



CONWAY MEDICAL CENTER POLICY

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POLICY TITLE:	EMPLOYMENT STATUS		
ISSUED BY:	HUMAN RESOURCES	REFERENCE #:	HR-1.4-POL
APPROVED BY:	PRESIDENT & CEO	ORIGINATED:	1975

SCOPE: All CMC Employees

THIS IS NOT A CONTRACT OF EMPLOYMENT. EMPLOYMENT REMAINS AT-WILL AND MAY BE TERMINATED BY EITHER PARTY AT ANY TIME, WITH OR WITHOUT NOTICE OR REASON.

POLICY REQUIREMENTS:

This policy defines the employment status and corresponding benefit eligibility as may be applicable for all employees.

1. **New Employee Probationary Period** – Employees, both newly hired and those transferring into a new position code will be assigned a CMC employment status as well as serve in an initial 90 calendar day probationary period. Senior Management and Department Directors will serve a 180 calendar day probationary period. This time period is designated to allow an employee in a new position sufficient time to demonstrate the ability to meet minimum required competencies to successfully perform the essential functions/responsibilities of the position as well as demonstrate compliance with CMC policy and practice. If at any time during this period an employee determines dissatisfaction with the position or is unable to adjust to the work assignment, schedule and other expectations, he/she may resign with required notice and exit in good standing. Similarly, an employee may be removed from payroll if appropriate counseling and training was completed during this period.

At the end of the probationary period if an employee is not determined fully competent for the position, or otherwise is experiencing difficulties in the position or with policies (i.e. attendance and tardiness), the rea leader has the option to recommend up to an additional 90 calendar days’ probationary period extension. The extension must be recommended by the Department Director and approved by the Human Resources Department. Justifications for the extension must be documented on a CMC counseling record and communicated to the employee with an action plan for improvement. Employees who fail to meet standard(s) and overall action plan for improvement outlined in the extended probationary period may be recommended for discharge.

Note – Items below outline definitions and details for various employment statuses. Offers of employment will be extended with the intent to honor a primary status and schedule. However, the Department Director reserves the option to temporarily or permanently change an employee status and/or work schedule at any time to meet the downsizing, upsizing or other operational needs of the department.



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2. **Full Time Nonexempt (FT)**

- Required Status Hours: minimum of 30 hours per week average (Department Director will determine schedule).
- Compensation: Regular CMC compensation and experience rating scale.
- Annual Merit Increase: Regular FT Nonexempt status employees are eligible for annual merit increase consideration if such program is approved by the Board of Directors.
- PTO/Benefits: Regular FT Nonexempt status employees are fully eligible for Paid Time Off (PTO) and CMC benefit package.

3. **Full Time Exempt (SALX for executives, SALD for Directors, and SAL for all other Exempt's)**

- Required Status Hours: Minimum of 40 hours per week.
- Compensation: Regular CMC compensation and experience rating scale.
- Annual Merit Increase: FT Exempt status employees are eligible for annual merit increase consideration if such program is approved by the Board of Directors.
- PTO/Benefits: FT Exempt status employees are fully eligible for PTO and CMC benefit package.

4. **Part Time (PT)**

- Required Status Hours: 20 to 29 hours per week average. PT staff may occasionally be scheduled to exceed 29 hours per week when special needs arise such as orientation and staff vacation coverage. However, they may not exceed 29 hours per week average nor may they work less than 20 hours per week average in any twelve-month period. An annual audit will be conducted to examine hours worked over a previous 12-month period and if it is determined that the employee worked outside the assigned status, the Department Director is required to change the employee to the appropriate new status.
- Compensation: Regular CMC compensation and experience rating scale.
- Annual Merit Increase: PT status employees are eligible for annual merit increase consideration if such program is approved by the Board of Directors.
- PTO/Benefits: With the exception of the CMC Retirement Contribution Program, which may be applicable if work hour requirement is met, PT status employees are not PTO or benefit package eligible.

5. **Part Time with Benefits (PTB)** - Employees don't automatically qualify for PTB status based on hours worked and instead must apply for and obtain an approved and posted PTB position. Directors and the Human Resources Office will determine when a position will be posted as PTB based on the needs of the department. This occurs on a very limited basis.

- Required Status Hours: 20 to 29 hours per week average. PTB staff may occasionally be scheduled to exceed 29 hours per week when special needs arise such as orientation and staff vacation coverage. However, they may not exceed 29 hours per week average nor may they work less than 20 hours per week average in any twelve-month period. An annual audit will be conducted to examine hours worked over a previous 12-month period



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- Compensation: Regular CMC compensation and experience rating scale.
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- Annual Merit Increase: PTB status employees are eligible for annual merit increase consideration if such program is approved by the Board of Directors.
- PTO: PTB status employees are eligible for the specific PT Paid Time Off (PTO) accrual plan.
- PTB status employees are eligible for CMC Medical insurance package and CMC retirement contribution program, if annual minimum work hour requirements is met.

