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Summary: All former SRS policies, procedures and guidance remain in effect under KDADS until changed or revoked as approved by KDADS Central Office Legal and Human Resources.

The disability and behavior health services section of the Department for Children and Families (“DCF,” formerly Department for Social and Rehabilitation Services) has been transferred to the Department for Aging and Disability Services (KDADS). 2012 Kan. Sess. Laws § 185 Sec. 3(a). Programs transferred under this section include:

- Medicaid Waivers & Programs (including Mental Health and substance abuse, serious emotionally disturbed developmental disability, physical disability, traumatic brain injury, autism, technology assistance, and money-follows-the-person);
- Licensure and regulation of community mental health centers;
- Regulation of community developmental disability organizations;
- Licensure and regulation of facilities and providers of residential services;
- Licensure and regulation of providers of addiction and prevention services; and
- Any other programs and related grants administered by the disability and behavior health services section of DCF.

2012 Kan. Sess. Laws § 185 Sec. 3(a)(1)-(7).

Also transferred to KDADS from DCF were state institutions including Osawatomie State Hospital, Rainbow Mental Health Facility, Larned State Hospital, Parsons State Hospital and Training Center, and the Kansas Neurological Institute. 2012 Kan. Sess. Laws § 185 Sec. 4(a).

As such, all rules, regulations, orders, directives, or words of like effect implemented under DCF remain effective under KDADS until revised, amended, revoked, or nullified pursuant to law. 2012 Kan. Sess. Laws § 185 Sec. 5(b).



KDADS fully supports diversity, Equal Employment Opportunity (EEO), and Affirmative Action (AA) principles, practices, and programs. KDADS supports EEO through the administration of a personnel system that promotes the right of all persons to work and to advance on the basis of merit and ability without regard to race, religion, religious beliefs, color, sex, sexual orientation, gender identity, national origin or ancestry, age, disability, military or veteran status, political affiliation, or genetic information. . KDADS supports Affirmative Action through a deliberate and sustained effort to identify and eliminate barriers to the employment and advancement of females and minorities. KDADS desires a diverse workforce that is representative of the State's available workforce. KDADS encourages all employees to make a good faith effort to learn about, understand, and support diversity.

Reference: Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq. (1964); Genetic Information Nondiscrimination Act, Pub.L 110-233 (2008); Kansas Act Against Discrimination, K.S.A. 44-1001 et seq; Americans with Disabilities Act of 1990, Pub. L. No. 101-336, 104 Stat. 327, 24 U.S.C. § 12101 et seq. (1990); Age Discrimination in Employment Act of 1967 (Pub. L. 90-202), 29 U.S.C. § 621 et seq; K.A.R. 1-3-5 thru 1-3-6; Kansas Civil Service Act, in part, K.S.A. 75-2949f.



The Americans with Disabilities Act (ADA) purposes to eliminate discrimination against individuals with disabilities and it is the purpose of the Kansas Act Against Discrimination to eliminate and prevent discrimination, in all employment relations and to eliminate and prevent discrimination, or separation in all places of public accommodations.. Kansas Department for Aging and Disability Services (KDADS) is committed to ensuring that persons with disabilities are afforded the opportunity to participate fully in all aspects of employment.

KDADS shall make reasonable accommodations to known physical or mental limitations of an otherwise qualified employee with a disability unless it can be demonstrated that such accommodation would impose an undue burden. KDADS shall keep posted in a conspicuous place or places on its premises a notice or notices to be prepared or approved by the commission, which shall set forth excerpts of the Kansas Act Against Discrimination and such other relevant information which a state commission shall deem necessary to explain the act. Employees with a disability have the right to reasonable accommodations and the responsibility to notify management of their needs and work cooperatively towards meeting those needs.

Reference: Americans with Disabilities Act of 1990, Pub.L. 101-336, 42 U.S.C. § 12101 et seq.; Kansas Act Against Discrimination, K.S.A. 44-1001 et seq; K.A.R. 1-3-5 thru 1-3-6; K.A.R. 1-6-2; ; K.S.A. 75-2925 thru 75-2926, K.S.A. 75-2939 thru 75-2940; K.S.A. 75-2947; K.S.A. 75-2955



KDADS' Equal Opportunity and Affirmative Action program complies with the following acts: Civil Rights Act of 1964 as amended by the Equal Employment Opportunity Act of 1972; Age Discrimination in Employment Act of 1967; Kansas Act Against Discrimination; Intergovernmental Personnel Act of 1970; Federal Standards for a Merit System of Personnel Administration; and all other applicable federal and state laws. All employees are required to adhere to the letter of the law and the spirit of these policies by supporting a work environment free of discrimination and harassment. Employees and management personnel are encouraged to support diversity and equal employment opportunities.

Reference: Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq. (1964); Kansas Act Against Discrimination, K.S.A. 44-1001 et seq; K.A.R. 1-3-5 thru 1-3-6; Kansas Civil Service Act, in part, K.S.A. 75-2949f.



Sexual harassment of co-workers, consumers, patients/residents, volunteers, or business partners is unacceptable conduct and will not be tolerated. Any employee who engages in conduct that constitutes sexual harassment shall be subject to appropriate disciplinary action(s).

Sexual harassment is prohibited by Title VII of the 1964 Civil Rights Act. The Equal Employment Opportunity Commission references sexual harassment as unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made as an implicit or explicit term or condition of an individual's employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting the individual; (3) or such conduct has the purpose of unreasonably interfering with the individual's work performance or creating an intimidating, hostile, or offensive working environment.

Sexual harassment may occur as a single incident or as a pattern of incidents that may include verbal, non-verbal, or physical conduct such as:

- Sexually-oriented conversations, joking, innuendos, and comments regarding sexual activities.
- Subtle pressure for dates or propositions for sexual relations.
- Physical contact such as patting, pinching, kissing, and hugging.
- Requests for sexual favors, accompanied by implied or explicit promises of preferential treatment or threats concerning an individual's employment status.
- Displaying, brandishing or sending electronic communications including text messages, written materials, or pictures/images of a sexual nature.
- Posting visual displays containing sexual overtones.
- Spreading rumors about a person's sexual activity.

Sexual conduct of a verbal or physical nature has occurred when acts or attempts to commit acts of sexual abuse, sexual contact, sexual assault, unlawful sexual relations are directed towards consumers, patients/residents, employees, co-workers, or business partners. This also includes actions, conversations, or correspondence such as email or text messages that demonstrate or suggest a romantic or intimate relationship between a patient/resident, an employee, or co-worker. Whether or not the patient/resident consents or initiates the behavior is irrelevant in determining if sexual misconduct sexual harassment has occurred.

KDADS employees, volunteers, or business partners who experience or observe an incident of sexual harassment by a KDADS employee, volunteer, or business partner shall immediately report the incident to the appropriate KDADS Supervisor/Manager, EEO Coordinator, or Human Resources. Any KDADS employee receiving a report from a consumer, patient/resident regarding an incident of sexual harassment by a KDADS employee, volunteer, or business

partner shall immediately report the incident to the appropriate KDADS Supervisor/Manager, EEO Coordinator, or Human Resources Representative. Human Resources in consultation with the KDADS Legal Division will investigate all sexual harassment complaints, take corrective action where necessary, and document the investigation and the resolution

Reference: Title VII of the Civil Rights Act of 1964 § 7, 42 U.S.C. §2000e et seq. (1964); 29 C.F.R. § 1604.11; Kansas Act Against Discrimination, K.S.A. 44-1001 et seq; Kansas Civil Service Act, in part, K.S.A. 75-2949f.



It is the responsibility of any employee who believes they have been subjected to harassment and/or discrimination to bring their complaint to their immediate supervisor and Human Resources (HR). If the employee feels that it is his or her immediate supervisor who caused or knowingly condoned the harassment, then the employee should go to that supervisor's supervisor and HR.

It is the responsibility of every employee to report harassment or discrimination of which they become aware. Anytime a harassment or discrimination complaint is made, the agency will take immediate action to investigate the complaint and will take appropriate disciplinary action. The employee making the complaint will receive notification of the completion of the investigation regarding the complaint.

Complaints are to be treated in a confidential, professional, and timely manner. Reporting harassment or discrimination shall not reflect upon an employee's standing within the agency. The employee will not be subject to any form of retribution or retaliation, directly or indirectly. Any person, who makes or participates in such retribution or retaliation, directly or indirectly, will be subject to disciplinary action.

Reference: 3.7 Complaint/Grievance Procedure; Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq. (1964); Kansas Act Against Discrimination, K.S.A. 44-1001 et seq. Kansas Act Against Discrimination, K.S.A. 44-1001 et seq.; Kansas Civil Service Act, in part, K.S.A. 75-2949f; K.A.R. 1-12-1 et seq.



Kansas law prohibits any state employee from accepting or requesting meals, gifts, entertainment, or travel with a few exceptions.

MEALS:

* **Rule:** As a state employee, you are prohibited from soliciting or accepting free or discounted meals from a source outside state government.

* **Exception:** Meals motivated by a personal or family relationship, or provided at events which are widely attended by the public; Beverages and snack foods not offered as part of a meal; Meals provided at public events, which you attend in your state capacity; and Meals provided to you when it is obvious the meal is not being provided because of your state position.

GIFTS

* **Rule:** As a state employee, you are prohibited from soliciting or accepting any gift because of your employment with the state.

* **Exceptions:** Tokens of appreciation, souvenirs, or other gifts valued at less than \$40 given at ceremonies or public functions in your capacity as a state employee; Gifts from relatives or personal friends; and Gifts accepted on behalf of the state.

ENTERTAINMENT

* **Rule:** You are prohibited from accepting gifts in the form of entertainment. Entertainment includes free or discounted tickets or passes to events, such as plays, concerts, games, golf, hunting, fishing, and other recreational activities.

TRAVEL & EVENTS

* **Travel Rule:** You are prohibited from accepting travel or lodging provided to you by any person or company. An exception to the travel expense rule exists when a state agency would be willing to pay your expenses for travel, lodging, and related expenses, or as listed above in the "Entertainment" section.

* **Events Rule:** The ability of state employees to accept reimbursement for free registration and travel costs to conferences or seminars is allowed "when the person's presence at a meeting, seminar or event serves a legitimate state purpose or interest and the person's agency authorizes or would authorize payment for such travel and expenses."

GENERAL EXCEPTIONS TO THESE RULES

*The following can be accepted without violating the law: Gifts given to you by someone based on a personal relationship totally unrelated to your state duties; Soft drinks, coffee, or snack foods not offered as part of a meal; Plaques presented in recognition of your state service, awards and plaques presented in recognition of service to the community, etc.; Prizes given in truly random drawings; and rebates/discounts or promotional items available to any citizen or to all state employees; Intra-office gift exchange, gifts for boss's day, secretary's day, etc.

