it. If he/she refuses to sign, this should be noted by the supervisor.
  5. The form must be signed by the immediate supervisor and the supervisor on the next higher level of supervision. A copy should be
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retained by the supervisor and copies must be sent to Human Resources and to the supervisor's next higher management level for his/her records. If verbal and written warnings fail to solve the problem, the supervisor, after consulting with his superior and the Human Resources Director may discharge the employee.

E. GRIEVANCE PROCEDURE (Non-Supervisory Staff)

Occasionally, employees may feel that they have been unfairly treated, or that the terms and conditions of their employment have been violated or ignored.

STAGE 1: The employee must present his/her complaint orally to the immediate supervisor within 30 days from the occurrence of the event giving rise to the complaint.

The immediate supervisor shall meet with the employee to discuss the matter within 5 working days of such notification. The supervisor shall make an investigating of the situation as appropriate, including consultation with higher level supervision, and render a determination, normally in writing, within 15 work days of the meeting with the employee.

STAGE 2: If the complaint is not resolved during Stage 1, the employee must present written details of the complaint to the next higher supervisor. The supervisor will have 5 working days to render a written decision.

STAGE 3: If the complaint is not resolved Stage 2, the employee shall present his/her case in writing to the appropriate Vice President within 5 working days of the decision at Stage 2. If the employee is still dissatisfied, Stage 4 will ensure.

STAGE 4: Final action will be taken by the President/Chief Executive Officer. The President/CEO shall render his decision, in writing to the employee with copies to the supervisor, the appropriate department head and Human Resources Management.

F. SEXUAL HARASSMENT

The Equal Employment Opportunity Commission and the Court System have ruled that sexual harassment on the job constitutes sex discrimination and as such is prohibited by the Civil Rights Act of 1964. Guidelines from EEOC define sexual harassment as "any unwelcome

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sexual advances or request for sexual favors or any conduct of a sexual nature” when:

1. Submission to such conduct is made either explicitly or implicitly a term or condition of an individual’s employment;
2. Submission to or rejection of such conduct by any individual is used as the basis for employment decisions affecting the individual is used as the basis for employment decisions affecting the individual; or
3. Such conduct has the purpose or effect of substantially interfering with an individual’s work performance or creating an intimidating, hostile, or offensive working environment.
4. See Appendix B for the procedure for addressing allegations of discrimination/sexual harassment.

It is the policy of Odyssey House to maintain a working environment free from all forms of sexual harassment or intimidation. Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature are serious violations of our policy and will not be condoned or permitted. Not only is sexual harassment a violation of company policy, but it may also violate Title VII of the Civil Rights Act.

## VI. RESIGNATIONS, TERMINATIONS, ETC.

### A. RESIGNATIONS

1. Except during the introductory period, all employees (clinical and non-clinical) should give notice in writing at least 4 weeks (if possible) prior to the effective date of resignation.
2. Employees who voluntarily resign following proper notice will be entitled to such leave as they have accrued.
3. All responsibilities must be completed before the employee’s last pay check is released. These responsibilities include appropriate charting of residents’ files, etc. Other requirements pertaining to the individual’s job position should be discussed with the employee’s immediate supervisor. The final pay check will be released by the Financial Department upon written approval from the immediate supervisor.

### B. TERMINATION OF EMPLOYMENT

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The following infractions of Odyssey House policy will result in termination of employment.

1. The use of any prescription medication not prescribed by a physician is forbidden and grounds for immediate dismissal. The use of an illicit substance by any staff member is grounds for automatic termination of employment.
  2. The use of alcohol by any staff member is grounds for termination of employment in one or more of the following circumstances:
    - a) Alcohol consumed on the premises of the agency, offices or treatment facility.
    - b) Employee enters the agency premises while intoxicated.
    - c) Employee's consumption or use of alcohol interferes with job Performance.
    - d) Alcohol is consumed during the lunch period or any other break period during the work day.
  3. Conviction or a guilty plea for a misdemeanor or felony relating to and affecting the conditions of employment, or any other conduct detrimental to the conduct of business at Odyssey House is grounds for termination.
  4. Failure to keep information concerning the Company, staff and residents in strict confidence will result in dismissal.
  5. Termination of employment will be immediate upon the breaking of any of the rules listed below or for having knowledge of such violations by staff or residents without disclosure to a supervisor:
    - a) No employee may steal.
    - b) No employee may possess contraband, i.e., illicit drugs, etc.
    - c) No employee may threaten or actually engage in acts of physical violence.
    - d) No employee may violate the Agency's proscriptions regarding sexual interactions, either verbal or otherwise, with residents, nor may he/she withhold knowledge of such actions between staff or residents.
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6. Failure to appropriately report an absence will result in lost of pay for those unreported days absent and may result in dismissal.

