

Abilities, LLC

# Employee Handbook

## *Universal Policies*

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**"I define belonging as the innate human desire to be part of something larger than us. One of the greatest barriers to belonging is fitting in."**

*— Brené Brown*

# Welcome

This handbook contains the policies that apply to every Abilities, LLC employee regardless of your department, role, or classification. Whether you work in a residential home, in the community, in our office, or anywhere else, these expectations apply to you.

Department-specific policies are maintained separately in your department handbook. Your department handbook works alongside this one, not instead of it.

If you have questions about anything in this handbook, your supervisor is your first point of contact. Human Resources is always available for guidance.

This handbook is a living document. Abilities, LLC reserves the right to update, revise, or replace policies at any time. When policies change, you will be notified and asked to acknowledge the update. Your continued employment constitutes acceptance of all current policies. Employment at Abilities, LLC is at-will. This handbook is not a contract of employment.

All questions about this handbook or any department handbook are routed to Human Resources. The Executive Director holds final authority on interpretation of every policy in this handbook and every department handbook that operates alongside it.

## ► When HR Is Unavailable

Throughout this handbook, Human Resources is named as the contact point, decision-maker, or responsible party for many situations. When HR is unavailable, absent, or otherwise unable to act, the matter goes to the Director of Culture & Experience. If both are unavailable, the matter goes to the Executive Director. This backup chain applies to every HR-routed action in this handbook unless a specific policy says otherwise.

### CHAPTER

# 1

## General Employment

*This chapter applies to all Abilities, LLC employees regardless of department, role, or classification.*

## Abilities, LLC and Tiered Supports

Abilities, LLC is a Missouri DMH Division of Developmental Disabilities Tiered Provider. It is the operating framework that shapes how we deliver services, how we support the people we serve, how we support our staff, and how we respond when things need to change.

Tiered Supports comes from the Positive Behavior Interventions and Supports (PBIS) model, which Missouri DMH has adopted as the standard for DD providers. The framework is built on one core belief: most people do well when they have the right environment and the right supports in place. When someone is struggling, the first question is not *what is wrong with this person*, it is *what does this person need that they aren't getting?* That shift in thinking is the foundation of everything we do here.

## ► What the Three Tiers Mean

- **Tier 1: Universal Supports:** The foundation of everything we do. Tier 1 is the proactive, positive set of strategies that benefit everyone without exception, and every individual we support and every employee receives Tier 1 supports all the time. It is not something we reserve for struggling people; it is what we do for everyone. That includes consistent routines, clear expectations, genuine relationships, respectful environments, recognition, regular feedback, and universal training. When Tier 1 is strong, most problems never become problems in the first place.
- **Tier 2: Targeted Supports:** When Tier 1 is not enough for a specific person or situation, Tier 2 adds focused, temporary support on top of the foundation. It is not punishment and it is not permanent; it is additional support for an additional need. For individuals, this might look like a Safety Crisis Plan, a check-in/check-out system, or enhanced supervision. For employees, it might look like a performance plan, additional coaching, or targeted skill-building. The goal is always to get the person back to thriving at Tier 1.
- **Tier 3: Intensive Supports:** Reserved for the most complex situations, Tier 3 involves the highest level of individualized intervention and coordination. For individuals, this means BCBA-developed Behavior Support Plans, BSRC review, and Area Behavior Analyst oversight. For employees, it means the most serious corrective action, up to and including termination. Tier 3 is never the first move; it is the last.

The tiers are not a ranking of value. A person receiving Tier 3 supports is not worth less than a person who only needs Tier 1. And reaching Tier 3, whether you are an individual we serve or an employee, does not mean we have given up. It means we are putting the most intensive support we have into a situation that requires it.

### ► What This Looks Like for the Individuals We Support

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Every individual Abilities, LLC supports receives Tier 1 supports by default, on every shift, from every staff member. Tier 1 for individuals means:

- Consistent routines, clear structure, and predictable environments.
- Staff who know the person, respect their preferences, and follow their plan.
- Proactive communication that prevents problems rather than reacting to them.
- Full access to the rights and community participation guaranteed under HCBS.
- Honest, complete documentation that tracks what is working and what isn't.

When a Tier 2 or Tier 3 support is added for an individual, it is because the team has determined that Tier 1 is not enough for that specific situation. It is always specific, always documented, always reviewed, and always aimed at getting the person to a place where they need less support, not more.

### ► What This Looks Like for Employees

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The same framework guides how Abilities, LLC invests in, develops, and supports its staff.

Tier 1 for employees means universal training, clear expectations, regular feedback, recognition, and a workplace culture that makes it easy to do the right thing. Every employee gets this, regardless of how long they have been here or what position they hold.

Tier 2 for employees means additional support when a concern arises, a documented coaching conversation, a targeted performance goal, extra training, or check-ins. The goal is always to help you succeed. Tier 2 is not a warning. It is support.

Tier 3 for employees means formal employment action when Tier 2 has not produced change, or when conduct is serious enough to require immediate action. Tier 3 is not where we start. Consistent with the framework, we begin with the least restrictive effective response and escalate only when we must.

This framework means that when something goes wrong, we look at the whole picture. We ask what the person needed. We look at whether the right supports were in place. We address what caused the failure before we address the person who failed. That is not softness. That is how change actually happens.

## Our Foundation: Mission, Values, and Philosophy of Support

Everything Abilities, LLC does, every policy, every training requirement, every expectation in this handbook, is grounded in a shared set of beliefs about who we serve and what our role is. This section is not a set of rules. It is an invitation to understand why what we do matters.

### ► Our Mission

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Abilities, LLC partners with individuals, families, and the community to provide safe, respectful, and high-quality supports that promote independence, dignity, and an improved quality of life for people with developmental disabilities. Our mission is not simply to provide services. It is to support people in living meaningful lives within their communities.

### ► Our Values

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Abilities, LLC operates according to three core values. They are operational expectations that guide all employee conduct, in how we support the individuals we serve and in how we treat one another.

- **Integrity:** Acting honestly, ethically, and responsibly in everything you do. This means following laws, policies, and procedures; protecting individual rights; taking accountability for your actions; and being truthful with coworkers and leadership even when it is uncomfortable.
- **Community:** Building genuine belonging, inclusion, and connection, within our homes, our workplaces, and our wider community. We create environments where individuals are active members of their communities, and where employees show up as teammates who support one another and contribute to something bigger than their individual role.
- **Empathy:** Approaching every interaction with compassion, patience, and understanding. This is not only how we support the individuals we serve. It is how we treat each other. Listen first. Respond without judgment. Recognize that everyone you work alongside is carrying something you may not see.

### ► Who We Support

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The individuals Abilities, LLC supports are whole people. They are people with personalities, preferences, relationships, histories, and futures. Our job is to understand who they are and support them in living lives that are genuinely their own.

### ► Philosophy of Support

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Abilities, LLC supports individuals as autonomous people. We are not here to protect individuals from every difficult, uncomfortable, or disappointing experience. We are here to support them through life as it naturally occurs. The individuals we support are entitled to experience joy, pride, excitement, frustration, disappointment, sadness, conflict, growth, and resilience.