You should consult with the Kansas Governmental Ethics Commission at 785-296-4219 or go to www.kansas.gov/ethicsopinion when you are not sure if you can accept a meal, gift, entertainment, or travel. A violation of any of these provisions may subject you to a civil fine up to \$5,000. In addition, the Governor may reprimand or remove you from state service.

Reference: K.S.A. 46-237 & 46-237a; Kansas Governmental Ethics Commission Guidelines for State Employees Concerning Meals, Gifts, Entertainment, and Travel (2000) and Opinion No. 2008-03, 2007-13, 2004-01, 2001-10, 2000-40, 2000-01 and 1997-26.



Employment responsibilities to the State are primary for all KDADS full and part-time employees. All other employment is secondary. The purpose of this policy is to ensure that any secondary employment does not adversely impact the employee's primary responsibilities and does not create a conflict of interest, as defined herein. For purposes of this policy, secondary employment means "any other job or role in which the state employee receives compensation for services provided, other than his or her State position, whether as a contractor or an employee".

1. Secondary employment shall not be permitted when it would likely:
 - a. Create or appear to create either directly or indirectly a conflict of interest with the primary employment; or
 - b. Impair in any way the employee's ability to perform all expected duties, to make decisions and carry out in an objective fashion the responsibilities of the employee's position.

2. An employee may not accept secondary employment if it would interfere with the "core hours" and/or "regular assigned working hours" of employment determined by KDADS. KDADS shall have the final determination of its core hours and regular assigned working hours of employment.

3. No KDADS' employee may receive compensation from any secondary employment for performing duties at the same time he or she is "on-duty" at his or her primary employment with KDADS. Examples, not limitations include:
 - (i) an employee **may not** accept compensation for working at the same time the employee is working for the primary employer;
 - (ii) an employee **may** accept a compensated speaking engagement or make a presentation at an event occurring during primary work hours, if the employee takes annual leave time for the event and the secondary employment is otherwise permissible under this policy;
 - (iii) an employee with regular assigned working hours of 8 a.m. to 5 p.m. M-F **may** maintain secondary employment with evening or weekend working hours if the secondary employment is otherwise permissible under this policy.

4. If the secondary employment has any possibility of creating or appearing to create a direct or indirect conflict of interest or any impairment in the objective performance of primary employment responsibilities; it is the employee's responsibility to immediately notify his or her supervisor and Human Resource Director. The Human Resource Director will notify the Deputy Director of Human Services. The employee may elect to request a written opinion from the Kansas Commission on Ethics. While any ethics opinion submitted by the employee may be considered, the ultimate decision concerning permissibility shall rest with the Appointing Authority. Examples, not limitations include:

- (i) an employee in a position with the KDADS Commission responsible for licensure or regulation of Adult Care Homes **may not** accept secondary employment working for a licensee;
- (ii) an employee working in a position with the KDADS Commission responsible for licensure and regulation of Community Service Providers **may not** accept secondary employment working for a licensee;
- (iii) an employee of a KDADS Institution working in a position involving discharge planning for patients **may not** accept secondary employment working for a facility that accepts placement of patients discharged from that Institution.
- (iv) an employee of a KDADS Institution working in a position involving providing direct personal care to patients **may** accept secondary part time employment providing direct personal care to residents of a community service provider licensed by KDADS, if the secondary employment is otherwise permissible under this policy.

5. There are no appeal rights, grievance or other review relating or pertaining to this policy.

Reference: K.S.A. 46-215 et seq.



KDADS employees are encouraged to exercise their constitutional right to vote in elections. Employees however, cannot engage in any political activity while on state time, using state property (including but not limited to, telephones, vehicles, fax machines, copiers, computers, etc.) or from a state office. If an employee desires to engage in any political activity, he/she must comply with all state and federal statutes and regulations concerning such political activity. No officer, agent, clerk, or employee of this state shall directly or indirectly use their authority or official influence to compel any officer or employee to apply for membership in or become a member of any organization, or to pay or promise to pay any assessment, subscription or contribution, or to take part in any political activity. Any officer or employee in the state classified service shall resign from the service prior to taking the oath of office for a state elective office.

Additionally, no officer or employee of the state shall use or authorize the use of public funds or public vehicles, machinery, equipment or supplies of any such governmental agency or the time of any officer or employee which is compensated by such governmental agency, to expressly advocate the nomination, election or defeat of a clearly identified candidate to state office or local office.

The Federal Hatch Act also applies to the political activity of certain state and local government employees. Employees covered under the Hatch Act are persons principally employed by state or local executive agencies in connection with programs financed in whole or in part by federal loans and grants. Those state employees covered by the Hatch Act may not, for example, be candidates for public office in a partisan election, use official authority or influence to interfere with or affect the results of an election or nomination, or, directly or indirectly coerce contributions from subordinates in support of a political party or candidate.

Employees who have specific questions about the Hatch Act can contact the Office of Special Counsel, the Federal agency responsible for investigating violations of the Hatch Act, at 800-85-HATCH (800-854-2824) or by e-mail at www.hatchact@osc.gov.

Additional state and federal statutes and regulations may also apply.

Reference: K.S.A. 75-2953; K.S.A. 25-4169a; K.S.A. 75-2925; K.S.A. 75-2949f; K.S.A. 75-2974; 5 U.S.C. 1501 et seq.; Kansas Governmental Ethics Commission Opinion No. 2010-01, 2006-16, 1999-45, 1998-05, 1994-03.

Solicitations by organizations or individuals outside of the agency during work hours without prior approval from Human Resources will be considered unauthorized and a disruption to the workplace.

Employees soliciting for funds/ items other than those authorized as agency projects must utilize designated commons/break area or bulletin boards. KDADS' electronic email system shall not be used for this purpose. Please contact Human Resources with any questions.

Agency fundraising projects shall be approved in advance by the Appointing Authority and Human Resources.

Reference: KSA 75-2949f



Progressive discipline is discipline administered in stages, starting from the least severe progressing to the most severe. Progressive Discipline includes informal counseling, a written reprimand, change in duties, suspension, demotion and/or dismissal. KDADS supervisors will use progressive discipline consistently and reasonably to address work performance deficiencies or detrimental personal conduct. Depending on the nature/severity of an incident progressive discipline stages may be skipped or repeated as deemed appropriate by the Appointing Authority. Progressive discipline is not required for probationary or temporary employees. Prior to implementing progressive discipline, supervisors should contact Human Resources.

Reference: K.A.R. 1-7-10 thru 1-7-12, K.S.A. 75-2949, 75-2949d, 75-2949e, and 75-2949f



A grievance/complaint is defined as a statement of dissatisfaction over any condition of work, which allegedly has an adverse effect on the employee. Whenever possible, employees are encouraged to resolve issues and concerns as quickly as possible, and at the lowest level possible. Under no circumstances should a supervisor discourage an employee from filing a grievance/complaint or consulting Human Resources.

An employee cannot file a grievance/complaint concerning matters involving demotion, suspension, or dismissal of a permanent employee; furloughs; layoffs; employee performance reviews or any other subject for which a method of settlement or an appeal procedure is established under appropriate Kansas statutes or regulations.

Grievances/Complaints are to be treated in a confidential, professional and timely manner. Reporting violations shall in no way reflect upon an employee's standing within the agency. The employee will not be subject to any form of retribution or retaliation, directly or indirectly. Any person, who makes or participates in such retribution or retaliation, directly or indirectly, will be subject to severe corrective action.

This policy does not limit any rights granted by the Civil Rights Act of 1964, the Age Discrimination Act, the Americans with Disabilities Act, or the State Civil Service Act or other applicable law. The KDADS Equal Employment Opportunity (EEO) Representative in Human Resources should be contacted for guidance on how to process such a complaint.

Each KDADS employee who is covered by a Memorandum of Agreement also has the right to grieve management's interpretation of that Memorandum of Agreement surrounding a specific issue, which has impacted the employee's working conditions. The policy and processes set forth in this section address only grievances filed using the Agency's process, not for grievances filed under the provisions of a Memorandum of Agreement. Employees covered by a Memorandum of Agreement who wish to file a union grievance must refer to the specific terms of the Memorandum of Agreement to determine what is "grievable" and the process to be followed. The grievance process shall be the sole method for settling a dispute arising as to the interpretation or application of the provisions of the agreement. Non-covered employees must use the KDADS process. An employee cannot file both a grievance and complaint over the same issue.

The following matters will not be addressed through the filing of a formal grievance:

- Personnel actions which may be appealed to the Civil Service Board.
- Formal disciplinary actions (suspension, demotion, or dismissal) taken against employees on original probationary or temporary appointments.
- Performance reviews/ratings which may be appealed under K.A.R. 1-7-12.
- Performance reviews/ratings for employees on original probationary appointments.
- Performance reviews/ratings for unclassified employees.
- Alleged discriminatory practices
- Disagreement with laws of the State of Kansas or Civil Service Regulations.
- Informal disciplinary actions issued or authorized by the Appointing Authority.
- Grievances from persons who are no longer employees of KDADS.

Any employee who believes he/she has been discriminated against because of race, religion, religious beliefs, color, sex, sexual orientation, gender identity, national origin or ancestry, age, disability, military or veteran status, political affiliation, or genetic information should contact his/her EEO Coordinator or Human Resources for assistance and direction regarding the EEO discrimination complaint filing procedures.

Reference: 3.1 Discrimination and Harassment; K.A.R. 1-7-12 (October 1, 2009); K.A.R. 1-12-1 (June 5, 2005); Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e et seq. (1964); Americans with Disabilities Act of 1990, Pub. L. No. 101-336, 104 Stat. 327, 24 U.S.C. § 12101 et seq. (1990); Age Discrimination in Employment Act of 1967 (Pub. L. 90-202), 29 U.S.C. § 621 et seq; Genetic Information Nondiscrimination Act, Pub.L 110-233 (2008); Kansas Act Against Discrimination, K.S.A. 44-1001 et seq.



The purpose of this policy is to set forth minimum standards of conduct for agency employees. Responsible and appropriate conduct by employees in the workplace and while working on agency business or representing the agency outside the workplace is required at all times. Continued employment with KDADS requires positive interaction with patients/residents, co-workers, business partners and the public. Employees and other KDADS agents such as volunteers, interns, and educational participants are expected to work in a harmonious, cooperative fashion and contribute to a positive work environment. Any behavior to the contrary shall be subject to disciplinary action.

