

# ZERO TOLERANCE POLICY

## INCLUDED BUT NOT LIMITED TO PHYSICAL, EMOTIONAL, SEXUAL ABUSE AND HARASSMENT

New Leaf Alternative adheres to and enforces the zero tolerance toward all forms of abuse and harassment. Substantiated abuse or harassment is grounds for immediate termination. This enforced, educated, and facilitated through the following policies:

All staff is required to read and sign the following contract for employment with New Leaf Alternative:

- **Abuse and Neglect**

The state of Utah has some vary succinct and pertinent laws related to children and youth. Several of those laws related directly to New Leaf Alternative's involvement with youth. New Leaf Alternative is obligated and committed to educate all of their staff with regard to the child and abuse and neglect laws. There are several areas related to these laws that New Leaf Alternative would like to address.

In the event of an abuse or neglect incident occurring, within or outside of the confines of the New Leaf Alternative program and staff, whether a youth is a victim or a perpetrator, New Leaf Alternative's policy is to cooperate legally and willingly in any investigation conducted by a legal authority into said incidents. New Leaf Alternative encourages its entire staff to lend support to such an investigation.

If it is evident that there is need for temporary suspension of any staff members in order to facilitate a proper investigation into any abuse incidents or to prevent any further potential abuse situations, this action will be taken immediately.

Results from the investigation indicates there is no legal grounds or indication of wrong doing on the part of the staff member he/she will be reinstated as soon as is feasible. If there are probable or possible implications that a staff member has been involved as a perpetrator of an abuse or neglect incident, he/she may:

Be immediately dismissed from employment.

or

Be temporarily suspended at an unpaid/unsalaried status.

or

Be temporarily suspended at a paid/salaried status.

All New Leaf Alternative personnel are obligated by law to report any evidence of abuse or neglect inflicted on any youth to the proper authority in a truthful and accurate manner. Failure to do so may result in immediate termination, suspension, and/or legal action.

New Leaf Alternative is committed to training and supporting all personnel to develop a preventative and committed role in addressing the legal and moral aspects of child abuse and neglect.

Each New Leaf Alternative staff member is required to read this statement of intent as well as the attached Utah Code Annotated laws relating to child abuse and neglect.

- **Department of Human Services Provider Code of Conduct**

- New Leaf also adheres to and formally trains all staff regarding the PCC

<http://www.hslic.utah.gov/docs/code%20of%20conduct.PDF>

- **Client Rights and Responsibilities**

- New Leaf formally trains staff of the client rights and responsibilities policy
- During the intake process of each client NLA ensures that they receive information explaining, in age appropriate fashion, a zero tolerance policy regarding abuse and harassment and how to report incidents or suspicions of abuse or harassment. Additionally a copy is given to each client. A signed form that they understand and have a copy is put in their individual file.

<http://www.newleafalternative.com/pdfs/client%20rights.pdf>

- **For further information New Leaf staff can educate themselves on the Utah Code Title 76 Chapter 5- offences against the person:**

<http://le.utah.gov/UtahCode/section.jsp?code=76-5>

Especially pertaining but not limited to the following sections:

106	Harassment
106.5	Stalking
107	Threat of violence
109	Child abuse - abandonment
110	Abuse or neglect of a child with a disability
112	Reckless endangerment
401	Unlawful sexual activity with a minor
401.1	Sexual abuse of a minor
401.2	Unlawful sexual conduct with a 16-17 year old
404	Forcible sexual abuse
404.1	Sexual abuse of a child.

As per the policy manual covering sexual and other unlawful harassment the policy is as stated:

- **Sexual and Other Unlawful Harassment**

New Leaf is committed to providing a work environment that is free from all forms of discrimination and conduct that can be considered harassing, coercive, or disruptive, including sexual harassment. Actions, words, jokes, or comments based on an individual's sex, race, color, national origin, age, religion, disability, sexual orientation, or any other legally protected characteristic will not be tolerated. New Leaf provides ongoing sexual harassment training to ensure you the opportunity to work in an environment free of sexual and other unlawful harassment.