We believe independence, confidence, and a meaningful life are built through experience, not through protection from it. Our job is to walk alongside individuals, provide support when needed, and step back when it is not. The goal is always greater independence, not greater dependence on staff.

### ► Dignity of Risk

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Every person has the right to take reasonable risks, make choices, and experience natural consequences. Unnecessary restriction or overprotection, driven by fear or convenience rather than legitimate safety concerns, is not protective. It is a rights violation. Safety is not defined as the absence of all risk or discomfort. Quality support balances preparation, guidance, and respect for autonomy.

### ► What This Looks Like in Practice

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As an Abilities, LLC employee, you are expected to:

- Respect individuality, identity, personality, and preferences.
- Support choice, even when outcomes are uncertain or imperfect.
- Allow individuals to experience natural consequences in a supported and ethical manner.
- Teach coping skills, problem-solving, and emotional regulation.
- Avoid fear-based or overly restrictive practices.
- Distinguish between necessary safety measures and unnecessary control.

When you find yourself tempted to restrict, limit, or say no, ask whether the reason is safety or convenience. If it is convenience, the answer should change.

## 1.1

## Code of Conduct

This Code of Conduct sets the professional and ethical standards expected of all Abilities, LLC employees. It ensures a safe, respectful, and inclusive environment by setting clear expectations for behavior, communication, and decision-making across all roles and settings. This policy applies to all Abilities, LLC employees regardless of role, department, or classification.

### ► Core Expectations

#### ► 1. Professionalism and Integrity

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- Always act honestly and ethically in all work-related activities.
- Follow all agency policies and procedures, including PCSPs, BSPs, and HCBS rules.
- Maintain confidentiality in accordance with HIPAA and internal privacy protocols.
- Avoid conflicts of interest and report any perceived or actual conflict to a supervisor.

#### ► 2. Respect for Individuals Served

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- Treat individuals with dignity, empathy, and respect at all times.
- Support the rights of individuals, including their right to privacy, autonomy, and community participation.
- Do not impose personal beliefs or make arbitrary decisions that restrict individual rights.
- Never engage in, condone, or ignore abuse, neglect, or exploitation. Report suspected incidents immediately.

#### ► 3. Workplace Behavior

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- Maintain a clean, safe, and inclusive environment for all individuals and staff.
- Use appropriate language, tone, and physical behavior.
- Casual attire is permitted. Clothing must not interfere with safety or dignity.

General self-hygiene and being free of offensive odors is expected of all employees as a condition of employment.

#### ► 4. Non-Discrimination

*Authority: Title VII (42 U.S.C. § 2000e et seq.); ADA (42 U.S.C. § 12101); ADEA (29 U.S.C. § 621); GINA (42 U.S.C. § 2000ff); Pregnant Workers Fairness Act (42 U.S.C. §§ 2000gg et seq.); USERRA (38 U.S.C. § 4301); Missouri Human Rights Act (RSMo Ch. 213). [eeoc.gov/laws/statutes](https://www.eeoc.gov/laws/statutes)*

Abilities, LLC is committed to providing a work environment free from discrimination and harassment. Discrimination based on any of the following characteristics is strictly prohibited:

- Race, color, creed, or religion
- Sexual orientation, gender or sex, gender identity or expression
- Pregnancy, childbirth, or related medical conditions
- Military or veteran status
- Disability
- Age
- Genetic information
- National origin or ancestry

This policy applies to all workplace activities, including hiring, training, promotion, and the corrective action process. Abilities, LLC also provides reasonable accommodation for disability, pregnancy, childbirth, and related medical conditions as required by law. See Policy 2.5.

Discrimination does not have to be obvious to be real. Examples of prohibited conduct include:

- Refusing to schedule an employee for shifts because of their race
- Making comments about a coworker's accent or national origin
- Excluding someone from team conversations because of their gender identity
- Consistently assigning the hardest tasks to one person because of their age
- Treating someone differently after learning about a disability
- If you are not sure whether something crosses the line, report it and let Human Resources decide.

#### ► 5. Sexual Harassment

*Authority: Title VII, Civil Rights Act of 1964 (42 U.S.C. § 2000e-2); EEOC enforcement guidance on harassment. [eeoc.gov/harassment](https://www.eeoc.gov/harassment)*

Sexual harassment is any unwelcome sexual advance, request for sexual favors, or other verbal, visual, or physical conduct of a sexual nature. It applies to interactions between staff, as well as toward individuals served, visitors, or anyone associated with Abilities, LLC.

This IS sexual harassment	This is NOT sexual harassment
Making sexual jokes or comments about someone's body.	A respectful compliment.
Repeatedly asking a coworker on dates after they have declined.	A consensual, non-coercive relationship outside of work.
Touching someone in a way that makes them uncomfortable.	Accidental, brief contact such as bumping into someone in a crowded space.

This IS sexual harassment	This is NOT sexual harassment
Displaying sexually explicit images in the workplace.	
Discussing your own sexual activity, partners, or experiences at work.	
Describing or referencing pornography or sexually explicit content in conversation.	

Any employee who feels they have been subjected to sexual harassment should report the behavior immediately to Human Resources. Reports will be investigated under Policy 5.6. No retaliation will be tolerated for making a report in good faith. Substantiated violations may result in immediate termination.

## ► 6. Use of Technology and Social Media

- Personal cell phone use during shifts should be limited. Phones should be kept out of sight and silent or vibrate.
- Personal video calls, FaceTiming, or live streaming for your own use are not permitted during shifts.
- Supporting individuals in making video calls through agency-approved platforms is a staff responsibility and is expected. See Policy 7.2.
- Only use agency-approved platforms for documentation and communication.
- Personal laptops, computers, and gaming systems may not be brought into agency ISLs.
- You bring your phone to the ISL at your own risk. If an individual damages, destroys, or disposes of your phone, replacement is your responsibility, not the agency's.
- Employees may not do homework or personal work during any shift.

Photos of individuals served may only be taken or shared in the private agency Facebook group, and only when the setting and what the individual is wearing make it appropriate. A swimsuit photo at a pool is fine. A photo of someone in their underwear at home is not. Never photograph or video an individual during a medical event, behavioral crisis, or other vulnerable moment. Never post or share identifying information about individuals served on personal social media.

## ► 7. Drugs, Alcohol, Weapons, Smoking, and Vaping

- Do not possess, use, or be under the influence of drugs or alcohol during work hours.
- Abilities, LLC maintains a zero-tolerance policy for weapons on any agency premises or during work shifts.
- Smoking and vaping are strictly prohibited inside all agency homes, vehicles, or offices.

Some homes are designated non-smoking due to medical equipment such as oxygen. Employees must know and follow the designation of each home they work in.

THC is legal in Missouri, but Abilities, LLC is funded by federal Medicaid dollars. Federal law governs our operations, and we are required to maintain a drug-free workplace. Bringing any THC product into an agency home or vehicle is strictly prohibited. This includes edibles, vapes, pre-rolls, tinctures, and any other THC-containing product. Possession of THC products on agency property or during work hours is grounds for corrective action up to and including termination.