The following list that is not all-inclusive, illustrates the minimum expectations for acceptable employee conduct:

1. Recognizes their responsibilities to the agency and applies effective work habits and attitudes to meet work requirements in a dependable fashion.
2. Attends work regularly and on time.
 - a. Reports to work at the assigned time, work station, and remains at work until the end of the scheduled work day/shift.
 - b. Provides notification to supervisor of tardiness (unable to report to work on time).
 - c. Meal and rest breaks are taken within appropriate timeframes.
3. Plans appropriately for absences.
 - a. Provides appropriate notification for taking leave subject to operational needs.
 - b. FMLA hours will not be counted against absences.
 - c. Sick leave has a defined purpose as per K.A.R. 1-9-5, (employee may be required to provide the necessary documentation for use of leave).
 - d. Follows agency policy and procedures for unauthorized leave as defined by K.A.R. 1-9-3, (time away from work, which has not been approved in advance). Habitual or flagrantly improper use (pattern) of leave privileges and failure to follow established leave procedures may be grounds for disciplinary actions including dismissal.
4. Assumes personal accountability for work.
 - a. Responsible for managing individual leave balances.
 - b. Takes personal responsibility for quality, service, and professionalism to patients/residents, co-workers & public.
5. Demonstrates personal integrity and ethical behavior.
 - a. Acts with integrity and respect in our work with patients/residents and fellow employees.
 - b. Strives for continuous improvement.
6. Displays good stewardship of public resources.
 - a. Promotes the value of partnerships, both within the agency and with community partners.

7. Adapts to changes in processes, procedures or responsibilities.
 - a. Exhibits positive behavior and embraces responsibility in accepting change. Acts to overcome challenges.
8. Understands others' ideas and expresses thoughts and information effectively, utilizing appropriate gestures, tone, organization, grammar, format and materials.
 - a. Maximizes performance through effective communication and develops a communication style that optimizes individual and team performance.
 - b. Expressing ideas, requesting actions, summarizing events, and formulating plans by means of clear and effective writing, communicating, or presenting.
9. Addresses underlying patient/resident needs that add value, to remove causes of patient/resident problems and ensure the long-term viability of the relationship.
 - a. It includes demonstrating understanding of the patient/resident's point of view, delivering on commitments, gaining the confidence of patients/residents, and maximizing patient/resident satisfaction.
10. Identifies problems or opportunities and takes appropriate action to address current or future problems or take advantage of current or future opportunities.
 - a. Consults with appropriate staff (e.g., supervisor, leadership, Human Resources) to develop and implement corrective actions
11. Achieves team objectives by developing and sustaining cooperative relationships.
 - a. Employee works cooperatively with others as part of the team, as opposed to working separately or competitively.
 - b. At the highest levels, it includes an ability to ensure the cohesiveness of the team and to ensure success.

The above illustrative list may be supplemented as needed in a manner consistent with the needs of the agency and the State of Kansas. Inappropriate, insulting, demeaning, or threatening conduct by employees will not be tolerated. This includes the types of personal conduct listed in K.S.A. 75-2949f; resistance to working cooperatively and in good faith with co-workers and patients/residents; any spoken or written comments which are vulgar or profane, or which insult or demean another person's religion, race, gender, disability status, age, gender identity, sexual orientation, national origin, ancestry, military or veteran status, political affiliation, genetic information; threats, threatening behavior, or acts of violence; or any conduct which disrupts another person's work performance or the agency's ability to carry out its mission. Such behavior may result in formal disciplinary action, including dismissal, demotion, or suspension without pay for up to 30 calendar days, or informal disciplinary action such as verbal and/or written counseling or written reprimands. The type of discipline imposed shall depend on the nature and severity of the employee's conduct, the employee's work history, and other relevant factors.

For further information regarding threatening behavior and acts of violence in the workplace, please see KDADS 3.8.E Workplace Violence Policy. Questions concerning employee conduct should be directed to the immediate supervisor or Human Resources.

Reference: K.S.A. 75-2949e; K.S.A. 75-2949f; K.A.R. 1-9-5; K.A.R. 1-9-3; 3.6 Disciplinary Action; 3.8.E Workplace Violence



KDADS requires employees to maintain a neat and professional office space free from clutter. KDADS is not responsible for personal items in the building. Offensive material and language are prohibited from being displayed or used in the workplace. In addition, unnecessary and outdated paperwork should be regularly recycled and be kept out of the workspace.

Each employee is responsible for their own area as well as the daily maintenance (picking up after oneself) of common areas.

- Public areas of the buildings (conference rooms, common areas, bathrooms, front desk, and public hallways) should have a clean and professional appearance at all times. Storage of boxes, brochures, office equipment and other items should not be kept in common areas visible to internal or external customers.
- Paper products (reports, forms, printing, etc.) should be handled appropriately through recycling, use of filing cabinets, archiving, and shredding. Storing loose papers on the floor is not acceptable and creates a fire and safety hazard.
- Empty food containers and food packaging should be cleaned and/or removed daily to maintain a safe and sanitary environment.
- Excessive personal items do not contribute to a business environment. Personal collections, items, pictures, sports memorabilia, etc. should be kept to a minimum.
- Scented air products should be used with restraint. Candles are prohibited.
- Offensive materials are prohibited. (see 3-1-C Sexual Harassment Policy)

Appointing Authority may require a safety inspection of all appliances.

Questions regarding appropriate office space appearance please contact Human Resources.

Upon resignation or retirement, personal items should be removed from the employees work area immediately upon leaving employment unless arrangements have been made with Human Resources to pick up on a specific date. Employees who have been laid off or terminated shall not return to their cubicle or office to pick up personal belongings. It is the employee's responsibility to coordinate with Human Resources to schedule a pick up time for their belongings. Any items remaining after 30 calendar days following the employee's last day at work shall be discarded without notice and at the agency's discretion.

References: 3.1.C Sexual Harassment Policy; 3.8 Employee Conduct



Employees should not have an expectation of privacy in, including but not limited to, electronic communications systems (e.g., cell phones, tablet, fax, telephone, e-mail computers, internet, etc.), offices, desks, file cabinets, etc. It is the employee's responsibility to guard against accidental or intentional disclosure of information that could personally affect another employee, or which another employee would rather keep confidential. Gossip, careless handling of written information, or other inconsiderate disclosure of information about a coworker is not acceptable.

Reference: KDADS Information Privacy and Security Acknowledgment; K.S.A. 75-2949f, 3.1.C Sexual Harassment, 3.8 Employee Conduct, 4.12.E Cellular Phones



Smoking is prohibited in all public buildings by state law. KDADS employees are not to engage in smoking or the use of tobacco products on state grounds, in state-owned and leased vehicles, while on off-campus activities, escorting/transporting, or performing activities with persons receiving services. This includes but not limited to the use of electronic cigarettes or other related smoking or tobacco products. Employees are expected to comply with all other city, county, and state laws and ordinances related to this policy.

Reference: K.S.A. 21-4009 through K.S.A. 21-4013; K.S.A. 21-4017; Kansas Indoor Clean Air Act, K.S.A. 21-6109 through K.S.A. 21-6116; K.S.A. 75-2949f; K.A.R. 1-49-12; The Clean Air Ordinance No. 19315 (City of Topeka); City of Parsons Ordinance No. 6100



The safety and security of KDADS employees and customers is very important. Threats, threatening behavior, acts of violence, hoaxes, or any related conduct which disrupts another's work performance or the organization's ability to execute its mission will not be tolerated. Any person who makes threats, exhibits threatening behavior, or engages in violent acts on state-owned or leased property may be immediately removed from the premises pending the outcome of an investigation. Threats, threatening behavior, or other acts of violence executed on state property, or while conducting official state business is a violation of this KDAD policy. Off-site threats include, but are not limited to, threats made via telephone, fax, electronic or conventional mail, social media, or any other communication medium. Violation of this policy will lead to disciplinary action that may include dismissal. Appropriate authorities will be notified.

If possible staff should immediately remove themselves from the event, contact their safety and security department and, if required, contact the local police during a life threatening emergency. Employees are responsible for using reasonable judgment when notifying the appropriate level of authority of any threats which they have witnessed, received, or have been told that another person has witnessed or received.

Employees are also required to notify Human Resources immediately of any threats or acts of violence, which they have witnessed, received, or have been told that another person has witnessed or received. Employees shall also report any behavior they witness, which they regard as threatening or violent when that behavior is job related or might be carried out on state-owned or leased property, or in connection with state employment. Each report received will be investigated.

Reference: K.S.A. 75-2949f; K.A.R. 1-49-10; 3.8 Workplace Conduct, 3.8.H Criminal Acts, 5.1 Emergency/ Disaster Plan



KDADS does not tolerate any form of abuse, neglect, or exploitation. Confirmed instances of abuse, neglect, or exploitation may result in disciplinary action up to and including dismissal. If abuse, neglect, or exploitation is suspected, the employee shall immediately notify the Risk Manager. Failure to report suspected abuse, neglect, or exploitation could result in disciplinary action.

Abuse:

Abuse is defined as any act or failure to act performed intentionally or recklessly that causes or is likely to cause harm to a resident/patient, including: infliction of physical or mental injury; any sexual act with a resident/patient; unreasonable use of a physical restraint, isolation or medication that harms or is likely to harm a resident/patient; unreasonable use of a physical or chemical restraint, medication or isolation as punishment, for convenience, in conflict with a physician's orders or as a substitute for treatment, except where such conduct or physical restraint is in furtherance of the health and safety of the resident/patient or another resident/patient; a threat or menacing conduct directed toward a resident/patient that results or might reasonably be expected to result in fear or emotional or mental distress to a resident/patient; fiduciary abuse; omission or deprivation by a caretaker or another person of goods or services which are necessary to avoid physical or mental harm or illness. Examples of physical abuse include, but are not limited to, striking a resident/patient failing to maintain reasonable resident/patient care and treatment or maltreatment. Examples of verbal abuse include, but are not limited to, use of profanity, insolent language or derogatory insulting remarks, racial and ethnic slurs, or sexual remarks directed toward a resident/patient or others.

Neglect:

Neglect is defined as the failure or omission by one's self, caretaker or another person with a duty to provide goods or services which are reasonably necessary to ensure safety and well-being and to avoid physical or mental harm or illness. Sleeping on duty is an example of a serious omission of duty whether directly caring for KDADS residents/patients or not. Neglecting to perform duties appropriately may be viewed as seriously as overt abusive acts.

Exploitation:

Exploitation is defined as misappropriation of resident/patient property or intentionally taking unfair advantage of an adult's physical or financial resources for another individual's personal or financial advantage by the use of undue influence, coercion, harassment, duress, deception, false representation or false pretense by a caretaker or another person. Exploitation also applies to State property.

Reference: K.S.A. 39-1401(f)(1)-(7), (g), (i); K.S.A. 39-1402; K.S.A. 65-49(a)(2) Kansas Civil Service Act, in part, K.S.A. 75-2949f.



If an employee is arrested for, charged with or notified of a proposed administrative finding for any prohibited crime or conduct listed in Policy 8.9 Security Clearance: Background Checks (Policy 8.9); the employee must immediately self-report this information to the Director of Human Resources or their designee in the Director's absence. Employees must also self-report all dispositions of any prohibited crime or conduct as specified in Policy 8.9.