6. **PRN** - PRN status employees are utilized on an “as needed basis” at the request of the Department Director to augment regular staffing. Department Directors will communicate individual minimum shift, holiday and weekend PRN staffing requirement as may be required for each unit or area in order to meet department needs.
- Required Status Hours: 0-19 hours per week. However, the PRN employee must work enough hours during the 90-day probationary period and annually thereafter to demonstrate the ability to meet the minimum required competencies to successfully perform the essential functions/responsibilities of the position, meet education requirements and participate in the annual performance review process.
 - PRN staff may occasionally be scheduled to exceed 19 hours per week when special needs arise such as orientation and staff vacation coverage. However, they may not exceed 19 hours per week average in any twelve-month period. An annual audit will be conducted to examine hours worked over a previous 12-month period and if it is determined that the employee worked outside the assigned status, the Department Director is required to change the employee to the appropriate new status.
 - Compensation: Regular CMC compensation and experience rating scale.
 - The very nature of PRN status schedule will provide an inconsistent number of hours per week and by accepting this status the employee understands that a variation in hours at any time does not automatically constitute grounds for an unemployment reduced wages claim.
 - Annual Merit Increase: PRN status staff members are eligible for annual merit increase consideration if such program is approved by the Board of Directors.
 - PTO/Benefits: With the exception of the CMC Retirement Contribution Program, as may be applicable dependent on corporation/division working under, and if work hour requirement is met, PRN status employees are not PTO or benefit package eligible.
7. **FLEX Regular (FLEX)** - Flex staffing will be defined as a “default” status option following unsuccessful “regular” status recruitment attempts or when the market for a position dictates the need to create the FLEX option. These positions will be approved and documented by the Human Resources Department.



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- Required Status Hours: 0 to 40 hours per week and specifically and additionally if defined in the FLEX policy for the position/department(s) assigned. Additionally, the FLEX status employee must work enough hours during the 90-day probationary period and annually thereafter to demonstrate the ability to meet the minimum required competencies to successfully perform the essential functions/responsibilities of the position, meet annual and ongoing education requirements and participate in the annual performance review process.
 - Compensation: FLEX status employees will be paid a fixed hourly rate without consideration of years of experience. This fixed hourly rate is a “premium rate”.
 - Annual Merit Increase: Flex status staff members are not eligible for annual merit increases.
 - PTO/Benefits: With the exception of the CMC Retirement Contribution Program, as may be applicable dependent on if work hour requirement is met, FLEX status employees are not PTO or benefit package eligible.
 - RN’s are not eligible for FLEX Regular status. (See the Flex RN1, Flex RN2 and Flex RN3 status descriptions).
8. **FLEX RN-1** -FLEX RN-1’s are Nursing Department based CMC employees that are required to maintain flexibility to float across clinical areas.
- Required Status Hours: Minimum of 36 hours per week.
 - Compensation: FLEX RN 1 status employees will be paid a fixed hourly rate without consideration of years of experience. This fixed hourly rate is a “premium rate” maintained and quoted by Human Resources.
 - Minimum Number of required weekend shifts per 4-week period: Three 12 hour shifts.
 - Minimum Number of required holiday shifts per calendar year: Two, which is required to be either Thanksgiving Day, Christmas Day, or New Year’s Day.
 - Annual Merit Increase: Flex status staff are not eligible for annual merit increases
 - PTO/Benefits: With the exception of the CMC Retirement Contribution Program, as may be applicable dependent on if work hour requirement is met, FLEX RN 1 status employees are not PTO or benefit package eligible.
9. **FLEX RN-2** - FLEX RN-2’s are Nursing Department based CMC employees that are required to maintain flexibility to float across clinical groups.
- Required Status Hours: Minimum of 12 hours per week.
 - Compensation: FLEX RN 2 status employees will be paid a fixed hourly rate without consideration of years of recent and relevant experience. This fixed hourly rate is a “premium rate” maintained and quoted by Human Resources.
 - Minimum Number of required weekend shifts per 4-week period: Two 12 hour shifts.
 - Minimum Number of required holiday shifts per calendar year: One, which is required to be either Thanksgiving Day, Christmas Day, or New Year’s Day.