## ► 8. Safety and Reporting

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- Follow all safety protocols and infection control practices.
- Complete incident and event reports within the required timeframe.
- Report injuries, misconduct, or safety issues to supervisors or Human Resources promptly.
- Participate in ongoing training.
- Follow all traffic laws, wear seatbelts, and never use a phone while driving.
- Report any vehicle accident immediately, no matter how minor.

## ► 9. Attendance and Punctuality

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- Report to work as scheduled and on time.
- Follow proper call-in procedures for absences.
- Use PTO responsibly and in accordance with the attendance policy.

## ► Protected Concerted Activity

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*Authority: National Labor Relations Act § 7 (29 U.S.C. § 157). [nlrb.gov](http://nlrb.gov)*

Nothing in this Code of Conduct, this handbook, or any other Abilities, LLC policy restricts the rights of employees to discuss wages, hours, working conditions, or other terms and conditions of employment with each other or with third parties. Employees have the right to engage in protected concerted activity under Section 7 of the National Labor Relations Act, including the right to discuss working conditions, raise concerns, and act collectively for mutual aid and protection. Civility, professionalism, and respect for individuals served are workplace expectations and are not restrictions on these protected rights.

## ► Accountability

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Abilities, LLC believes in coaching and feedback first. Most issues are resolved before they become formal concerns, because we address things early, clearly, and with a genuine investment in the employee's success.

- **Tier 1:** Universal expectations apply to everyone, and so does universal support. When something isn't working, the first response is always a conversation, clear, direct, and focused on a path forward. You will hear what the concern is, what needs to change, and what support is available to help you get there. Regular feedback, check-ins, and recognition are all part of Tier 1. Most of what comes up in any workplace is addressed and resolved right here.
- **Tier 2:** When the same concern comes up more than once, or when a situation needs more focused attention, we add targeted support. This might look like scheduled check-ins, additional coaching, a written plan, or extra training. If something in your life is making it hard to show up or perform, whether it's a health issue, a schedule conflict, a personal difficulty, or something else, this is the level at which we get curious about what's going on and figure out how to help. The goal is always for you to succeed.
- **Tier 3:** Formal employment action, up to and including separation, is reserved for situations where repeated serious violations have continued after coaching has not resulted in change, or for conduct that creates immediate risk. This level also applies to conduct involving harm to individuals served, falsification of records, or substantiated harassment, which may result in immediate action regardless of prior history. Reaching Tier 3 is never the first move; it is the last.

Abilities, LLC requires comprehensive and regular background checks for all prospective and current employees. These checks are conducted through the Missouri Family Care Safety Registry and include screening against the Missouri Department of Mental Health Employee Disqualification Registry. No employee may have direct contact with individuals served until required screenings are complete and results are reviewed and approved.

This policy applies to all prospective hires, current full-time, part-time, PRN, and salaried employees, and volunteers.

### ► Required Screenings

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Abilities, LLC uses the Missouri Family Care Safety Registry to conduct all required background screenings. The Registry provides consolidated results including the DHSS Employee Disqualification List, the DMH Employee Disqualification Registry, and the Missouri State Highway Patrol Criminal Background Check. Human Resources submits all screening requests through the Registry. Individual system checks are not conducted separately.

All applicants must sign a consent form and disclose their full criminal history, including any suspended sentence. Any disqualifying offense listed under Missouri law (RSMo 630.170) makes a person ineligible for employment.

### ► Time of Hire Procedure

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*Authority: RSMo 630.170 (disqualifying offenses); RSMo 210.900 et seq. (Family Care Safety Registry); 9 CSR 45-5.010. [health.mo.gov/safety/fcsr](http://health.mo.gov/safety/fcsr)*

- **Step 1:** FCSR consent form completed by the applicant at the time of interview.
- **Step 2:** Human Resources extends a tentative offer of employment, contingent on background check clearance.
- **Step 3:** HR submits the background check through the FCSR.
- **Step 4:** Results received and reviewed by HR for any disqualifying crimes under RSMo 630.170.
- **Step 5, No disqualifying findings:** HR proceeds to schedule orientation. The tentative offer is confirmed.
- **Step 5, Disqualifying findings:** The offer is rescinded. HR notifies the applicant confidentially and informs them of their right to submit an exception request directly to the Missouri DMH Exceptions Committee.
- **Exception requests:** [dmh.mo.gov/about/employee-disqualification](http://dmh.mo.gov/about/employee-disqualification), Abilities, LLC does not advocate on behalf of applicants or employees in the exceptions process.

### ► Periodic Background Checks

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Background checks are conducted annually for all current employees. HR initiates the check and reviews results. Employees are required to cooperate fully.

- **Step 1:** HR initiates the background check through the FCSR within 30 days of the employee's current background check expiring.
- **Step 2:** Results must be on file before the one-year mark. No employee may continue in a role with direct contact with individuals served if their background check has lapsed.
- **Step 3:** HR reviews results for any disqualifying crimes under RSMo 630.170.
- **Step 4, No disqualifying findings:** No action required. Results are filed in the employee's BambooHR record.

- **Step 4, Disqualifying findings:** HR notifies the employee within one business day. The employee is immediately removed from the schedule and their employment is terminated. HR provides written information about the employee's right to submit an exception request directly to the Missouri DMH Exceptions Committee.
- **Exception requests:** [dmh.mo.gov/about/employee-disqualification](https://dmh.mo.gov/about/employee-disqualification), Abilities, LLC does not advocate on behalf of employees in the exceptions process.

## 1.3 Leadership Succession Policy

Abilities, LLC maintains a defined succession of authority to ensure continuity of agency operations and decision-making when the Executive Director is unable to perform their duties due to a major event. Succession is triggered by circumstances such as incapacitation, a medical emergency, sudden and extended unplanned absence, or a formal transition of authority. Routine unavailability, such as being in a meeting, traveling, or not immediately reachable, does not activate succession. Everyone should know who holds decision-making authority at all times.

### ► Succession Order

Order	Position
1	Executive Director
2	Director of Culture and Experience
3	Director of Residential Operations (DRO)

The next available individual in the succession order assumes full authority of the Executive Director, including all regulatory, operational, financial, and personnel decisions, until the Executive Director is available again or a formal transition of authority is established.

When succession of authority is activated, the acting authority will notify department heads and relevant staff as soon as practicable. All regulatory agencies, funders, or partners that require notification of a leadership change will be notified in accordance with their respective requirements.

## 1.4 Agency Systems and Vendor Outage Policy

Abilities, LLC relies on a suite of cloud-hosted software systems to manage human resources, scheduling, clinical documentation, billing, and financial operations. These systems are maintained by the vendor, not by Abilities, and they occasionally go down for maintenance or unplanned outages. The agency does not have an internal protocol for fixing those outages, because the fix lives with the vendor. What we do have is a clear set of expectations for staff when a system is unavailable. This policy applies to all staff and department heads.