Sexual harassment is defined as unwanted sexual advances, or visual, verbal, or physical conduct of a sexual nature. This definition includes many forms of offensive behavior and includes gender-based harassment of a person of the same sex as the harasser. The following is a partial list of sexual harassment examples:

- \* Unwanted sexual advances.
- \* Offering employment benefits in exchange for sexual favors.
- \* Making or threatening reprisals after a negative response to sexual advances.
- \* Visual conduct that includes leering, making sexual gestures, or displaying of sexually suggestive objects or pictures, cartoons or posters.
- \* Verbal conduct that includes making or using derogatory comments, epithets, slurs, or jokes.
- \* Verbal sexual advances or propositions.
- \* Verbal abuse of a sexual nature, graphic verbal commentaries about an individual's body, sexually degrading words used to describe an individual, or suggestive or obscene letters, notes, or invitations.
- \* Physical conduct that includes touching, assaulting, or impeding or blocking movements. Unwelcome sexual advances (either verbal or physical), requests for sexual favors, and other verbal or physical conduct of a sexual nature constitute sexual harassment when: (1) submission to such conduct is made either explicitly or implicitly a term or condition of employment; (2) submission or rejection of the conduct is used as a basis for making employment decisions; or, (3) the conduct has the purpose or effect of interfering with work performance or creating an intimidating, hostile, or offensive work environment.

If you experience or witness sexual; or other unlawful harassment in the workplace: report it immediately to your supervisor. If the supervisor is unavailable or you believe it would be inappropriate to contact that person, you should immediately contact the Executive Director or any other member of management. You can raise concerns and make reports without fear of reprisal or retaliation.

All allegations of sexual harassment will be quickly and discreetly investigated. To the extent possible, your confidentiality and that of any witnesses and the alleged harasser will be protected against unnecessary disclosure. When the investigation is completed, you will be informed of the outcome of the investigation.

Any supervisor or manager who becomes aware of possible sexual or other unlawful harassment must immediately advise the Executive Director or any member of management so it can be investigated in a timely and confidential manner. Anyone engaging in sexual or other unlawful harassment will be subject to disciplinary action, up to and including termination of employment.

## • Progressive Discipline

The purpose of this policy is to state New Leaf's position on administering equitable and consistent discipline for unsatisfactory conduct in the workplace. The best disciplinary measure is the one that does not have to be enforced and comes from good leadership and fair supervision at all employment levels.

New Leaf's own best interest lies in ensuring fair treatment of all employees and in making certain that disciplinary actions are prompt, uniform, and impartial. The major purpose of any disciplinary action is to correct the problem, prevent recurrence, and prepare the employee for satisfactory service in the future.

Although employment with New Leaf is based on mutual consent and both the employee and New Leaf have the right to terminate employment at will, with or without cause or advance notice, New Leaf may use progressive discipline at its discretion.

Disciplinary action may call for any of four steps -- verbal warning, written warning, suspension with or without pay, or termination of employment -- depending on the severity of the problem and the number of occurrences. There may be circumstances when one or more steps are bypassed.

Progressive discipline means that, with respect to most disciplinary problems, these steps will normally be followed: a first offense may call for a verbal warning; a next offense may be followed by a written warning; another offense may lead to a suspension; and, still another offense may then lead to termination of employment. If more than 12 months have passed since the last disciplinary action, the process will normally start over.

New Leaf recognizes that there are certain types of employee problems that are serious enough to justify either a suspension, or, in extreme situations, termination of employment, without going through the usual progressive discipline steps.

While it is impossible to list every type of behavior that may be deemed a serious offense, the Employee Conduct, Provider Code of Conduct, and Work Rules policy includes examples of problems that may result in immediate suspension or termination of employment. However, the problems listed are not all necessarily serious offenses, but may be examples of unsatisfactory conduct that will trigger progressive discipline.