Failure to immediately self-report will result in disciplinary action up to and including dismissal. Depending on the nature of the allegations, the employee's job duties may be reassigned until the charge, conduct or matter is resolved. Employees must maintain security clearance at all times as a condition of employment. KDADS may conduct a new or updated background check on a current employee at any time. Failure to maintain security clearance in accordance with the requirements of Policy 8.9 shall be grounds for dismissal.

Reference: K.S.A. 75-2949f; K.A.R. 1-49-1 et. seq., 8.9 Security Clearance: Background Checks.



KDADS maintains a workforce free of substance abuse/use. Reporting to or performing work while impaired is strictly prohibited. KDADS shall not tolerate substance abuse/use. Substance abuse/use imperils the health and well-being of KDADS' employees and threatens Agency provision of service to the public. As provided in K.S.A 75-4362 and 75-4363, candidates for and employees in certain positions may be subjected to alcohol and drug testing. (See attached Safety Sensitive Job Classification list).

KDADS adheres to the State of Kansas Substance Abuse Policy. A copy of the State of Kansas Substance Abuse Policy appears on the following page and must be posted on all official agency bulletin boards.

All new employees and employees under reasonable suspicion are required to read and sign the Substance Abuse Policy Affirmation form.

Reference: 75-2949d; K.S.A. 75-2949f; K.A.R. 1-9-19a

**State of Kansas
SUBSTANCE ABUSE POLICY**

AFFIRMATION FORM

Statement of Policy

Employees are the State of Kansas' most valuable resource and, therefore, their health and safety is a serious concern. The State of Kansas will not tolerate substance abuse or use which imperils the health and well-being of its employees or threatens its service to the public. Furthermore, employees have a right to work in an environment free of substance abuse and with persons free from the effects of drug or alcohol abuse. It shall therefore be the policy of the State of Kansas to maintain a workforce free of substance abuse.

- A. Reporting to work or performing work for the state while impaired by or under the influence of controlled substances or alcohol is prohibited.
- B. The unlawful manufacture, distribution, dispensing, possession or use of a controlled substance is prohibited in the workplace, or while the employee is on duty, official state business or stand-by-duty.
- C. Violation of such prohibitions by an employee is considered conduct detrimental to state service and may result in a referral to the Employee Assistance Program or discipline in accordance with K.S.A. 75-2949d, or other appropriate administrative regulations.
- D. Employees are required by federal law to notify the employing state agency head in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.
 - (1) An employee who is convicted of violating any criminal drug statute in such workplace situations as stated above will be subject to discipline in accordance with K.S.A. 75-2949d, or other appropriate administrative regulations.
 - (2) A conviction means a finding of guilt (including a plea of nolo contendere) or the imposition of a sentence by a judge or jury, or both, in any federal or state court.
- E. Agencies that receive federal grants or contracts must, in turn, notify federal granting agencies in writing, within ten calendar days of receiving notice from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification number(s) of each affected grant.
- F. Employees will be given a copy of the Substance Abuse Policy. Employees will be informed that they must abide by the terms of the policy as a condition of employment and of the consequences of any violation of such policy.

AFFIRMATION OF POLICY

As an employee for the State of Kansas, I affirm that I have read and understand the meaning of the above Substance Abuse Policy. I am aware of the provisions of this policy which is mandated by the Federal Drug-Free Workplace Act, and that a violation of this policy will result in disciplinary action as stated above.

Name of Employee: _____ Soc. Sec. No. _____

Agency Number and Name: _____ Employee ID No. _____

(Signature of Employee)

Date

(Signature of Agency Representative)

Date

**State of Kansas
Pre-Employment Drug Testing Program
KDADS Hospital Safety Sensitive Job Classes**

Activity Specialist I & II	Qualified Intellectual Disabilities Professional
Activity Therapist I & II	
Activity Therapy Technician	
Advance Practice Registered Nurse	Radiologic Technologist (Series)
Assistive Technology Specialist	Registered Nurse
	Registered Nurse, Senior
Chemical Dependency Counselor	Registered Nurse, Specialist
Client Training Supervisor	Registered Nurse Administrator
Clinical Chaplin	Rehabilitation Instructor
Cosmetologist	
	Safety & Security Chief
Dental Assistant	Safety & Security Officer I & II
Dental Hygienist	Social Worker
Dentist	Social Worker Specialist
Developmental Disability Specialist	Social Worker Supervisor
	Speech Pathologist/Audiologist I & II
Health Care Assistant	
Health Care Technician (Series)	
Human Services Counselor	Therapy Services Supervisor
Laboratory Technician (Series)	*Includes all classified and unclassified
Licensed Mental Health Technician	
Licensed Practical Nurse	
Licensed Practical Nurse, Senior	
Medical Technologist	
Mental Health/Developmental Disability Technician	
Occupational Therapist	
Public Service Administrator (Series)	
Pharmacist	
Physical Therapy Assistant	
Physician Specialist	
Psychologist (Series)	
Psychiatrist	
Public Service Executive (Series)	
Program Consultant (Series)	

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KDADS employees shall not participate in inappropriate actions or relationships that might conflict with or appear to conflict with the responsibilities or interests of the agency while employees are on facility grounds or while on state time. Inappropriate relationships may include but not limited to relationships between co-workers, supervisors, subordinates, and patients/residents.

Reference: 3.1.C Sexual Harassment; 3.8.F Abuse, Neglect, or Exploitation



An employee who is asleep on the job seriously endangers individual safety and/or impairs facility operation. Sleeping on duty by any KDADS employee is unacceptable personal conduct calling for prompt disciplinary action up to and including dismissal.

Reference: 3.8.F Abuse, Neglect or Exploitation



All employees that require credentialing must notify the Human Resource Director (or designee) of any lapse in licensure or suspension, stay of suspension or nullification. As a condition of employment, employees are required to maintain current licensure, registration or certification. **(License, Registration, and/or certificate shall hereafter be referred to as license and/or one of its derivatives for the remainder of this policy).** This also includes any suspended, revoked and/or restricted driver's license. Failure to self-report as required may result in the employee's dismissal, demotion or suspension.

If an employee fails to renew or allows to lapse, a required license for the position he/she must immediately be relieved of all duties. If the required license lapses the employee will be placed on administrative leave without pay until the license has been reinstated and Department Head is able to verify current license by Primary source. The maximum allowable time to reinstate/renew and/or correct any lapse in license will be 10 (ten) days. Corrective action taken within 10 (ten) days will be reviewed for acceptable and reasonable correction to the lapse in license by the Human Resource Director and the Appointing Authority. Failure to report a lapse, suspension, stay of suspension and/or nullification in license before starting work will result in immediate disciplinary action up to and including termination from employment. **("starting work" is defined to be any time before reporting for the beginning of your shift on the first day of the expiration, suspension, stay of suspension or nullification.)**



State Provided Cellular Phone Policy: Employees should keep in mind their surroundings when speaking on cell phones especially when discussing confidential, privileged or otherwise sensitive matters.

Cellular phones are provided to improve customer service and to enhance business efficiencies. Cellular phones are not a personal benefit and shall not be a primary mode of communication, unless they are the most cost-effective means to conduct state business. Employees are responsible for operating vehicles and potentially hazardous equipment in a safe and prudent manner, and therefore, employees should refrain from using cellular phones while operating such vehicles and equipment. Employees shall not read, write, or send written communication while operating a vehicle. Possessing a cellular phone is a privilege and all employees are expected to use them responsibly.

Employees violating this policy may be subject to disciplinary action in accordance with the provisions of K.S.A. 75-2949, including but not limited to, K.S.A. 75-2949e(a)(3) “careless, negligent or improper use of state property,” or K.S.A. 75-2949f(1) “refusal to accept a reasonable and proper assignment from an authorized supervisor.”

There is no expectation of privacy regarding any information or contents on state provided cellular phones. Cellular phones may be confiscated or revoked at the discretion of the Appointing Authority.

State Provided Cellular Phone: Exempt Employees: Exempt employees who are assigned a state provided cellular phone are expected to limit personal use. Exempt employees may carry and use their state provided cellular phone outside normal working hours for business purposes.

State Provided Cellular Phone: Non-exempt Employees: Non-exempt employees who are assigned a state provided cellular phone are expected to limit personal use. Non-exempt employees shall not carry and use their state provided cellular phone outside normal working hours without prior permission by Human Resources.

Personal Cellular Phone for State Work: Personal cellular phone used for state work is subject to search and seizure for investigative purposes as determined by the Appointing Authority. At which time all cellular phone passwords must be provided by the employee, failure to do so may result in disciplinary action up to and including termination.

Personal Cellular Phone Policy: The following policy shall be in effect for the use of employee personal cellular phones in order to promote a safe working environment and to limit the liability for the State due to the use of personal cellular phones in non-work related situations. State

employees may carry personal cellular phones with them while on state time or while operating state equipment, but are subject to the following restrictions:

- Excessive use of a personal cellular phone for personal business during duty hours is not allowed.
- The State assumes no liability for loss or damage to employees' personal cellular phone carried in state vehicles or left on state property. Employees assume risk of loss or damage to personal cellular phones carried by employees during work hours.
- When authorized in writing by the Secretary of KDADS, the cost of using a personal cellular phone for official business may be reimbursed to the employee. Having a personal cellular phone is a choice the employee makes, and if the cellular phone is used for business purposes, any reimbursement will be for reasonable costs in excess of the base plan plus any additional fees such as roaming fees or other fees and taxes incurred as a direct result of the business use. In no instance will the employee be reimbursed more than the monthly cost to the employee. The Secretary of KDADS may authorize payment of using a personal cellular phone for official state business retrospectively. In all instances when reimbursement is sought for the use of a personal cell phone for official business, the employee shall submit a completed Travel Expense Detail form DA-121 (under "Other Expense"), a copy of his/her cell phone bill identifying the calls to be reimbursed along with a written explanation verifying that the expense he/she is asking to be paid was incurred for official state business. The amount to be reimbursed will be in accordance with Executive Order 03-08.

Employees are not permitted to receive a monthly allowance from a state agency for the use of a cellular phone.

No employee shall have their personal cellular phone turned on, on their person, in restricted work areas as designated by the Appointing Authority and approved by the Secretary of KDADS or his/her designee. Restricted work area will be defined and posted on official bulletin boards along with this policy. For further clarification please contact Human Resources.

The violation of any provision of this policy may result in possible disciplinary action pursuant to K.S.A. 75-2949 et seq.

Reference: EO 03-08; K.S.A. 75-2949 et seq.; K.S.A 8-15, 111



All requests for references for current or former employees shall be referred to Human Resources for guidance prior to giving a reference. If approached for a reference please have the requester submit his/her questions in writing and forward them to Human Resources. Human Resources will review and respond to the requester. For current employees applying for an internal transfer or promotion please contact Human Resources for guidance.

No letters of recommendation will be given to employees.