### ► Agency Systems

System	Primary Purpose
BambooHR	Human resources, personnel records, onboarding, payroll, and announcements
SetWorks	Individual records, eMAR, clinical documentation
WhenToWork	Staff scheduling
QuickBooks	Financial management
CIMOR / EMOMED / MMAC	Missouri DMH documentation and Medicaid billing
Sandata / EAS	Electronic Visit Verification (EVV)
Monday.com	To-do lists, maintenance work orders, and project tracking
WorkTango	Employee recognition
BoldSign	Electronic signature and document execution
Google Workspace	Email, shared drives, and internal communication

### ► What to Do When a System Is Down

- **Contact your supervisor first.** Your supervisor can confirm whether the issue is isolated to your device or login, or whether the system is down for everyone.
- **Document manually in the meantime.** Keep accurate paper or written records of anything that would normally go into the system, then enter it once the system is restored.
- **Your data is safe.** All agency systems are cloud-hosted, so data is protected by the vendor's infrastructure. Outages do not result in data loss under normal circumstances.

#### Critical actions during outages

**Incident reporting:** Critical incidents must still be reported to DMH within required timeframes. Contact the Director of Residential Operations if CIMOR is unavailable to determine the appropriate manual reporting path.

**EVV and billing:** Contact the Finance Director or Executive Director immediately if Sandata or EMOMED is unavailable to prevent missed billing windows.

## 1.5

### Hiring, Onboarding, and System Setup

This policy establishes the steps Human Resources must complete from the time a conditional offer is extended through an employee's first day of work. It covers federal employment eligibility

requirements, the sequence of steps that must happen before orientation, how hire date is recorded, and the system setup tasks that must be completed before an employee begins work. The hire date recorded in BambooHR is the official start date and is the clock that starts all training timelines, benefit eligibility, and E-Verify deadlines.

Human Resources is responsible for completing all steps in this policy for every new hire. This policy applies to all full-time, part-time, PRN, and salaried positions across all departments.

### ► The Hiring Sequence

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*Authority: Immigration Reform and Control Act (8 U.S.C. § 1324a); 8 C.F.R. Part 274a (Form I-9 and E-Verify). [uscis.gov/i-9-central](https://uscis.gov/i-9-central)*

The following steps must be completed in order for every new hire. No step may be skipped, and orientation may not be scheduled until the background check is cleared.

- **Step 1: Conditional Offer:** Human Resources extends a conditional offer of employment, contingent on background check clearance.
- **Step 2: Background Check:** Human Resources initiates the required checks through the Missouri Family Care Safety Registry. See Policy 1.2 for full requirements.
- **Step 3: Results Review:** Human Resources reviews results before any further steps occur. Orientation may not be scheduled and the employee may not have contact with individuals served until results are reviewed and approved.
- **Step 4: Hire Date:** Human Resources records the hire date in BambooHR. This is the official date for all training deadlines, benefit eligibility, and E-Verify timelines. It may not be changed without Executive Director approval.
- **Step 5: Form I-9:** Employee completes Section 1 no later than their first day of paid work. HR completes Section 2 within three business days of the hire date. Original documents must be presented in person.
- **Step 6: E-Verify:** HR initiates an E-Verify case within three business days of the hire date. E-Verify may not be used before an offer is accepted or as a pre-screening tool.
- **Step 7: System Setup:** HR completes all required system setup before the employee's first day. See the System Setup section below.
- **Step 8: Orientation:** Scheduled and completed only after background check results are reviewed and approved.

Orientation covers at minimum: handbook review and signed acknowledgment, abuse and neglect and mandated reporting requirements, confidentiality and HIPAA and individual rights, review of job requirements and performance expectations, introduction to supervisors and key agency staff, office and facility tour, and agency systems walkthrough including hands-on setup of BambooHR, SetWorks (where applicable), WhenToWork, and Google Workspace.

### ► System Setup

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- The following system setup tasks must be completed by Human Resources before the employee's first day. These apply to all new hires.
- BambooHR profile created with hire date, role, department, supervisor, work location, contact information, and all applicable onboarding tasks assigned.
- WhenToWork account created with correct role and position. Applies to all DSP, ISL Management, RBT, CSP, and other shift-based roles.
- SetWorks profile created for all clinical and direct care roles.

- Google Workspace account and agency email created for all employees. Employee is added to the appropriate Google Chats for their role.
- WorkTango account created. Used for employee recognition, peer kudos, and engagement surveys.
- WEX Fleet user access provisioned for employees authorized to use agency-owned vehicles. The Finance Director administers.

### ► System Access at Separation

When an employee separates from the agency, Human Resources must revoke access to all agency systems within two business days of the separation date. This includes:

- BambooHR
- SetWorks
- WhenToWork
- Google Workspace
- WorkTango
- Monday.com
- The private Abilities, LLC Employee Facebook group
- Any other system to which the employee had access

For roles with CIMOR or EMOMED access, see Policy 7.1 for the security officer revocation process. Access revocation also applies when an employee changes roles and no longer requires access to a particular system.

### ► Your Responsibilities as a New Hire

Human Resources owns the steps above. You own the rest:

- Arrive at orientation on time and prepared
- Complete all pre-employment paperwork by the deadlines HR gives you
- Provide the documents listed in Policy 7.1 before your first shift
- Complete all required training within the timelines set by DMH and the agency
- Keep your contact info, emergency contacts, banking information, and tax withholding current in BambooHR
- Ask HR when you don't understand something

Missing a deadline, failing to provide required documents, or not completing training on time can delay your start, remove you from the schedule, or end your employment before it begins.

## 1.6

## At-Will Employment Policy

Employment with Abilities, LLC is at-will. You may end your employment at any time, for any reason, with or without notice. The agency may do the same, subject only to applicable law.

Nothing in this handbook, in any agency document, or in anything a supervisor or manager says creates a contract of employment or a guarantee of continued employment. No one other than the Executive Director has authority to alter the at-will nature of your employment, and any such agreement must be in writing and signed by the Executive Director to be valid.

The agency may update, revise, or replace any policy in this handbook at any time. Continued employment after a policy change is your acceptance of the change.

## 1.7

### Personnel Records Policy

Abilities, LLC maintains personnel records for every employee in BambooHR. These records include hiring documents, training records, certifications, performance evaluations, corrective action documentation, accommodation files, medical files maintained separately under Policy 2.5, and other employment-related records.

#### ► Access to Your Records

You may request a copy of your training records and certifications at any time during or after your employment. Requests must be submitted in writing to Human Resources. Training records and certifications are provided by email. Abilities, LLC does not provide printed copies of personnel records.

Other contents of your personnel file (performance evaluations, corrective action records, internal HR notes, investigation records) are agency property and are not provided to current or former employees outside of legal process.

#### ► Confidentiality of Records

Personnel records are confidential. Human Resources has access to all personnel records. Other employees may access records only when there is a legitimate need to know in order to perform their job responsibilities. Access outside of those purposes is not permitted.

#### ► Updating Your Records

You are responsible for keeping your contact information, emergency contacts, tax information, direct deposit, and other personal records current in BambooHR. Changes to legal name, address, marital status, or dependents must be reported to Human Resources within fourteen days of the change.