C. JOB DISCONTINUANCE (STAFF CUT-BACKS)

1. It is the policy of Odyssey House to try to place employees whose positions have been eliminated into other positions which might be available within the Odyssey House organization.
2. Layoffs occur when funding is shifted, reduced or eliminated. Written performance evaluations and proper (clinical) staffing needs will govern the order of layoffs for employees.
3. In the events of a layoff, the immediate supervisor will inform the affected employees of their layoff.

D. RE-EMPLOYMENT

Terminated employees who are rehired within six months will be restored to the payroll with seniority and eligibility for benefits, computed on the basis of the employment date of the prior service period, within the confines of the program's budget and governmental grant requirements.

E. LEAVES OF ABSENCE

1. Those employees on an approved leave of absence will continue to accrue seniority as if they were working.
2. With the exception of an employee returning from a military leave of absence, restoration to the active payroll is contingent upon the availability of a suitable opening at the time the employee is ready to return.
3. Employees may continue benefits coverage during leave by paying premiums themselves. However, health insurance benefits will remain in effect in the event of FMLA leave. The cost of dependent coverage must be assumed by employee while on leave.
4. If the need for a leave arises, requests must be made to the supervisor as far in advance as possible.
5. Approval by the Human Resources Director is required in all cases.

F. BEREAVEMENT LEAVE

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Time of with pay, not to exceed four (4) work days, will be granted to an employee for death in the immediate family. This time will be considered “special with pay” and will not be charged to any accumulated leave balance.

For this purpose, immediate family shall be defined as: spouse, child, parent, sibling, unmarried partner, mother-in-law, father-in-law. Exceptions to this definition must be approved by Senior Management.

Time off may be granted with the approval of the Senior Management to attend the funeral of a staff member.

#### G. MILITARY TRAINING LEAVE

Employees who are members of Reserve Units must take any necessary leave without pay for military reserve training. Alternatively this may be taken as vacation if the employee has accrued sufficient leave.

#### H. MILITARY LEAVE

Employees who may enter the military service of the United States will be re-employed, whenever possible, upon return, provided he/she makes re-application within 60 days after discharge from military service and a position commensurate with this his/her experience is available.

#### I. EXIT INTERVIEWS

1. At the time of termination of employment, supervisors are responsible for performing an exit interview including the following:
  - a) Reasons for leaving.
  - b) Opinions of Odyssey House.
  - c) Suggestions for improvement.
  - d) Any other helpful information.
2. The interview should take place immediately after the employee has given notice.

#### J. DEATH

1. In the case of the death of an active employee or when made aware of the death of a member of an active employee’s family, supervisors should notify Human Resources so that proper procedures may be implemented
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2. In the case of the death of a “regular” employee, the following payments will be made: Payment for the time worked and vacation accrued will be made to the representative of the employee’s estate (usually next of kin).

## VII. PRIVATE PRACTICE, BUSINESS OR OTHER EMPLOYMENT

Odyssey House staff are permitted to engage in private practice, business, or other employment in accordance with the policies outlined below. However, no officer or employee is permitted to have an economic interest in any supplier of goods or services to Odyssey House.

- A. Active residents of Odyssey House may not be seen by Odyssey House employees in private practice.
- B. Performance on the job at Odyssey House must not be negatively affected by engaging in private practice, business or other employee after hours.
- C. Private clinical practice or business ventures must be undertaken at hours other than when the staff member is employed by Odyssey House. During working hours, Odyssey House matters must be primary and all matters involving private practice or business must be kept secondary to the employee’s duties and responsibilities to Odyssey House. Private practice is to be conducted OFF Agency premises.
- D. Employees embarking upon a private practice or business shall notify the Human Resources Department in writing of such intent, prior to so doing.
- E. All outside employment and consulting performed by Odyssey House staff, including the time commitment involved, must be disclosed to the Human Resources Department on an annual basis.
- F. Employees are not to employ current or former residents, either in private business activities or for other tasks.

## VIII. CIVIC AFFAIRS

Employees who engage in political activities do so as individual citizens, not as representatives of Odyssey House.