Reference: K.A.R. 1-13-1b; K.S.A. 44-119a; K.S.A. 45-215 et. seq.



All employees that work in facilities with badges/key card access must display the ID/access card on their person at all times. Misuse of the system by employees may result in disciplinary action. Each employee is provided an ID/access card, and information pertaining to its use. The ID/access card doubles as an employee photo ID card. Safekeeping of the ID/access card is the responsibility of the employee. If the card is lost or stolen, the employee must notify the issuing authority. Do not allow individuals you do not know to enter the building under your access or share your card with anyone else.

Guest badges should be issued to all visitors and must sign in at secured areas.



Supervisors should meet with each employee individually to conduct coaching and feedback sessions. The performance management review system consists of two quarterly feedback sessions, a mid-year review, and an annual review. The first feedback session should take place within the first quarter of the year. The mid-year review should take place between April 1st and June 30th. The second quarterly review should take place within the third quarter of the year. The annual review must be completed between October 1st and December 15th.

Quarterly feedback gives supervisors an opportunity for individual coaching and reviewing the progress of their employee's goals. Supervisors should take the time to inform their employee of his/her current work performance and what they can do to improve. The purpose of the quarterly feedback sessions are to check the employee against his/her objectives and competencies, but is not limited to just objectives or competencies. In addition, quarterly feedback sessions can influence the mid-year and annual review.

The mid-year review is another opportunity for supervisors and employees to formally communicate about the employee's performance. The supervisor should review the employee's progress on each objective and competency. Afterwards the mid-year is signed by the supervisor and reviewer.

During the annual review the supervisor must rate their employee on his/her objectives and competencies. At this time the supervisor must rate the employee's overall performance for the year, including the two essential requirements dependability and agency values. Overall ratings range from Unsatisfactory, Needs Improvement, Meets Expectations, Exceeds Expectations, and Exceptional.

Feedback sessions should be documented. At the review session, the employee shall be asked to sign and date the completed review form as verification that the employee has received the review. The employee's signature is acknowledgement of receipt of the form and does not indicate agreement with or exception to comments on the form or the review rating. The supervisor shall also sign and date the review form and forward the original to Human Resources. Human Resources will forward the review to the appropriate rater for signature after the initial appeal window has elapsed provided the review has not been appealed. Once the review is fully signed and the final rating has been entered into the SHaRP system, a copy of the form will be forwarded to the employee and his/her supervisor. The original will be filed in the employee's personnel file.

New employees may not follow the standard review schedule. During the end of the year instead of an annual review he/she will receive a special review. New employees must be with KDADS

at least six months to receive a special rating. Any employee fewer than six months will only receive a quarterly feedback session. During the beginning of the next year the new employee will start on the normal review schedule.

Employees may also compose and present comments to be attached to the Performance Review Form. This must be done within 48 hours of the review being submitted. The comments will be forwarded to Human Resources with a request for approval prior to being attached to the completed review form which will be placed in the employee's personnel file. Comments must be in 12-point font, double spaced, and limited to one page. Comments must be directly related to the review. Employees are allowed two hours during the workday to write.

If an employee chooses to appeal a rating, he/she should address a written request for an appeal hearing to the Human Resources Director within seven (7) calendar days of learning of the rating.

Reference: K.A.R. 1-7-10 through K.A.R 1-7-12



Unless approved by the Secretary, no person shall be appointed, promoted, transferred, or otherwise employed in any position in the classified or unclassified service, when as a result the person would supervise, manage, or be supervised or managed by a member of the person's household or family. Further, no employee shall advocate, participate in, or cause the appointment, promotion, transfer, or demotion of, or participate in disciplinary actions regarding a member of the person's household or a family member. It is the employee's responsibility to self-report any relationship changes (i.e., marriage, household members, directly to Human Resources). Failure to do so may result in disciplinary action.

For the purpose of this policy:

"Family member" means spouse, parent, child, or sibling; sibling as denoted by the prefix "half"; parent, child, or sibling denoted by the prefix "step"; foster child; an uncle, aunt, nephew, or niece; any parent or child of a preceding or subsequent generation as denoted by the prefix "grand" or "great"; or parent, child or sibling related by marriage as denoted by the suffix of "in-law".

"Household member" means a person having legal residence in, or living in the employee's place of residence.

"Supervising" or **"managing"** means having the authority within the agency organizational hierarchy to recommend, approve, or have influence on an individual's appointment, transfer, promotion, demotion, salary, evaluation, suspension, termination, or other similar personnel actions.

All applications for employment, promotion, demotion, or transfer shall complete and sign, at the time of application or interview, the nepotism statement. The Human Resources offices or Human Resources representative for regional offices and Central Office units are to ensure applicants sufficiently understand the department's organizational structure to complete this statement.

Exceptions will be considered by the Secretary with written recommendation of the Appointing Authority when enforcement of this policy could result in the non-selection of an employee for a critical position for which there has been demonstrated difficulty in recruiting. All requests for exceptions are to be submitted, in writing, to the Deputy Director of Human Services.

Reference: K.S.A. 46-246a; K.A.R. 19-40-4; Kansas Governmental Ethics Commission Opinion No. 2003-14 and 1999-9.



Resignations shall be submitted in writing with at least two weeks' notice prior to the employee's last day on payroll. The written resignation must be submitted to the employee's immediate supervisor and Human Resources, and shall state the final day of employment, the reason(s) for leaving, and if the employee has accepted a position with another state agency. Once a written resignation is submitted, only the Appointing Authority may rescind it. Written resignations shall not be refused. Upon receipt of the resignation letter, Human Resources shall send a letter to the resigning employee explaining the exit procedure, which includes an exit interview, employee benefits, and return of state property. Human Resources shall conduct the formal exit interview.

Reference: K.A.R. 1-11-1



To safeguard the interests of vulnerable customers, residents, patients and KDADS staff, and to minimize risk of their injury, KDADS may require any top applicant, employee, student, intern, volunteer, independent contractor to obtain and maintain security clearance as a condition of employment/service to the agency. Results from background checks of state and federal records will be considered by KDADS in determining whether to grant security clearance. Individuals may be required to submit fingerprints for use in obtaining records.

KDADS reserves the right to disqualify from consideration for employment/service any individual who is denied or fails to maintain security clearance when required to do so. Security clearance may be denied to an individual who has been convicted of a prohibited crime as detailed below. Conviction of a prohibited crime or having engaged in prohibited conduct as defined below occurring more than five years ago will not automatically result in denial of security clearance but may be considered in determining whether to grant security clearance.

Prohibited Crimes:

- Abandonment of a Child
- Abuse
- Abuse of a Child
- Aggravated Abandonment of a Child
- Aggravated Arson
- Aggravated Battery
- Aggravated Burglary
- Aggravated Incest
- Aggravated Robbery
- Aggravated Sodomy
- Aiding Escape
- Altering a Legislative Document
- Arson
- Assault
- Assisting Suicide
- Battery
- Bigamy
- Blackmail
- Bribery
- Burglary
- Contributing to a Child's Misconduct or Deprivation
- Criminal Damage to Property
- Criminal Nonsupport
- Criminal Restraint
- Criminal Threat
- Electronic Solicitation
- Endangering of a Child
- Exposing Another to a Life Threatening Communicable Disease
- Forgery
- Furnishing Alcoholic Liquor/Beverage or Cereal Malt Beverage to a Minor
- Harassment
- Hazing
- Illegal Use of Weapons of Mass Destruction or Furtherance of Terrorism
- Incest
- Indecent Liberties With a Child, Ward
- Indecent Solicitation of a Child
- Injury to a Pregnant Woman
- Interference with Parental Custody
- Interference with the Conduct of Public Business in a Public Building
- Interference with the Custody of a Committed Person
- Intimidation of a Witness or Victim
- Involuntary Manslaughter
- Kidnapping
- Lewd and Lascivious Behavior
- Making False Writing
- Mistreatment of a Confined Person
- Mistreatment of a Dependent Adult
- Murder
- Obstructing Legal Process or Official Duty
- Official Misconduct
- Patronizing a Prostitute
- Perjury
- Permitting Dangerous Animal to be at Large
- Poisoning
- Possession, Possession with the Intent to Sell
- Promoting Obscenity
- Promoting Prostitution
- Prostitution
- Rape
- Robbery
- Sale, Manufacture or Production of any Drug Listed in the Uniform Controlled Substances Act, KSA 65-4101 et. seq.
- Sedition
- Sexual Battery
- Sexual Exploitation of a Child
- Sodomy
- Stalking
- Terrorism
- Theft



- Threat, Criminal or Terroristic
- Trafficking
- Treason
- Unlawful Administration of a Substance
- Unlawful Disclosure of Tax Information
- Unlawful Interference
- Unlawful Sexual Relations
- Vehicular Homicide
- Voluntary Manslaughter
- Any other crimes including attempts, conspiracies, and solicitation to commit any of the crimes listed

A conviction or other disposition of a prohibited crime (*including but not limited to entering a diversion agreement; a plea of guilty, no contest or nolo contendere; a finding of guilt on original or reduced charges by a judge or a jury; plea bargaining to lesser charges; being found not guilty by reason of insanity; or expungement of conviction*) may be considered in determining whether to grant a security clearance. Any pending charges involving a prohibited crime may also be considered.

Prohibited Conduct:

Convictions which are titled differently than those on the prohibited crimes list but which encompass *the same or substantially similar conduct* are also considered as prohibited conduct. KDADS may also consider as prohibited conduct any administrative findings or pending criminal charges or allegations of welfare fraud, state and/or federal program or benefit fraud including but not limited to food assistance, cash assistance, Medicaid and Social Security, child or adult abuse, neglect, exploitation or termination of parental rights. Other types of convictions and conduct may be considered in determining whether to grant a security clearance, if the conviction or conduct bears a substantial relationship to the job duties of the position/service and consideration is consistent with business necessity.

Requirements:

Security Clearance must be obtained and maintained by every top applicant and employee of the KDADS Hospitals, Facility or Institute, listed below. Any student, intern, volunteer, independent contractor employed, studying, volunteering, working or serving at the KDADS Hospitals, Facility or Institute listed below must obtain and maintain a Security Clearance if they will have any patient or resident interaction that is not within the constant direct sight of an employee with Security Clearance.

- Osawatomie State Hospital, Larned State Hospital, Parsons State Hospital and Training Center, and Kansas Neurological Institute.



Fingerprint based record checks for Kansas and/or national criminal history records must be completed with results for any top applicant, employee, student, intern, volunteer, independent contractor required to obtain and maintain Security Clearance who has resided outside the State of Kansas within the previous five years of application for employment/service at the following KDADS Hospitals, Facility or Institute:

- Osawatomie State Hospital, Larned State Hospital, Parsons State Hospital and Training Center, and Kansas Neurological Institute.