## 1.8

### Service Letters and Reference Checks Policy

#### ► Service Letters (Missouri Service Letter Statute)

*Authority: RSMo 290.140 (Missouri Service Letter Statute). [revisor.mo.gov](http://revisor.mo.gov)*

Under RSMo 290.140, a former employee with at least ninety days of service at Abilities, LLC may request a service letter from Human Resources. The request must be in writing and must include the employee's name, dates of employment, and a return address.

Abilities, LLC will respond to a valid service letter request within forty-five days of receipt. The service letter will state the nature and length of employment and, if applicable, the reason employment ended. Service letter responses are issued by Human Resources only.

#### ► Reference Checks

*Authority: RSMo 290.152 (Missouri job reference immunity). [revisor.mo.gov](http://revisor.mo.gov)*

Reference checks for current and former employees are handled by Human Resources only. No other employee is authorized to respond to reference inquiries about a current or former employee, whether the inquiry is from a prospective employer, a credit agency, a landlord, a government agency, or any other party. Employees who receive reference inquiries must direct the inquiry to Human Resources. If HR is unavailable, the inquiry goes to the Director of Culture & Experience, and then to the Executive Director.

When Human Resources responds to a reference inquiry, the information provided is limited to:

- Dates of employment
- Position held
- Reason employment ended
- Any documented performance or conduct issues from the employee's personnel file

Abilities, LLC shares only what is documented. Nothing subjective, nothing from memory, nothing from hearsay. Missouri's job reference immunity statute (RSMo 290.152) protects employers who share truthful, documented information about a former employee's job performance in good faith.

Employees who respond to reference inquiries on behalf of Abilities, LLC outside of this policy may be subject to corrective action up to and including termination, and may expose themselves and the agency to defamation liability.

## 1.9

### Outside Employment Policy

Abilities, LLC does not prohibit employees from holding outside employment. Most outside jobs (retail, restaurants, gig work, office work, anything outside the care field) do not require disclosure to the agency. The agency only requires disclosure and a signed Disclosure Statement when the outside employment is at another provider-type agency in the same field.

#### ► When Disclosure Is Required

You must disclose outside employment to Human Resources, and sign a Disclosure Statement, only when the outside employer is one of the following:

- Another DMH-funded provider (developmental disabilities, behavioral health, residential, day program, ISL, or similar)
- A home health, hospice, or skilled nursing provider serving overlapping populations
- A behavior services or BCBA practice
- Any other organization serving the same population Abilities serves

For these provider-type employers, disclose in writing to Human Resources at the time of hire if the outside employment exists, or within fourteen days of starting the second job if it begins after your Abilities hire date. The disclosure includes the name of the outside employer, the role, and the typical schedule.

Outside jobs that are not in the provider field do not require disclosure under this policy. The agency does not need to know that you wait tables, drive for a rideshare, or work weekends at a retail store.

#### ► The Disclosure Statement (Provider-Type Employment Only)

When disclosure is required, you complete and sign a written Disclosure Statement covering the following commitments:

- You will not share confidential information about Abilities individuals, families, operations, finances, staff, or any other internal matter with the outside employer
- You will not solicit Abilities individuals or their families to receive services from the outside employer
- You will not solicit Abilities staff to leave Abilities for the outside employer
- You will keep schedules separate so that work hours at one employer do not interfere with work hours at the other
- You will not perform Abilities work while on the clock for the outside employer or perform outside employer work while on the clock for Abilities
- The Disclosure Statement is signed at the time of disclosure and is filed in your BambooHR record.

### ► Conflict of Interest with Individuals Served

Outside employment that creates a conflict of interest with the individuals Abilities serves is prohibited regardless of where the outside work is. The full list of prohibited conflicts, including guardianship, household status, and private paid care for an individual served, is governed by Policy 1.10 (Fraternalization and Conflict of Interest). Those conflicts result in immediate termination regardless of how they arise.

### ► Performance and Safety

Outside employment does not excuse failure to meet Abilities, LLC's performance, attendance, or safety expectations. Fatigue, scheduling conflicts, or reduced availability resulting from outside employment do not relieve you of the obligation to meet job requirements at Abilities.

## 1.10

## Fraternalization and Conflict of Interest Policy

### ► Policy Statement

Abilities, LLC welcomes the personal connections that develop in our workplace. People meet at work, fall in love, build families, and stay. We have employees who started as coworkers and went on to marry and raise children together. That is something we honor, not something we try to engineer out of existence.

What this policy regulates is conflict of interest. Personal relationships between employees become an agency concern when they create or could create unfair influence over scheduling, evaluation, training, promotion, or assignment decisions. The agency's job is to ensure that supervisory authority is exercised based on work, not on personal relationships. This policy sets out the disclosure rules and the prohibited supervisory relationships that protect that fairness.

### ► Definitions

- **Supervisory Employee:** Any employee with authority to hire, schedule, evaluate, discipline, train, or assign work to another employee.
- **Subordinate:** Any employee who reports to a supervisory employee, directly or indirectly, or whose schedule, evaluation, discipline, training, or work assignment can be influenced by that supervisory employee.
- **Family Member:** Spouse, domestic partner, parent, child, sibling, grandparent, grandchild, in-law, step-relative, or any person treated as family.

- **Household Relationship:** Any shared residence, regardless of romantic or familial connection. Includes married and unmarried partners, family members living together, roommates sharing rent or expenses, and any other arrangement involving shared residence.

### ► Relationships That Require Action

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Some relationships at Abilities, LLC require us to make adjustments so the relationship can continue while remaining fair to everyone involved. A small number are absolute prohibitions, meaning the relationship itself cannot exist alongside continued employment. Both categories are below, with the reasoning for each.

**Supervisor and subordinate romantic or sexual relationships.** When a supervisor and subordinate are in a romantic or sexual relationship, the agency restructures supervisory authority so that the supervisor no longer has scheduling, evaluation, discipline, training, or assignment authority over the subordinate. This applies to any supervisor-subordinate combination across the agency.

*Why this rule exists:* When a supervisor and subordinate are in a romantic relationship, every scheduling, evaluation, and discipline decision involving that employee is compromised. The subordinate may receive preferential treatment, or fear retaliation if the relationship ends. Other employees lose confidence in the fairness of decisions, and the agency loses the ability to hold both parties accountable. The harm is to the whole team, not just the two people involved.

**Family members in a direct supervisory line.** Family members may work at Abilities, but the agency restructures supervisory authority so they are not in a direct supervisory line with each other.

*Why this rule exists:* Supervising a family member makes objective accountability nearly impossible. It creates pressure to protect, excuse, or advocate for someone based on personal loyalty rather than job performance. It also puts the family member in an unfair position, receiving feedback from someone whose relationship with them extends far beyond work.

**Household members in the same work location.** Employees who share a residence, regardless of relationship type, are assigned to different ISLs or different direct work teams.

*Why this rule exists:* Shared-residence employees create scheduling entanglements, coverage gaps when both call out, and situations where personal conflicts spill into the workplace. In a residential home, this affects the individuals living there. It also creates pressure on supervisors who have to manage two employees whose personal lives are intertwined.