By using progressive discipline, we hope that most employee problems can be corrected at an early stage, benefiting both the employee and New Leaf.

## • Problem Resolution

New Leaf is committed to providing the best possible working conditions for its employees. Part of this commitment is encouraging an open and frank atmosphere in which any problem, complaint, suggestion, or question receives a timely response from New Leaf supervisors and management.

New Leaf strives to ensure fair and honest treatment of all employees. Supervisors, managers, and employees are expected to treat each other with mutual respect. Employees are encouraged to offer positive and constructive criticism.

If employees disagree with established rules of conduct, policies, or practices, they can express their concern through the problem resolution procedure. No employee will be penalized, formally or informally, for voicing a complaint with New Leaf in a reasonable, business-like manner, or for using the problem resolution procedure.

If a situation occurs when employees believe that a condition of employment or a decision affecting them is unjust or inequitable, they are encouraged to make use of the following steps. The employee may discontinue the procedure at any step.

1. Employee presents problem to immediate supervisor after incident occurs. If supervisor is unavailable or employee believes it would be inappropriate to contact that person, employee may present problem to Executive Director or Programs Director or any other member of management.
2. Supervisor responds to problem during discussion or after consulting with appropriate management, when necessary. Supervisor documents discussion.
3. Employee presents problem to Executive Director if problem is unresolved.
4. Executive Director counsels and advises employee, assists in putting problem in writing, visits with employee's manager(s), if necessary, and directs employee to Executive Director for review of problem.
5. Employee presents problem to Executive Director in writing.

6. Executive Director reviews and considers problem. Executive Director informs employee of decision and forwards copy of written response to Executive Director for employee's file. The Executive Director has full authority to make any adjustment deemed appropriate to resolve the problem.

Not every problem can be resolved to everyone's total satisfaction, but only through understanding and discussion of mutual problems can employees and management develop confidence in each other. This confidence is important to the operation of an efficient and harmonious work environment, and helps to ensure everyone's job security.

## • **Workplace Etiquette**

New Leaf strives to maintain a positive work environment where employees treat each other with respect and courtesy. Sometimes issues arise when employees are unaware that their behavior in the workplace may be disruptive or annoying to others. Many of these day-to-day issues can be addressed by politely talking with a co-worker to bring the perceived problem to his or her attention. In most cases, common sense will dictate an appropriate resolution. New Leaf encourages all employees to keep an open mind and graciously accept constructive feedback or a request to change behavior that may be affecting another employee's ability to concentrate and be productive.

The following workplace etiquette guidelines are not necessarily intended to be hard and fast work rules with disciplinary consequences. They are simply suggestions for appropriate workplace behavior to help everyone be more conscientious and considerate of co-workers and the work environment. Please contact the Executive Director if you have comments, concerns, or suggestions regarding these workplace etiquette guidelines.

- \* Replace paper in the copy machine and printer paper trays when they are empty.
- \* Retrieve print jobs in a timely manner and be sure to collect all your pages.
- \* Keep the area around the copy machine and printers orderly and picked up.
- \* Be careful not to take or discard others' print jobs or faxes when collecting your own.
- \* Avoid public accusations or criticisms of other employees. Address such issues privately with those involved or your supervisor.
- \* Try to minimize unscheduled interruptions of other employees while they are working.
- \* Be conscious of how your voice travels, and try to lower the volume of your voice when talking on the phone or to others in open areas.
- \* Keep socializing to a minimum, and try to conduct conversations in areas where the noise will not be distracting to others.
- \* Refrain from using inappropriate language (swearing) that others may overhear.
- \* Avoid discussions of your personal life/issues in public conversations that can be easily overheard.
- \* Monitor the volume when listening to music, voice mail, or a speakerphone that others can hear.
- \* Clean up after yourself and do not leave behind waste or discarded papers.