State of Kansas employee's salaries, as well as the cost of living allocations (COLAs) are set by the state legislature. The Kansas State Civil Service Basic Pay Plan for classified employees is posted on KDADS' intranet, <http://da.ks.gov/ps/subject/payplan.htm>, or you may contact Human Resources. The pay plan provides a minimum and maximum rate of pay for each class of positions in the classified service in accordance with Article 5 of the Kansas Administrative Regulations. Salaries and other compensation of all persons who serve in the unclassified service of the Kansas Civil Service Act, which are not set by statute, and are subject to the approval of the Governor.

Reference: Fair Labor Standards Act of 1938, 29 U.S.C.A § 201 et seq.; K.S.A. 75-2938; K.S.A.75-2935b; K.A.R. 1-5-1 et. seq.



Employees may view their paycheck information and total compensation on the web based Employee Self Service Center. The address is <http://www.kansas.gov/employee>.

Personnel and payroll records for KDADS employees are kept in Human Resources. Exempt employees are paid biweekly salary and non-exempt employees are paid an hourly rate. Payday is every other Friday. If Friday is a holiday, then payday is the last working day prior to the holiday. Contact Human Resources for more detailed information.

Employees must set up a direct deposit account when beginning their employment. The paycheck may be deposited into any financial institution of an employee's choice and credited to any account(s) of that institution.

Reference: K.A.R. 1-5-21; K.A.R. 1-9-1



For each holiday, each employee in a benefits eligible position shall receive holiday credit equal to the number of hours regularly scheduled to work. “Holiday credit” means pay or credit for paid time off at a straight-time rate. Benefits eligible employees are compensated for time worked on a holiday at a rate of an additional 1½ hours of compensation for each hour worked. The Appointing Authority shall decide, for each non-exempt employee for each holiday, whether compensation is to be in the form of credited holiday compensatory time or pay.

Reference: K.A.R. 1-5-24, K.A.R. 1-9-2



Stand-by pay applies to non-exempt employees only, and only in those circumstances in which an employee is required to be available to be called-in or called-back to work within a specified response time. Employees who are required to carry an electronic paging device outside their normal working hours so as to be available to return to work when paged shall receive stand-by pay. While on stand-by an employee is to remain fit for duty. An employee must report to the facility within one hour of receiving the call.

Employees on stand-by are not eligible for call-in or call-back pay, but do receive their regular pay when working while on stand-by status. Employees out on any type of leave are not eligible to receive stand-by pay.

Any employee who is not available when called and who does not present reasonable justification for failure to report when called, shall lose compensation for that stand-by period and may be subject to disciplinary action.

Reference: K.A.R. 1-5-26; 3.8 Employee Conduct



Call-in and call-back pay applies to non-exempt employees only, for the inconvenience of being called into work on the employee's regular day off or when required to return to work after working a regular schedule. Otherwise eligible employees whose duties require that they remain at the work site for extended periods are not eligible for this compensation.

Call-in refers to working on a regularly scheduled day off. Call-back refers to returning to work after a regularly scheduled shift.

Call-back shall apply to returning to the work station or reporting to normal work environments. Except in those situations in which employees are call-back within two hours immediately prior to their regularly scheduled shift, employees shall be compensated for a minimum of two hours of work when call-back or called-in, regardless of the time actually worked. Employees who are called-back within two hours immediately prior to their regularly scheduled shift shall be compensated for only the hours actually worked.

Reference: K.A.R. 1-5-25



Dependability is an essential requirement to the efficient operation of KDADS. When employees are tardy or absent, schedules, work performance, and customer service fall behind. It is the employee's responsibility to manage their individual leave to ensure leave without pay is not necessary.

Employees are expected to report to workstation/location on time as scheduled and shall remain at work until the end of the scheduled work day/shift. Employees must follow the facility's guidelines in reporting absences. Guidelines in reporting absences will be defined and posted on official bulletin boards along with this policy. If the absences continue or there is suspicion of leave abuse, the supervisor must consult with Human Resources. Contacting Human Resources is the supervisor's responsibility. Unexcused absences, continued periodic absences, or tardiness could result in disciplinary action. For more information about dependability, refer to the State of Kansas Performance Review Form or Human Resources.

Reference: 3.6 Disciplinary Action; 3.8 Employee Conduct; 10.2 Standard Work Week



An employee may receive progressive discipline due to failure to report to work when scheduled, volunteered, or mandated to work and said employee has not made a reasonable attempt to contact his/her supervisor. If his/her supervisor cannot be contacted, the employee shall follow the supervisory chain of command until contact is made.

An employee may be terminated from his/her state employment because of abandonment of the job by a presumed resignation. Any unauthorized absence from work for a period of five consecutive working days for which the employee does not provide a satisfactory explanation may be considered to be abandonment of the job and a presumed resignation. Before terminating an employee for a presumed resignation, the Appointing Authority or designee will make at least two reasonable and documented attempts to obtain a satisfactory explanation from the employee.

Reference: K.A.R 1-11-1; 3.6 Disciplinary Action; 3.8 Employee Conduct; 8.8 Resignation; 10.2 Standard Work Week; 10.1 Attendance & Dependability;



Full-time non-exempt employees with permanent status may make occasional requests to rearrange their daily-established work schedules. The employee's immediate supervisor must approve all requests for rearranged time, in advance, subject to the supervisor's discretion.

Rearranged time shall not result in an employee working in excess of the established forty (40) hour workweek. The Appointing Authority and supervisors reserve the right to adjust or rearrange an employee's regular work schedule within a standard workweek to avoid overtime.



When these time changes occur, an employee's work schedule for the day concerned will not be changed. An employee scheduled to work an eight-hour shift when the change is made in the Fall will in fact work nine hours. For a non-exempt employee, this extra hour is to be recognized by adjusting the work schedule otherwise during the workweek to stay within the 40-hour workweek, or by crediting one and one-half hours of overtime compensation. An employee working in the Spring when the change is made will only work seven hours. Hourly employees are to be paid for their entire shift. Exempt employees' salaries are not affected by these time changes.



Please contact Human Resources for information on other leave types such as Court Appearance Leave, Jury Duty Leave, Military Leave, Disaster Service Volunteer Leave, Leave of Absence, or Disability Leave.

Non-exempt Employees: Leave for non-exempt employees must be taken in quarter hour increments. Whenever possible, request leave in advance. To request sick leave, vacation leave, or a discretionary holiday, fill out the Request for Leave and submit it to your supervisor. Your supervisor shall either approve or deny the leave and notify you.

Exempt Employees: Leave for exempt employee must be taken in half or full day increments. Whenever possible, request leave in advance. To request sick leave, vacation leave, or a discretionary holiday, fill out the Request for Leave and submit it to your supervisor.

A supervisor may deny a request for time away from work of less than a half-day, or may require an exempt employee to use and report a half or a full day of leave, if this policy is abused through excessive absences of less than half or full day increments. If the employee is required to use a half day of leave under such circumstances, the employee cannot return to work before the allotted time of leave is used.

Leave without Pay (LWOP): An employee must exhaust all annual leave and/or sick leave before requesting leave without pay unless prior approval is received from Human Resources, in writing, and the Appointing Authority. Exempt employees may not be granted leave without pay in increments of less than 8 hours.

In the event that an exempt employee does not have sufficient leave balances to cover a full day off work, the employee's supervisor shall be given the option of disapproving the partial day's leave which will cause the employee to be assessed a full day of Leave Without Pay.

When returning from LWOP for medical conditions, the employee may be required to provide a release to return to work from their health care provider addressing the employee's ability to perform the duties required of the position. The statement must include the date the employee is released to return to work, if the employee is released to work full time or part time and if the employee has any restrictions or not.

Reference: K.A.R. 1-2-42; K.A.R. 1-2-42A; K.A.R. 1-9-1 et. seq;



Each employee in a benefits eligible position earns Sick Leave each pay period, which may be accumulated without limit. Sick Leave may be used whenever an employee is unable to work because of illness or disability, pregnancy or pregnancy-related problems, adoption of a child or initial placement of a foster child in an employee's home, or for visiting a doctor, dentist, or other recognized health practitioner during working hours as accrued.

Use of Sick Leave may be authorized in case of an illness in the employee's family, which requires the employee's absence from work. Family shall be defined to include persons related to the employee by blood, marriage, or adoption and minors residing in the employee's residence as a result of a court proceeding.

Sick Leave for non-exempt employees must be taken in one-quarter hour increments. Sick Leave for exempt employees must be taken in four-hour increments. The Appointing Authority or designee may require leave requests be submitted in advance. The Appointing Authority or designee may request documentation of to verify the need for absence due to medical needs only under the advisement of Human Resources. The Appointing Authority or designee may also request a physician's release to return to work, under advisement of Human Resources. If the employee fails to provide the requested documentation, the use of Sick Leave may be denied.

An employee who retires with eight years or more of state service and has 800 hours or more of accumulated Sick Leave to his/her credit at the time of retirement shall be paid a portion of the Sick Leave.

Reference: K.A.R. 1-9-3; K.A.R. 1-9-5; K.A.R. 1-9-14



Employees in a benefits eligible position earn Vacation Leave from their first day on the job. An employee is eligible to take Vacation Leave after it is accrued. Vacation Leave for non-exempt employees must be taken in quarter hour increments. Vacation Leave for exempt employees must be taken in half or full day increments. The Appointing Authority may require leave requests be submitted in advance.

When an employee is on Vacation Leave, and the employee or a member of the employee's family becomes ill to the extent that the employee is deprived of a portion of the vacation, the employee may request that some or all of the leave time be charged to Sick Leave instead of Vacation Leave.

Vacation Leave accruals are subject to maximum accumulation, which shall be enforced each year on the last day of the final pay period in the fiscal year. Failure to use leave overage by the last day of the final pay period in the fiscal year shall result in a loss of Vacation Leave in excess of the maximum accumulation. Under no circumstances shall an employee be allowed to carry-over leave in excess of the maximum accumulation. Under no circumstances shall an employee be allowed to use Sick Leave for Vacation Leave.

Reference: K.A.R. 1-9-3; K.A.R. 1-9-4; K.A.R. 1-9-13; K.A.R. 1-9-14



Kansas statutes allow absences from work within two consecutive hours from the opening and closing of the polls for employees to vote. This means that employees are allowed time between 7:00 A.M. – 9:00 A.M. and between 5:00 P.M. and 7:00 P.M. to vote. This will affect employees whose work hours do not allow them a two-hour block of time at the beginning and ending of the day.

The following are a few examples for illustration:

Employees who work 8:00 – 5:00 would have a two-hour block outside of normal work hours at the end of the day (from 5:00 – 7:00) so they would not use work time to vote.

Employees who work 9:00 – 6:00 have a two hour block outside of normal work hours in the morning (from 7:00 – 9:00) so they would not use work time to vote.

Employees who work 8:30 – 5:30 may need time off from work to vote – 30 minutes either before work or after work to allow a two-hour block of time for voting.