**Romantic relationships with the family members of individuals served.** These relationships must be disclosed to Human Resources within five business days so the agency can structure the employee's role to avoid conflicts of interest.

*Why this rule exists:* Family members and guardians are often decision-makers about an individual's services. A personal relationship with a family member can compromise the employee's objectivity, create pressure to share confidential information, or raise the appearance of preferential treatment. Early disclosure allows the agency to address the conflict before it becomes a problem.

**Absolute prohibition: Romantic or sexual relationships with individuals served.** Any romantic, sexual, or boundary-blurring relationship between an employee and an individual served is absolutely prohibited and is grounds for immediate termination. This also triggers mandated reporting under Policy 4.5 and DMH abuse and neglect reporting under Policy 6.2.

*Why this rule exists:* The individuals we support are in a position of dependence. An employee holds power over their daily life, their care, their access to community, and their documentation. A romantic or sexual relationship in that context is inherently exploitative, regardless of apparent consent. It is a fundamental violation of professional boundaries and of the trust the individual and their family have placed in the agency.

**Absolute prohibition: Guardianship or household status with an individual served.** Becoming the legal guardian of an individual served, or moving an individual served into your personal home, results in immediate termination. There is no exception.

*Why this rule exists:* A guardian or household provider controls nearly every aspect of an individual's life: finances, medical decisions, living situation, daily routine. That level of control combined with an employment relationship at the same agency creates a conflict so complete it cannot be managed with any amount of oversight or restructuring. The risk of exploitation, whether intentional or not, is too high.

### ► Disclosure Requirements

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Disclosure is required only for relationships that fall under one of the categories above. You are not required to disclose romantic or personal relationships that do not create a conflict under this policy.

If you are in or enter a relationship that is covered by a prohibition above, disclose to Human Resources within five business days. This includes:

- A romantic or supervisory conflict that exists at the time of hire
- A relationship that develops after hire and creates a prohibited supervisory conflict
- A household arrangement that begins after hire and creates a prohibited work-location conflict
- A promotion or transfer that would create a prohibited supervisory relationship with an existing partner or family member
- A romantic relationship with an individual's family member or guardian

Early disclosure protects you. It allows the agency to address the conflict before it becomes a problem, rather than discovering it after harm has occurred.

### ► Agency Response After Disclosure

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When a disclosure is received, HR reviews the situation and writes a written recommendation. That recommendation is sent to the Director of Culture and Experience and the Executive Director. ED and DCE then agree and implement, ask questions, or deny.

Possible outcomes include:

- No action required because no conflict exists
- Schedule, work location, or supervisory assignment changes for one or both parties
- A formal acknowledgment plan documenting how the conflict is managed going forward
- When reassignment is required, the agency considers operational needs, role availability, the impact on each employee's career, and the preferences of the parties. Reassignment is not based on gender or seniority.
- Determinations are documented in notes and on the disclosure document, which is filed in the employee's personnel file.

### ► Consequences for Failure to Disclose

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- Failure to disclose a known prohibited relationship is grounds for corrective action up to and including termination.
- Failure by a supervisory employee to disclose a known prohibited relationship is grounds for immediate termination. Supervisors are held to a higher standard.
- Engaging in a romantic or sexual relationship with an individual served, becoming the legal guardian of an individual served, or moving an individual served into your home are absolute grounds for immediate termination.

## ► Confidentiality and Non-Retaliation

Disclosures and the agency's response are handled discreetly. Information is shared only with HR personnel and the Executive Director, and with department leadership on a need-to-know basis to implement any required changes.

Abilities, LLC does not retaliate against employees who disclose relationships in good faith, participate in the agency's review, or appeal a determination. Retaliation against any employee for making a good-faith disclosure is itself a Tier 3 violation.

## ► Appealing a Determination

If you disagree with the Executive Director's determination, you may appeal in writing to the Executive Director within ten business days. The appeal will be reviewed using the same process as Policy 2.5 appeals.

### 1.11

## Coaching and Corrective Action

Most issues at work get solved through coaching, not discipline. The agency's Staff Accountability Tier Reference, found at the back of this handbook, gives the at-a-glance framework. This policy explains how coaching actually works and the path between coaching and termination when that path is needed.

## ► How We Look at What Went Wrong

Before deciding what response a situation needs, leadership looks at how widely the issue is showing up.

- **One employee, isolated issue.** A single person made a mistake or fell short of an expectation, and no one else was harmed by it. This is a coaching conversation, not a discipline situation.
- **A few employees with the same issue.** When two to four people are running into the same problem, the cause is rarely all of them at once, and the pattern usually points to a small clique forming, a weak immediate manager, or a shared misunderstanding. The response is at the group level, with the supervising manager involved.
- **The whole team, or across the agency.** When an issue shows up across an entire team or in the same form across multiple departments, the cause is foundational, pointing to a divide between management and the team, a missing system, or a leadership gap. The response moves up to senior leadership.

This is a diagnostic step that tells leadership what kind of response is needed before any conversation happens.

## ► What Coaching Looks Like

Coaching is not a write-up but a working conversation between the employee and their supervisor that includes a clear, specific example of what the employee did that needs to change, a clear, specific example of what doing it right looks like, and a defined timeline for the change to take hold. Black-and-white things like clocking in on time have a short timeline, while skills that take practice to learn have a longer one.

When the employee shows consistency in doing it the right way over the agreed-upon timeline, the coaching is closed and recorded as a positive: something the employee learned and overcame, not something kept in their file as a mark against them.

The principle is that we do not hold overcome things over people's heads.

### ► When the Behavior Itself Is the Problem

Not every issue at work is a missed task or a procedural mistake. Some issues are about how a person shows up. An employee who is rude to coworkers, antagonistic with their team, mean to the people we support, unwilling to take coaching, or unable to receive honest feedback creates a different kind of problem than someone who simply forgot to clock in. This kind of conduct harms the agency's culture even when no specific rule has been broken.

Culture is not decoration here. Kindness, coaching, and honest conversation are how the work gets done. When someone consistently undermines that — by being cruel, by refusing to grow, by treating coaching as an attack, or by acting in ways that pull the team apart — we treat it as a serious issue regardless of whether the behavior fits neatly into a list of violations.

Leadership will name what is happening directly and give the employee a real chance to change. If the pattern continues, the employee is on the same corrective action path as anyone else. We will not allow people to harm the team simply because what they are doing is not explicitly "against the rules."

### ► When Coaching Is Not Enough

When the timeline passes and the employee has not made the change, or when the issue keeps repeating, coaching becomes formal corrective action. The path:

- **Written warning.** A documented record of the issue, the prior coaching, and the specific expectations going forward. This stays in the employee's file.
- **Final warning.** A documented final notice that one more occurrence will result in termination.
- **Termination.** Employment ends on the next occurrence after the final warning.

Certain situations skip these steps entirely: abuse, neglect, falsifying documentation, theft, and other serious violations move directly to termination, with no prior coaching or warning required.

Uncontrolled emotional outbursts directed at a coworker or an individual served are taken seriously regardless of where the employee is in the corrective action path.