### A. JURY DUTY

1. An employee summoned for jury duty or as a witness will receive full pay and necessary time off.
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2. To be excused for jury duty, the employee must submit to his/her supervisor a copy of the jury duty summons immediately upon receipt and upon completion of service, provide proof for the time served.
3. If a supervisor requests that leave for jury duty be deferred, the supervisor will provide a written request to the appropriate authority for jury selection.
4. It is expected that employees who are still working within the introductory period should request a deferral until after completion of that period.

#### B. PUBLICATIONS AND SPEECHES

1. Employees are encouraged to contribute articles to professional journals and to speak before interested groups, but if they are using Odyssey House data or the Odyssey House name, the employee must have the approval of the Vice President of Communications.
2. If such publications or speeches may be construed as representing the position of Odyssey House on any subject, prior approval must be received from the Director of Communications.
3. Employees agree, as a condition of their employment, that data generated within the treatment or administrative work of Odyssey House is solely the province of Odyssey House to use in the best interests of the residents in its care. Therefore, no employee shall, during or after employment, publish any writing or distribute any such data without the written consent of the Director of Communications.

#### IX. DONATIONS

To avoid any questionable audit findings and conflict of interest questions from funding sources, it is the policy of Odyssey House that employees cannot donate any items other than cash to Odyssey House, and request tax deductions for those items.

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## APPENDIX A

POLICY: SEXUAL HARASSMENT

## POLICY STATEMENT:

It is the policy of Odyssey House to promote a cooperative work environment in which there exists mutual respect for all employees and residents. Harassment of employees or residents based upon sex is inconsistent with this objective and contrary to Odyssey House policy of equal employment opportunity without regard to age, sex, race, color, creed, religion, national origin, sexual orientation, age, disability, marital status or citizenship status. Sexual harassment is illegal under Federal, State, and City laws, and will not be tolerated in the Odyssey House environment.

Odyssey House will disseminate this policy and take other steps to educate the Odyssey House community about sexual harassment. Odyssey House will establish procedures to ensure that investigations of allegations of sexual harassment are conducted in a manner that is prompt, fair, thorough, and as confidential as possible under the circumstances and that appropriate corrective and/or disciplinary action is taken as warranted by the circumstances when sexual harassment is determined to have occurred. Members of the Odyssey House community who believe themselves to be aggrieved under this policy are strongly encouraged to report the allegations of sexual harassment as promptly as possible. Delay in making a complaint of sexual harassment may make it more difficult for Odyssey House to investigate the allegations.

## A. PROHIBITED CONDUCT

It is a violation of Odyssey House policy for any employee or resident to engage in sexual harassment or to retaliate against any other employee or resident for raising an allegation of sexual harassment, for filing a complaint alleging sexual harassment, or for participating in any proceeding to determine if sexual harassment has occurred.

## B. DEFINITION OF SEXUAL HARASSMENT

For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or written communications or physical conduct of a sexual nature when:

1. submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or treatment;
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2. submission to or rejection of such conduct by an individual is used as a basis for employment or treatment decisions affecting such individual; or
3. such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or treatment effectiveness, or creating an intimidating, hostile or abusive work or treatment environment.

Sexual harassment can occur between individuals of different sexes or of the same sex. Although sexual harassment most often exploits a relationship between individual of unequal power (such as between supervisor and staff members, or between counselor and resident), it may also occur between individuals of equal power (such as between fellow employees), or in some circumstances even where it appears that the harasser has less power than the individual harassed (for example, a resident sexually harassing a staff member). A lack of intent to harass may be relevant to, but will not be determinative of, whether sexual harassment has occurred.

#### C. EXAMPLES OF SEXUAL HARASSMENT

Sexual harassment may take different forms. Using a person's response to a request for sexual favors as a basis for an employment or treatment decision is one form of sexual harassment. Examples of this type of sexual harassment (known as quid pro quo harassment) include, but are not limited to, the following:

- requesting or demanding sexual favors in exchange for employment or treatment opportunities;
- submitting unfair or inaccurate job evaluations or treatment evaluations, or denying training, promotion or access to any other employment or treatment opportunity, because sexual advances have been rejected.

Other types of unwelcome conduct of a sexual nature can also constitute sexual harassment, if sufficiently severe or pervasive that the target does find, and a reasonable person would find, that an intimidating, hostile or abusive work or treatment environment has been created. Examples of this kind of sexual harassment (known as hostile environment harassment) include, but are not limited to, the following:

- sexual comments, teasing, or jokes;
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- sexual slurs, demeaning epithets, derogatory statements, or other verbal abuse;
- graphic or sexually suggestive comments about an individual's attire or body;
- inquiries or discussions about sexual activities;
- pressure to accept social invitations, to meet privately, to date, or to have sexual relations;
- sexually suggestive letters or other written materials;
- sexual touching, brushing up against another in a sexual manner, graphic or sexually suggestive gestures, cornering, pinching, grabbing, kissing, or fondling; coerced sexual intercourse or sexual assault.

