

C. Employment Status and Records

1. Employment Classification

It is the intent of the Clinic to clarify the definitions of employment classifications so that employees understand their employment status and benefit eligibility. These classifications do not guarantee employment for any specified period of time. Accordingly, the right to terminate the employment relationship at will at any time is retained by both the employee and the Clinic.

Each employee is designated as either nonexempt or exempt from federal and state wage and hour laws. Nonexempt employees are entitled to overtime pay under the specific provisions of federal and state laws. Exempt employees are excluded from specific provisions of federal and state wage and hour laws. An employee's exempt or nonexempt classification may be changed only upon written notification by the Clinic's management and only when in accordance with federal and state wage and hour laws.

In addition to the above categories (exempt or nonexempt), each employee will belong to one other employment category:

- **Regular full-time employees** are those who are not assigned to a introductory, temporary/seasonal, or casual status and who are *regularly scheduled* to work the Clinic's full-time schedule of 30-40 hours per week.
- **Regular part-time employees** are those who are not assigned to a introductory, temporary/seasonal, or casual status and who are *regularly scheduled* to work less than 30 hours per week. Part-time status is further broken out into two categories for the purpose of vacation accrual. Please refer to the current Benefit Book for details. A part-time employee who works less than 15 hours per week is not eligible for benefits except those benefits required by law.
- **Introductory employees** are those whose performance is being evaluated to determine whether further employment in a specific position or with the Clinic is appropriate. An Introductory employee who works less than 15 hours per week is not eligible for benefits except those benefits required by law. Employees who satisfactorily complete the probationary period will be notified of their new employment classification.
- **Temporary/Seasonal employees** are those who are hired as interim replacements, to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category are of a limited duration. Employment beyond any initially stated period does not in any way imply a change in employment status. Temporary employees retain that status unless and until notified of a change. A Temporary/Seasonal employee who works less than 15 hours per week is not eligible for benefits except those benefits required by law.

- **Casual employees** are those who have established an employment relationship with the Clinic but who are assigned to work on an intermittent and/or unpredictable basis. These employees are not eligible for the Clinic benefit programs except such benefits that are legally mandated.

Note: *Regularly scheduled* status is determined primarily by number of hours scheduled to be worked each week. However, since number of hours per week may change during the year and/or be seasonal, regularly scheduled status is further defined by the average number of hours worked in the course of 12 consecutive months. For example, an employee who works part-time during the school year, then works full-time during the summer would still be classified as part-time unless his/her average hours in a period of 12 consecutive months is at least 30 hours per week. Also, an employee who works during the summer only would in the same manner be classified as part-time as their employment is seasonal and of short duration.

2. Employment Applications

The Clinic relies upon the accuracy of information contained in the employment application as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the Clinic's exclusion of the individual from further considerations for employment or, if the person has been hired, termination of employment.

3. Introductory Period

The introductory period is intended to give new employees the opportunity to demonstrate their ability to achieve a satisfactory level of performance and to determine whether the new position meets the Clinic's expectations. The Clinic uses this period to evaluate employee capabilities, work habits, and overall performance. Either the employee or the Clinic may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

All new and rehired employees work on an introductory basis for the first 90 calendar days after their date of hire. Employees who are promoted or transferred within the Clinic must complete a secondary introductory period of the same length with each reassignment to a new position. Any significant absence will automatically extend an introductory period by the length of the absence. If the Clinic determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee's performance, the introductory period may be extended for a specified period.

In cases of promotions or transfers within the Clinic, an employee who, in the sole judgment of management, is not successful in the new position can be removed from that position at any time during the secondary introductory period. If this occurs, the employee may be allowed to return to his or her former job or to a comparable job for which the employee is qualified, depending on the availability of such positions and the Clinic's needs.

Upon satisfactory completion of the initial introductory period, employees enter the "regular" employment classification.

During the initial introductory period, new employees are eligible for those benefits that are required by law, such as workers' compensation insurance and Social Security. In addition, some Clinic-provided benefits such as employee pet discounts and partial scrubs reimbursement may be provided during the introductory period. After successful completion of the introductory period, the employee may be eligible for other Clinic-provided benefit programs, subject to the terms and conditions of each benefit program.

Unless their new position changes their employment classification which in turn changes their eligibility for certain benefits, employees in a secondary Introductory Period will remain eligible for those benefit programs for which they qualified for after completion of their initial Introductory Period.

4. Performance Evaluation

Management and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted at the end of an employee's initial period in any new position. This period, known as the introductory period, allows management and the employee to discuss the job responsibilities, standards, and performance requirements of the new position. Additional formal performance evaluations are conducted to provide management and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

The performance of all employees is generally evaluated according to an ongoing six-month cycle, beginning at the calendar year.

Merit-based pay adjustments are awarded by the Clinic in an effort to recognize truly superior employee performance. The decision to award such an adjustment is dependent upon numerous factors, including the information documented by this formal performance evaluation process.

5. Personnel Data Changes

It is the responsibility of each employee to promptly notify the Clinic of any changes in personnel data. Personal mailing addresses, telephone numbers, number of dependents, individuals to be contacted in the event of an emergency, and other such status reports should be accurate and current at all times. If any personnel data has changed, notify the Practice Manager immediately.

6. Employment Termination

Termination of employment is an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Below are examples of some of the most common circumstances under which employment is terminated:

Resignation – voluntary employment termination initiated by an employee.

Discharge – involuntary employment termination initiated by the Clinic for

disciplinary reasons.

Layoff – involuntary employment termination initiated by the Clinic for nondisciplinary reasons.

Death – death of employee ends employment.

Retire – retirement of employee ends employment.

With the exception of death of the employee, the Clinic will generally schedule exit interviews at the time of employment termination. The exit interview will afford an opportunity to discuss such issues as employee benefits, repayment of outstanding debts to the Clinic, or return of Clinic-owned property. Suggestions, complaints, and questions can also be voiced.

Employee vacation payout will be affected by employment termination in the following manner. Except when an employee is discharged by the Clinic or has abandoned their job, all accrued vacation that is due and payable at termination will be paid out on the final paycheck. In the case of discharge or job abandonment, accumulated vacation will be forfeited.

7. Employment Reference Checks by Others Outside of the Clinic

The Practice Manager will respond in writing only to those reference check inquiries that are submitted in writing. No employment data will be released without a written authorization and release signed by the individual who is the subject of the inquiry.

8. Access to Personnel Files

The Clinic maintains a personnel file for every employee. It is important that accurate, current records be maintained for benefits, government, and employment purposes. Therefore, all employees are required to notify the Practice Manager immediately if there is any change in relevant personal or employment information such as changes in address, phone numbers, emergency contact, number of dependents, legal name, etc.

All information contained in the personnel file is the property of the Clinic and is not available for review by anyone other than the employee, the Practice Manager and the Owner. Employees may examine their personnel files after contacting the Practice Manager in advance to schedule an appointment; however, these documents may not be removed from the Clinic's premises or photocopied without the specific authorization of the Practice Manager or Owner.

If an employee believes that information in their personnel file is incorrect, they must submit a written request to change the information to the Practice Manager. If such a request is granted, the Practice Manager will make the change. If the request is denied, an employee can ask to place a statement of disagreement in the file. This statement of disagreement will become a permanent part of the employee's file.

The Clinic considers falsification of personnel records to be a serious offense, and upon discovery can lead to disciplinary action, up to and including discharge from employment.