### ► Documentation

Coaching conversations are tracked in coaching notes, while written warnings, final warnings, and terminations are documented in BambooHR as formal employment records. Every employee has access to their own records and can see what is on file.

## CHAPTER

# 2

## Attendance and Time Off

*This chapter establishes the agency-wide Paid Time Off framework and leave rights that apply to all Abilities, LLC employees. Accrual rates for employees are set in your department handbook and governed by the universal rules in this chapter.*

### 2.1

## Paid Time Off (PTO) Policy

Abilities, LLC provides Paid Time Off to support employee wellness, flexibility, and fair access to time away from work. PTO is a single, unified bank of paid hours that you may use for any personal need, including vacation, illness, bereavement, or emergencies. Accrual rates vary by role and employment status, but the rules governing how PTO is used, approved, banked, cashed out, and paid at separation apply equally to all eligible employees.

This policy applies to all full-time, part-time, and salaried employees. PRN employees are not eligible for PTO or benefits regardless of department, role, or hours worked.

### ► Eligibility

*Authority: Family and Medical Leave Act (29 U.S.C. § 2601 et seq.); 29 C.F.R. Part 825.  
dol.gov/agencies/whd/fmla*

- All full-time and part-time employees begin accruing PTO immediately upon hire, prorated to their start date.
- PTO becomes available for use starting on Day 61.
- PRN employees are not eligible for paid time off and do not earn it.

### ► Accrual Rates

- Your accrual rate is set by your role and department and is documented in your department handbook. The rules below govern how PTO works for everyone regardless of accrual rate.
- Maximum bank: Accrual pauses at 250 hours and resumes once the balance drops below 250.
- All hourly employees accrue on a flat monthly basis, prorated to their date of hire.
- Salaried employees receive a flat annual PTO grant on January 1 each year, prorated to date of hire in their first year.

### ► Using PTO

PTO covers vacation and personal time, illness or emergency absences, bereavement, and FMLA or other protected leave.

All PTO requests must be submitted and approved through BambooHR. You may not request more PTO than what is currently banked. Requests must specify the hours being requested.

For overnight shifts: requesting PTO that covers an overnight shift requires two separate BambooHR submissions, one for each calendar date affected, with a comment on each explaining the split.

**Canceling a PTO request.** If you submit a PTO request and later change your mind, you are responsible for canceling it. Log into BambooHR, go to the Time Off tab, and cancel the request. Emailing payroll to cancel a request is not acceptable.

### ► Call-In and Unplanned Absences

PTO will automatically apply to cover unplanned absences. Negative PTO balances are not allowed.

How to call in

**Attendance Line:** 660-225-1489. All unplanned absences must be reported at least two hours before your scheduled shift.

**Voicemail only:** Calling or texting a supervisor directly does not satisfy the call-in requirement.

**Who this applies to:** All employees except salaried staff.

**First 60 days:** Calling in during any training shift within your first 60 days will result in immediate separation.

### ► PTO Approval Authority

Position	Approves PTO For
Executive Director	All salaried positions
Director of Residential Operations	All residential employees
Community Program Manager	All Community Services employees
Director of Culture and Experience	Culture and Experience staff

Once the maximum number of staff are approved off for a given day, no additional requests will be accepted.

### ► Patterned Absence

PTO is a benefit meant to support work-life balance and health. Repeated misuse or suspicious patterns of absence will be reviewed and addressed through coaching, even when PTO is available to cover them. Examples of patterns that may be reviewed include:

- Calling in on the same day of the week repeatedly (every Monday, every Friday)
- Regular absences immediately before or after a weekend or holiday
- Calling in the same day or the day after a PTO request is denied
- Calling in the shift before or the shift after pre-approved time off
- Calling in repeatedly on shifts you signed up for as overtime or as a pick-up

Patterns may be addressed through coaching, a documented conversation, or other Tier 2 supports under the Code of Conduct, even when each individual absence was permitted under this policy.

### ► Attendance Record Disputes

When an attendance entry is made on your record, BambooHR automatically sends you an email notification to your agency email address. If you believe an entry in your attendance record is incorrect, bring the dispute to Human Resources within 30 calendar days of receiving that notification.

### ► PTO Cash-Out

You may request to cash out up to 40 hours of PTO per calendar year if you have been employed by Abilities, LLC for at least 12 consecutive months and are in good standing with no active performance concerns or attendance warnings.

### ► PTO Payout at Separation

You may receive a payout of up to 40 PTO hours upon separation if you provide 2 weeks' notice, have no call-ins during your final 2 weeks, submit all required documentation if applicable, and return all company property.

## 2.2

**Holiday Pay Policy**

Abilities, LLC recognizes ten paid holidays each year. Calling in on a recognized holiday results in automatic termination of employment, regardless of whether PTO is available to cover the absence.

The following are the ten recognized holidays:

Holiday	Date
New Year's Day	January 1
Memorial Day	Last Monday in May
Juneteenth	June 19
Independence Day	July 4
Labor Day	First Monday in September
Veterans Day	November 11
Thanksgiving Day	Fourth Thursday in November
Christmas Eve	December 24
Christmas Day	December 25
New Year's Eve	December 31

Holiday pay rates and how holiday pay is calculated for each department are located in your department handbook.

## 2.3

**Workers' Compensation Policy**

Abilities, LLC is committed to maintaining a safe and healthy workplace and ensuring that employees who experience work-related injuries or occupational illnesses receive appropriate medical care and support. This policy applies to all employees of Abilities, LLC, including full-time, part-time, and PRN staff, for all work-related incidents resulting in injury or illness occurring during the course and scope of employment.

► **What Workers' Compensation Covers**

Authority: RSMo Chapter 287 (Missouri Workers' Compensation Law). [labor.mo.gov/DLS/WorkersComp](http://labor.mo.gov/DLS/WorkersComp)

Under Missouri law, workers' compensation benefits may apply in the case of physical injuries or accidents occurring during the course and scope of employment, occupational diseases or illnesses resulting from job-related exposure, aggravation of pre-existing conditions due to work activities, and repetitive use injuries. Injuries incurred off the clock or due to horseplay, substance use, or policy violations may not be covered.

### ► What to Do If You Are Injured at Work

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- **Step 1: Tell your supervisor right away.** Any injury, any shift, even if it seems minor. Your supervisor does not make recommendations about medical care; that comes from HR. If the injury happens after business hours, your supervisor or you should contact the Executive Director directly at 660-563-0660 by Google Chat, phone, or text.
- **Step 2: HR takes it from there.** Your supervisor reports the injury to Human Resources. If HR is unavailable, it goes to the Director of Culture & Experience, and then to the Executive Director. HR will contact you to determine whether you need emergency care or scheduled care, and will direct you where to go. If HR or the Executive Director is unsure whether the injury needs ER treatment, they will consult with a nurse or doctor before directing care.
- **Step 3: Get your care.**
- **Emergency care:** Western Missouri Medical Center, 403 Burkarth Road, Warrensburg, MO.
- **Scheduled care:** Midwest Healthcare & Wellness, 625 E Russell Avenue, Warrensburg, MO, or Concentra, Grandview, MO. HR will pick the right location and coordinate the appointment.
- **Step 4: Fill out the Employee Incident Report within 24 hours of the injury.** Submit it to HR.
- **Step 5: Bring all medical paperwork to HR.** HR uploads it to your file, sends it to the workers' comp adjuster, and files the claim with our insurer within 1 business day of being notified. A claim number is issued within 2 business days of submission.