#### D. CONSENSUAL RELATIONSHIPS

Amorous dating, or sexual relationships that might be appropriate in other circumstances have inherent dangers when they occur between an Odyssey House staff member and any subordinate employee for whom he or she has a professional responsibility. These dangers can include: that a subordinate employee may feel coerced into an unwanted relationship because he or she fears that refusal to enter into the relationship will adversely affect his or her employment; that conflicts of interest may arise when a supervisor is required to evaluate the work or make personnel decisions with respect to an individual with whom he or she is having a romantic relationship; that employees may perceive that a fellow resident or co-worker who is involved in a romantic relationship will receive an unfair advantage; and that if the relationship ends in a way that is not amicable, either or both of the parties may wish to take action to injure the other party.

Supervisors and other members of the Odyssey House community who have professional responsibility for other individuals, accordingly, should be aware that any romantic or sexual involvement with an employee for whom they have such a responsibility may raise questions as to the mutuality of the relationship and may lead to charges of sexual harassment. For the reasons stated above, such relationships are strongly discouraged.

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For purposes of this section, an individual has “professional responsibility” for another individual at Odyssey House if he or she performs functions including, but not limited to, hiring, supervising, evaluating, or making recommendations that confer benefits such as promotions or remuneration, or that may impact upon other employment opportunities; or in the case of residents, treatment considerations.

**E. FALSE AND MALICIOUS ACCUSATIONS**

Members of the Odyssey House community who knowingly and willingly make false or malicious complaints or sexual harassment, as opposed to complaints which, even if erroneous, are made in good faith, will be subject to disciplinary action.

**F. PROCEDURES**

Odyssey House shall develop procedures to implement this policy. The President/CEO and Senior Management Team shall have ultimate responsibility for overseeing compliance with this policy. In addition, each Program Director or other person with supervisory responsibility shall be required to report any complaint of sexual harassment to an individual or individuals to be designated in the procedures. All members of the Odyssey House community are required to cooperate in any investigation of a sexual harassment complaint.

**G. ENFORCEMENT**

There is a range of corrective actions and penalties which Odyssey House may employ for violations of this policy. Following applicable investigatory proceedings, employees who are found to have violated this policy are subject to various penalties, including termination of employment.

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## APPENDIX B

PROCEDURE FOR PROCESSING CHARGES OF SEXUAL HARASSMENT OR DISCRIMINATION

## Step I

The employee who perceives that s/he has been subject to sexual harassment or discrimination should report the matter to the Director of Human Resources or another senior manager of Odyssey House with whom the employee feels comfortable discussing the matter. This would include the President/CEO, Chief Financial and Administrative Officer, Director of Human Resources or any other senior manager of Odyssey House.

On or after the initial contact with the chosen administrator, the complaint must be submitted, in writing, to the Director of Human Resources unless the complainant is charging him/her with the harassment/discrimination. Should that be the case, an alternate administrator from those listed above would be chosen.

## Step II

An immediate investigation will be conducted by the Director of Human Resources or designated member of the management. This will include interviews with all individuals and witnesses with knowledge of the incident.

Within three days of the completion of the interviewing process, the Director of Human Resources will provide to the complainant a written decision in the matter which will include any recommendations for the correction of the situation.

## Step III

Should the decision not be satisfactory to the complainant, he/she will submit his/her written appeal to the Chief financial and administrative Officer who will review the written records of the case and render a decision. If he/she believes it is appropriate, additional investigation and interviews will be conducted. A decision will be rendered within three days of the completion of the investigation.

## Step IV

Should the appeal not result in an adjustment to the satisfaction of the complainant, the matter can be submitted to the President/CEO for a final review and a written decision to be completed within seven days.

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APPENDIX C

EMPLOYMENT PROCEDURE

A. RECRUITMENT

The official Odyssey House employment application form requires that applicants respond with a “Yes” or “No” to the question “Have you been convicted of a felony or misdemeanor in the last seven (7) years in the State of New York or any other jurisdiction? If yes, please explain:”

A positive response to this question will not result in denial of employment unless the conviction for the felony or misdemeanor is related to the proposed employment. Such responses become part of the applicant’s Human Resources file and as such are considered confidential. This information cannot be released without the receipt of the applicant’s/employee’s written consent.