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- Annual Merit Increase: Flex status staff members are not eligible for annual merit increases.
 - PTO/Benefits: With the exception of the CMC Retirement Contribution Program, as may be applicable dependent if work hour requirement is met, FLEX RN 2 status employees are not PTO or benefit package eligible.
10. **FLEX RN-3** - FLEX RN-3's are Nursing Department based CMC employees that are required to maintain flexibility to float across clinical groups.
- Required Status Hours: Minimum of one shift per month.
 - Compensation: FLEX RN 3 status employees will be paid a fixed hourly rate without consideration of years of recent and relevant experience. This fixed hourly rate is a "premium rate" maintained and quoted by Human Resources.
 - Minimum Number of required weekend shifts per 4-week period: None required.
 - Minimum Number of required holiday shifts per calendar year: One, which is required to be either Thanksgiving Day, Christmas Day, or New Year's Day.
 - Annual Merit Increase: Flex status staff members are not eligible for annual merit increases.
 - PTO/Benefits: With the exception of the CMC Retirement Contribution Program as may be applicable dependent if work hour requirement is met, FLEX RN 3 status employees are not PTO or benefit package eligible.
11. **Full Time Temporary (FTT)** – FTT positions are utilized to bridge the hiring gap or temporarily augment regular staffing. The employment period of a FTT status employee is a maximum of 120 calendar days. FTT employees are actual employees of Conway Medical Center and are not assigned under contract through temporary placement agencies. It is the Department Director's responsibility to monitor the 120 calendar day employment period to ensure compliance with the maximum number of days.
- Required Status Hours: Minimum of 30 hours per week (Department Director will determine schedule).
 - Compensation: Regular CMC compensation and experience rating scale.
 - Annual Merit Increase: FTT employees are not eligible for annual merit increase consideration.
 - PTO/Benefits: FTT Nonexempt employees are not PTO and CMC benefit package eligible.
12. **Part Time Temporary (PTT)** – PTT positions are utilized to bridge the hiring gap or temporarily augment regular staffing. The employment period of a PTT status employee is a maximum of 120 calendar days. PTT employees are actual employees of Conway Medical Center and are not assigned under contract through temporary placement agencies. It is the Department Director's responsibility to monitor the 120 calendar day employment period to ensure compliance with the maximum number of days.
- Required Status Hours: 20 to 29 hours per week (Department Director will determine schedule).
 - Compensation: Regular CMC compensation and experience rating scale.
 - Annual Merit Increase: PTT status employees are not eligible for annual merit increase consideration.



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- PTO/Benefits: PTT status employees are not PTO and CMC benefit package eligible.

13. PROVISIONS OF THE EMPLOYMENT STATUS POLICY THAT APPLY TO ALL STATUSES AND EMPLOYEES:

- Employees in all statuses with the exception of Full and Part Time Temporary are required to receive an annual performance evaluation regardless of annual merit increase eligibility.
- Paid Time Off (PTO) is required to be used to compensate for all attendance occurrences and to “fill” in for any scheduled, but not worked hours by the employee. This is the case regardless of the number of hours previously worked or planned to be worked in a particular week. However, when management determines the need to “low census” employees, such as closes offices due to inclement weather or reduces staffing due to lack of work, these employees who lost work hours have the option to use Paid Time Off (PTO) or go unpaid for those particular hours.
- It is the responsibility of the Department Director to monitor scheduling and hours worked reports to ensure the intent of each status and benefit classification is not compromised.
- Any request for a status change must be documented on a Department Director approved payroll change form and in accordance with status classifications set forth in this policy.
- Changes in statuses are required to coincide with an effective date matching the first day of a new pay period.
- Employees transferring from a Full Time or Part Time benefit eligible status to any other status will be considered as having experienced a qualifying event and may elect to continue group health, dental and vision insurance in accordance with HIPAA/COBRA regulations.
- Employees transferring from a Full Time or Part Time benefit eligible status to any other status who have an accumulated PTO balance will be required to have that PTO balance paid out at the pay rate that is in effect on the last day of the pay period prior to the change. The HR department will facilitate this pay out.

14. Annual Audits and The Employer Shared Responsibility under the Affordable Care Act (ACA)

- A. The organization will complete annual audits to examine benefit eligibility. This schedule will be as followed:
1. **Look Back Period** – August 1st to July 31st of each year. This is the period of time used to calculate the average number of hours worked per week.
 2. **Administration Period** – August 1st to August 31st of each year. During this period of time the Human Resources Department will conduct analysis and examine the average hours worked.
 3. **Stability Period** – Sept 1st to August 31st of each year. Once the analysis of hours worked is complete and benefit eligibility is determined, employees will receive communications from the HR office of status and or benefit eligibility change. That benefit eligibility (or not) will be locked for a 12-month period unless employment otherwise ends sooner or the employee voluntarily accepts a status change resulting in gain or loss of benefit eligibility.



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RECORDS:

HR Attendance and Punctuality Policy

REFERENCE STANDARDS:

Section 4980H of the Internal Revenue Code (added to the Code by the Affordable Care Act).

REVISION/REVIEW HISTORY:

Date	Affected Section(s)	Summary of Changes ('Reviewed' or details of change)
08-01-13	ALL	NEW FORMAT APPLIED
9-1-14	ALL	COMPLETE POLICY REVAMP
9-1-15	Sections 2,4, 5 & 14	Per ACA guidelines changed FT status to min avg 30 hours per week. Also as a result changed PT and PTB status to 20-29 hrs range. Added section 14 completely new.
5-16-17	ALL	Changed throughout: for the analysis of employees working < or > than the prescribed status hours in each status definition it was changed from triggered after 12 weeks off schedule to falling into the <u>annual</u> cycle review as documented in section 14.
5/13/19	Scope, Sections 1 & All	Scope - Removed reference to KNC. Section 1 – replaced the word “orientation” with “probationary”. Throughout – replaced the words “Tax Deferred Annuity 403b and the Pension” with “CMC retirement contribution program”.
9/1/19	Section 8, 9, 10	Deleted reference to related Flex nursing policy which will be retired. Changed number of holidays required to work. Removed xmas eve and new years eve as listed holiday options.
9//30/2019	Scope	Removed reference of CPG