Employees who need to use work time to vote due to their normal work schedule, or have other extenuating circumstances, should contact their supervisor in advance. Time used for voting should be entered as Administrative Leave when reporting time.

Reference: K.S.A. 25-418



Military Leave, voluntary or involuntary service in the armed forces, shall be granted Military Leave without Pay upon the employee's notice to Human Resources of a military order requiring active duty for other than training purposes.

Military Leave, voluntary or involuntary service with reserve component of the armed forces, shall be granted a maximum of 15 working days of military leave with pay for active duty within each 12-month period beginning October 1 and ending September 30 of the following year.

Military Leave, state duty with Kansas National Guard or state guard when organized, shall be granted military leave with pay for the duration of any official call to state emergency duty. Requests for military leave without pay or use of vacation leave for the duration of any other type of state duty performed pursuant to K.S.A. 48-225 may be granted.

The employee shall be required to provide, within a reasonable period, documentation to Human Resources to substantiate the military order for active duty.

Reference: K.A.R. 1-9-7a; K.A.R. 1-9-7b; K.A.R. 1-9-7c



Employees who are victims of either domestic violence or sexual assault may not be discharged, discriminated or retaliated against in any way for being absent from work, if the absence is to obtain or attempt to obtain a temporary restraining/protections order or other injunctive relief to ensure the health, safety, or welfare of the employee and/or the employee's child(ren), seek medical attention for injuries as a result for domestic violence or sexual assaults, obtain services from a domestic violence shelter/program/rape crisis center as a result of domestic violence, or make court appearance in the aftermath of domestic violence or sexual assaults.

No action may be taken against any employee when an unscheduled absence occurs as long as the employee provides within 48 hours after the beginning of the unscheduled absence, documentation such as a police report, protection/restraining order, or other court documents. As a condition of requesting leave from work, an employee shall provide reasonable advance notice unless the advance notice is not feasible.

Reference: K.S.A. 21-5414; K.S.A. 44-1132



After six months of service, an eligible employee accrues a discretionary holiday, which may be used on any regular workday. Eligible employees are those who work in classified or unclassified positions and work more than 49% time. The holiday hours must be taken within the same day and cannot be divided among different days. Employees must use the discretionary holiday by the end of the last pay period of the calendar year, or it will be forfeited. Submit your request for a discretionary holiday to your supervisor at least 24 hours in advance. Discretionary leave requests received without the required notice may result in denial of leave.

Reference: K.A.R. 1-9-2



The Family and Medical Leave Act (FMLA), is a federal law that provides eligible employees entitlement to 12 workweeks of paid or unpaid leave during a consecutive 12 month period for the birth of the employee's child, the placement with the employee of a child for adoption or foster care, a qualifying serious health condition of the employee, or a serious health condition of the employee's child, spouse or parent.

The FMLA also provides for Military Family Leave:

- a) **Qualifying Exigency:** an eligible employee is entitled to up to 12 weeks for any qualifying exigency, arising out of the fact that the spouse, child, or parent of the employee is on active duty, or has been notified of an impending call to active duty status, in support of a contingency operation.
- b) **Care for injured service member:** an eligible employee who is the spouse, child, parent, or next of kin of a covered service member who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled to up to 26 weeks of leave in a single 12 month period to care for the service member.

An eligible employee is one who has worked for the state for a total of 12 months (not necessarily consecutively), and has worked for at least 1,250 hours during the 12 months prior to the beginning of leave, and holds a position that requires at least 1,250 hours annually. The employee's job is protected during the leave. If any of the leave is without pay, the employee's group health insurance is continued at the same cost and benefit level.

Employees are responsible for advising their supervisor when they request leave if it appears the need for leave meets the criteria of a serious health condition under the FMLA. Supervisors must inform Human Resources of an employee's notice of impending need for leave under FMLA or when an employee has been absent for three consecutive days due to illness or to care for a family member who is ill. Human Resources shall notify the employee of rights under the FMLA and provide the necessary form(s) to obtain medical information to support the employee qualifications for FMLA.

All leave used for FMLA purposes - including sick leave, vacation leave, shared leave or leave without pay - counts towards the employee's 12 work week entitlement. Employees must use all accumulated leave before using leave without pay.

Employees approved for Shared Leave are required to apply for FMLA. Approved Shared Leave and Family Medical Leave shall run concurrently.

Human Resources shall make the final FMLA determination and notify the employee in writing of the determination. For more information, refer to the official bulletin board or KDADS Intranet.

Reference: Family Medical Leave Act of 1993, 29 U.S.C. 2601, et. seq.; Fair Labor Standards Act of 1938, 29 U.S.C.A § 201 et. seq.; See generally Section 11 of the KDADS Policy and Procedure Handbook (Employee Benefits- Leave)



Employees in benefits eligible positions may request leave with pay upon the death of a close relative (e.g., spouse, domestic partner, parent or parent-in-law, grandparent or grandparent-in-law, sibling or sibling-in-law, aunt, uncle, child, grandchild, son-in-law, daughter-in-law or step-child, and in loco parentis), as approved by the Appointing Authority. Employees shall request Funeral Leave from their supervisor on the Request Leave Form in advance, when possible. The employee's leave request shall include the relationship to the deceased, location of funeral, requested days of leave, and other pertinent information. The amount of funeral leave approved is not to exceed six workdays, and is determined by the Appointing Authority or his/her designee on an individual basis. The employee may be asked to provide appropriate documentation to the Appointing Authority or his/her designee to justify the authorization of funeral leave. The employee's relationship to the deceased and travel time will be considered.

Upon the death of a close relative when the employee is out on shared leave, FMLA, or in leave without pay status, the employee may be granted funeral leave in accordance with KDADS policy as approved by the Appointing Authority. Employees receiving worker's compensation shall not be compensated for more than their regularly scheduled hours on any given day.

Reference: K.A.R. 1-2-70, 1-9-3, 1-9-6, 1-9-12, 1-9-20



The following days are established by regulation as legal holidays for employees of KDADS:

- New Year's Day
- Martin Luther King Day
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day
- Christmas Day

The Governor may designate additional holidays. Typically these may include a day to be used at the discretion of the employee (discretionary day), and the Friday following Thanksgiving.

An employee who is on leave without pay for any amount of time either on the last working day before a holiday or the first working day following a holiday shall not receive holiday credit, unless approved by the Appointing Authority.

An employee whose last day at work was the day before a holiday shall not be paid for the holiday.

Reference: K.A.R. 1-9-2



Inclement weather occurs when Kansas' weather conditions increase likelihood of driving accidents, necessitates clearing roads, closings, or conditions impair the normal operations of state workers or a combination thereof. Only the Governor or the Governor's designee may declare a statewide or locality Inclement Weather status. When the Governor declares inclement weather on a county hosting a KDADS hospital (KDADS Central Office and KNI- Shawnee, Parsons-Labette, Osawatomie-Miami, Larned-Pawnee, and Rainbow-Wyandotte), all essential employees in the declared county shall report to their workplace as regularly scheduled. Rearranged time and/or compensatory time do not accrue for employees working during the Declaration of Inclement Weather unless due to circumstances excluding Inclement Weather.

Essential Employees- are determined by virtue of the positions they hold, or posts that they fill, are immediately essential to the continued safety and security of agency operations and the provisions of essential services. **KDADS declares all employees assigned to Parsons State Hospital, Osawatomie State Hospital, Larned State Hospital, Kansas Neurological Institute, and Rainbow Mental Health Facility as essential.**

Employees who work during a Declaration of Inclement Weather receive compensation at the same rate of pay the employee would earn had there not been a Declaration of Inclement Weather.

Employees who received prior approval for authorized leave during the period covered by the Declaration of Inclement Weather shall not be affected. The employee must still report sick leave, vacation leave, accrued compensatory time, accrued holiday compensatory time, a discretionary holiday, or leave without pay when reporting their timesheet for the pay period. If an employee determines they cannot report to work due to weather conditions and a Declaration of Inclement Weather has not been issued, they should follow agency policy for reporting their absence and appropriate use of leave.

Reference: Governor's Inclement Weather Policy, December 2001



KDADS pays their benefits eligible employees, in accordance with their schedule, while they are serving on a jury, complying with a subpoena as a witness before the Civil Service Board, the Kansas Commission on Civil Rights, the United States Equal Employment Opportunity Commission, or an appearance before a court, legislative committee, or other public body and the Appointing Authority considered it to be in the best interest of the state. KDADS is not required to grant leave of absence with pay in circumstances where the employee is called as a witness on the employee's own behalf in an action in which the employee is a party.

KDADS employees must provide a copy of the jury duty summons to Human Resources within one day of receiving the summons.

Kansas law provides that no employer may terminate or threaten to terminate any permanent employee because of the employee's jury service or scheduled attendance in connection with jury service.

Reference: K.S.A. 43-173; K.A.R. 1-9-8



Shared Leave is designed to assist benefits eligible employees who have exhausted all paid leave available for use, including vacation leave, sick leave, compensatory time, holiday compensatory time, and the employee's discretionary holiday for either serious, extreme, or life-threatening illness, injury, impairment, or physical or mental condition that are experienced by the employee or a family member of the employee. After six months of continuous service, eligible employees may request shared leave for a qualified illness or injury by filing a Shared Leave request with KDADS Human Resources for review and approval.

Some highlights of the Shared Leave program:

Requesting Shared Leave: The employee will provide a statement from a licensed healthcare provider or other medical evidence to adequately establish that the illness, injury, impairment, or physical or mental condition is serious, extreme or life-threatening. A shared leave committee shall review the request and determine whether to approve or deny the request. Eligibility for Shared Leave ends if the illness or injury is no longer serious, extreme, or life threatening. The agency may deny Shared Leave if a history of leave abuse exists.

Donating Leave: Employees donating annual leave must maintain an annual leave balance of 80 hours after donation. Employees donating sick leave must maintain a Sick Leave balance of 480 hours Sick Leave after donation. Donations must be made in full-hour increments. Donations may be made to an employee in another agency.

Contact Human Resources for more information. Shared Leave request and donation forms are both available at <http://da.ks.gov/ps/subject/sharedlv.htm>

Reference: K.A.R. 1-9-5(e)(2), K.A.R. 1-9-23



State of Kansas offers group health insurance to all employees in benefits eligible positions.

New employees to the State of Kansas have a 30-day waiting period. The effective date of coverage is the beginning of the month following completion of the 30-day waiting period. The waiting period begins on the first day of payroll for the State of Kansas in a benefits eligible position.

The employee must immediately complete enrollment in the Member Administrative Portal (MAP) upon receiving email notification from Health Care Finance (Division of KDHE). See Hospital Human Resources if you have questions.

Open Enrollment is held annually during the month of October, with an effective date of January 1 the following year. KDADS employees are encouraged to review or make changes to their group health insurance during the Open Enrollment period.

Premiums are paid through payroll deduction. Contact Human Resources for any questions relating to group health insurance.



HealthQuest, the State of Kansas wellness program, offers a variety of free programs and services including the following:

- **Onsite Health Screenings** – Screenings are offered at many locations statewide and provide employees with important health information including total cholesterol, HDL, LDL and total cholesterol to HDL ratio, triglycerides, glucose, blood pressure, height, weight, body mass index (BMI) and waist circumference
- **Online Health Assessment** - Take the online health assessment to better understand your current health status and receive a personalized report and health improvement plan developed just for you.
- **Tobacco Cessation Program** – Employees may enroll in Quit For Life, the nation’s leading tobacco cessation program that has helped hundreds of thousands of people quit tobacco. The program integrates free medication, web-based learning and confidential phone-based support from expert Quit Coaches.
- **Condition Management Programs** – Condition Management Coaching helps employees manage a chronic condition to achieve their best level of health. You’ll receive guidance and encouragement to support your doctor’s plan of care from experienced nurses. You may also be eligible to receive specialized health monitoring devices to help you better track your progress. Condition management programs are offered to those who have been diagnosed with or receive treatment for the following: Asthma, COPD, Coronary Artery Disease, Diabetes, and Heart Failure.
- **Health Coaching** – For support in making positive lifestyle changes, employees may participate by telephone, instant message chat or email communication with a personal health coach who will provide the tools, motivation and support to help them: Lose weight, be more active, ease stress, eat healthier foods, gain energy, and be more confident.
- **Nurse24** – The nurse line is available 24 hours a day, 7 days a week for any health related question. Call toll-free 1-888-275-1205 (option 2) and speak confidentially with a specially trained nurse any time, day or night. From general health and medical information to urgent issues, Nurse 24 can help you make the most informed decisions about what to do.
- **Wellness Portal** - Log on to the wellness portal at www.KansasHealthQuest.com for the most up-to-date health and wellness information 24 hours a day. Through the portal you can also:
 - Schedule an appointment to attend a free health screening
 - Complete an online health assessment to better understand your current health status and receive personalized feedback on how to improve your health
 - Participate in fun wellness challenges that encourage healthy habits
 - Access 13 different healthy livings programs that guide you through a 6-week online course to help you achieve your goals
 - Participate in online monthly seminars on a variety of wellness topics

- **Employee Assistance Program (EAP)** formerly called LIFELINE – With a single call to the EAP at 1-888-275-1205 (option 7), you and your family members receive confidential assistance from caring professionals, 24 hours a day, 7 days a week at no cost to you. The EAP offers these services:
 - Confidential Personal Counseling for issues such as marital/family conflicts, stress, depression, alcohol/drug abuse
 - Legal Advice and Discounts
 - Personal Money Management Advice
 - Eldercare/Dependent Care Assistance & Referral
 - Life Coaching

Exercise Room: An exercise room is available in the basement and to your immediate right when you get off of the elevator at the 503 S. Kansas office. The room is to be used only during breaks, lunch, before and/or after work. The exercise room is open during regular building business hours, 7:00 a.m. - 5:15 p.m., Monday through Friday. Your access card is not required for entry. A "Release of Liability" form must be completed by employees and filed with Human Resources prior to using the equipment in the room. There is a voluntary sign-up sheet in the room to track the use of the equipment.

For more information on HealthQuest Programs, please visit www.kdheks.gov/hcf/healthquest



KDADS is required to provide a reasonable amount of break time to express milk as frequently as needed by the nursing mother. The frequency of breaks needed to express milk as well as the duration of each break will likely vary and will include regular breaks.

A private room will be provided. If an employee chooses not to use the provided room they may temporarily use a closed door office space for expressing milk where they are shielded from view, and free from any intrusion from co-workers and public view.

Reference: Fair Labor Standards Act of 1938, 29 U.S.C.A § 207;
<http://www.dol.gov/whd/regs/compliance/whdfs73.pdf>



Human Resources will be responsible for maintaining the official bulletin board. The official bulletin boards are marked “official use”.

Following is a list of information available on an official use bulletin board:

- (State) Basic Pay Plan
- EEO
- ADA
- Affirmative Action
- Child Labor
- Unemployment Insurance
- Employees Right to Communicate/Whistle Blower’s Act
- Employee Polygraph Protection Act
- Family Medical Leave Act (FMLA)
- Fair Labor Standards Act (FLSA)
- KDADS Sexual Harassment Policy Statement
- Employee Assistance Program
- Workers Compensation

Other bulletin boards are provided for business use as well as for general use by employees and/or employees groups.



The Employee Self Service Center is a web-site that provides easy access to software applications and information designed specifically for employees of the State of Kansas. It allows employees to view personal data, benefits confirmation statements, training summaries, leave balances, job postings, paycheck information and total compensation. Through the Self Service Center, employees can make changes in their benefit elections during Open Enrollment in October, change W-4 tax withholding and at tax time, they can request duplicate W-2s. The web address is: <http://www.kansas.gov/employee> then click on the “Employee Self Service” link or go to <http://www.admin.ks.gov/offices/personnel-services/ssc>.



Health examinations after an offer of employment and prior to the first date of employment (or on the first day of employment), and periodically during employment, are required by some KDADS facilities. Questions regarding health examinations should be directed to your local Human Resource representative.

KDADS will enforce the recommendations of the Centers for Disease Control and Prevention (CDC) & the Kansas Department of Health and Environment (KDHE) Tuberculosis Prevention and Control Program regarding prevention of the transmission of Tuberculosis (TB) among patients, residents, clients, and employees.

Any employee who has been directly exposed to Tuberculosis is to report that exposure to his/her appointing authority. If the appointing authority determines the employee has in fact been directly exposed, he/she shall require the employee to seek an appropriate testing and follow-up. An employee who tests positive for active TB shall not be allowed to return to work until cleared by an appropriate medical practitioner.

Employees who must miss work due to a positive TB test shall be allowed to use accumulated leave or compensatory time credits for the period of their absence. Employees who do not have, or who exhaust, accumulated leave or compensatory time credits are to be authorized leave without pay and, if necessary, a leave of absence for the duration of their absence. The conditions and limitations of K.A.R. 1-9-6 apply in all circumstances of leave without pay and leaves of absence.

If the appointing authority believes other staff has been directly exposed, he/she shall notify those staff and require they be tested in accordance with the requirements of this policy.

As with any personnel issue, information about an employee's medical condition or circumstance is confidential and shall not be shared except with those who have a need to know, as determined by the appointing authority.



Temporary employees may be hired as a classified or unclassified. Supervisors or managers who want to hire a temporary employee should consult with Human Resources to determine which method of hire best meets their needs. To initiate the hire of a temporary employee please contact Human Resources for the proper procedure.

Employment of a person in classified temporary non-benefits eligible position shall not exceed 999 total hours of employment in state service for a period of 12 consecutive months. If the duration of a temporary employee is to be less than 999 hours, the maximum duration of the temporary position shall be indicated by the Appointing Authority. All time worked shall count towards the 999 total hours. Each temporary appointment shall be ended no later than 12 months after its commencement, even if the appointee works fewer than 999 hours.

Reference: K.A.R. 1-2-19; K.A.R. 1-2-85, K.A.R. 1-6-25; K.S.A. 75-2935; Executive Reorganization Order No. 41



Shift differential shall be paid to eligible employees (non-exempt) for working on a regularly established shift outside the normal day shift (6:00 p.m. to 6:00 a.m.). Employees shall be paid for the entire time worked. Shift differential shall not be paid to the employee for any time the employee is on any type of leave or holiday. Employees who begin or end a shift at times outside the normal day shift on an incidental basis as an extension of their regularly scheduled shift are eligible for shift differential. In such circumstances, the shift differential paid shall be only for the hours worked on the shift that begins or ends at times outside the normal day shift.

Reference: K.A.R 1-5-28



State Hospital Conditions Of Employment Agreement

The following KDADS policies address conditions of employment:

- 3-8 Employee Conduct
- 3-8-E Workplace Violence Policy
- 3-8-F Abuse, Neglect, or Exploitation
- 3-8-I Substance Abuse Policy
- 3-9 Professional and Other Licensure/Registration and Certification
- 3-10 Health Examinations
- 4-8 Use of Computer Equipment, Fax Machines and Telephones
- 8-3 Nepotism
- 8-9 Security Clearance

I have read these policies in their entirety and been provided with the opportunity to ask questions. I understand these policies and my responsibility to seek clarification from my supervisor if at any time I am unclear about the requirements.

I understand and will comply with the self-reporting requirement of KDADS policy 8-9 Security Clearance to report any instance or instances of being charged with or convicted of a prohibited crime. I also understand and will comply with any reporting requirements of KDADS policies 3-8 Employee Conduct, 3-8-E Workplace Violence, 3-8-F Abuse, Neglect, or Exploitation; 3-8-I Substance Abuse Policy, 3-9 Professional and Other Licensure/Registration and Certification, 3-10 Health Examinations, 4-8 Use of Computer Equipment, Fax Machines and Telephones and 8-3 Nepotism. In addition, I will keep all client information confidential. I will not disclose any information regarding persons who have applied for or received benefits or services from KDADS to any unauthorized groups or individual, or for any purpose other than the administration of the KDADS programs.

I will protect all information available to me through interfaces with other agencies, whether the information is on the KDADS systems via direct access; from hard copy documents; or other means of communication. This includes but is not limited to information from the Kansas Health Policy Authority (KHPA) Internal Revenue Service (IRS), the Social Security Administration (SSA) and other state agencies and their contractors.

I will use equipment only for those specific functions and locations for which I have been authorized. This includes using only approved software and hardware; use of other software and hardware must be approved by my supervisor and local ITS staff. Furthermore, I understand I:

- Will not change computer configurations unless specifically approved to do so.
- Will not disable or alter anti-virus or firewall software.
- Will accept accountability for all activities associated with the use of my access privileges.
- Will comply with KDADS, Kansas and federal statutory and regulatory requirements.

I will ensure my password(s) are confidential, used only by myself, changed as required and not written down or programmed into a programmable function (PF) key. I will immediately report to my supervisor, if I suspect anyone else has knowledge of my password. I will immediately change my password at that time. I will sign off or invoke a password protected screen saver when I leave my workstation.

I fully understand and accept these as conditions of continuing employment. I understand any violation may result in disciplinary action which may include dismissal. Furthermore, knowing and intentional use of any KDADS systems or any other agency(s) systems for fraudulent purposes may result in prosecution.

Print Name: _____ Email Address (if applicable): _____

Function/Job Title: _____ Phone Number: _____

Signature of Employee: _____ Date: _____

Office Location: _____

Signature of Witness/Supervisor: _____ Email Address: _____

Job Title: _____ Phone Number: _____

Office Location: _____ Date: _____

Original filed in Official Personnel File

cc: Employee
Supervisor