### ► What to Expect After the Claim Is Filed

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Once the claim is filed, the assigned adjuster at Missouri Employers Mutual manages your case from there, much like a case manager. HR is your point of contact at Abilities throughout. Benefit amounts, treatment decisions, and care determinations are set by Missouri state law and the insurer, not by Abilities, LLC.

### ► Light Duty

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Abilities, LLC offers light duty when an assignment is available within the employee's restrictions. Light duty placement is determined through the accommodation process described in Policy 2.5. Some restrictions cannot be accommodated through light duty, in which case other accommodations or leave will be considered. Human Resources, not your supervisor, makes the determination.

### ► Lost Time and Wage Replacement

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If an authorized physician determines you cannot work due to a work-related injury, you may be eligible for Temporary Total Disability benefits after three calendar days of missed work. If your time off exceeds 14 days, compensation for the initial 3-day waiting period will be retroactively applied. The benefit is generally two-thirds of your average weekly wage, subject to a maximum weekly cap set by the Missouri Division of Workers' Compensation.

### ► Returning to Work

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A written release from the authorized treating physician is required before you may resume any duties. If you are released with restrictions, Human Resources will work with you and your supervisor to

coordinate your return, including light duty placement. If a permanent injury prevents you from returning to your original position, the accommodation process under Policy 2.5 will apply.

## 2.4

## Family and Medical Leave Act (FMLA) Policy

The Family and Medical Leave Act is a federal law that gives eligible employees the right to take unpaid, job-protected leave for certain family and medical reasons. Abilities, LLC complies fully with FMLA and will protect your rights throughout the process.

### ► Eligibility

*Authority: Family and Medical Leave Act (29 U.S.C. § 2601 et seq.); 29 C.F.R. Part 825.  
dol.gov/agencies/whd/fmla*

You are eligible for FMLA leave if you have worked for Abilities, LLC for at least 12 total months (does not need to be consecutive) and have worked at least 1,250 hours in the 12 months before the leave.

### ► Leave Entitlement

- **Standard Leave:** Eligible employees may take up to 12 workweeks of unpaid leave in a 12-month period for the birth and care of a newborn child, placement of a child for adoption or foster care, care for a spouse, child, or parent with a serious health condition, your own serious health condition, or a qualifying exigency related to a family member's military active duty.
- **Military Caregiver Leave:** Up to 26 workweeks of unpaid leave may be taken in a 12-month period to care for a covered service member with a serious illness or injury incurred in the line of duty.

### ► Intermittent FMLA Leave

FMLA may be taken intermittently or on a reduced schedule when medically necessary, meaning in separate blocks of time rather than one continuous absence.

- **What qualifies:** Periodic treatment, recurring flare-ups of a chronic condition, ongoing therapy, or post-operative follow-up visits.
- **Certification required:** Must be certified by a healthcare provider, specifying expected frequency and duration. The agency may require recertification at reasonable intervals.
- **Counts against entitlement:** Intermittent absences count against the 12-workweek entitlement hour-for-hour. Available PTO runs concurrently.
- **Foreseeable absences:** Schedule to minimize coverage disruption when possible. Provide as much advance notice as practicable.
- **Unforeseeable absences:** Follow the standard call-in procedure under Policy 2.1.
- **Temporary transfer:** The agency may temporarily reassign you to an equivalent-pay position that better accommodates recurring absences. The reassignment ends when the leave period ends.

### ► Key Rules

- **PTO runs at the same time.** If you have PTO when your leave starts, you must use it during FMLA. It counts toward your FMLA time, not on top of it.
- **Your health insurance stays active.** Abilities keeps your health coverage going while you're on leave, the same as if you were still working.

- **You still owe your premium share.** You're still responsible for your portion of benefit costs during unpaid leave. Any missed payments will come out of your paycheck when you return.
- **Your job is protected.** When you come back, you get your job back, or one that's equal in pay and benefits.
- **FMLA and accommodations are separate.** You can have both running at the same time. FMLA covers your time off. An accommodation (Policy 2.5) covers changes to how or where you work.

► **Pay During FMLA Leave**

FMLA leave is unpaid. Abilities, LLC does not provide paid leave during FMLA. If you have PTO at the time your leave begins, you are required to use it concurrently with FMLA, which gives you partial wage replacement until your PTO bank is exhausted. Once PTO is exhausted, the remainder of your FMLA leave is unpaid. If you do not have PTO at the time leave begins, your entire FMLA leave is unpaid.

Workers' Compensation wage replacement under Policy 2.3 is separate from FMLA and is governed by Missouri law.

► **Notice and Certification**

You must provide at least 30 days' advance notice when the need for leave is foreseeable, and as much notice as practicable when it is not. You will be required to provide medical certification from a healthcare provider within 15 calendar days of the request. Abilities, LLC reserves the right to require a second opinion at the company's expense.

Report all FMLA-related absences to the Attendance Line at 660-225-1489 at least two hours before your scheduled shift when possible.

► **Required FMLA Forms**

Form	Description
FMLA Leave Request Form	Initiates the FMLA process. Completed by the employee. Due at least 30 days before foreseeable leave.
DOL Form WH-381	Notice of Eligibility and Rights. Completed by HR within 5 business days of request.
WH-380-E / WH-380-F / WH-384 / WH-385 / WH-385-V	Certification of Health Care Provider. Select based on reason for leave. Due within 15 calendar days.
DOL Form WH-382	Designation Notice. Official FMLA designation. Issued by HR after receiving complete certification.

Contact Human Resources for FMLA request packets, certification forms, benefit premium arrangements, and help coordinating PTO with FMLA leave. Additional information is available at [www.dol.gov/whd/fmla](http://www.dol.gov/whd/fmla).

## 2.5

## Medical Accommodations and Work Restrictions Policy

Abilities, LLC complies with all federal and state laws that require reasonable accommodation for employees with medical conditions, disabilities, pregnancy, childbirth, and related medical conditions. This policy applies to every employee in every department regardless of role, classification, or work location. The same process and the same standards apply across the agency.

This policy is governed by the Americans with Disabilities Act (ADA), the Pregnant Workers Fairness Act (PWFA, effective June 27, 2023), the Pregnancy Discrimination Act, the PUMP Act, and the Missouri Human Rights Act (RSMo Chapter 213). Where these laws differ, Abilities, LLC follows whichever provides the greater protection to the employee.

### ► Who Decides Accommodations

*Authority: ADA (42 U.S.C. § 12101 et seq.; 29 C.F.R. Part 1630); Pregnant Workers Fairness Act (42 U.S.C. §§ 2000gg et seq.); Pregnancy Discrimination Act (42 U.S.C. § 2000e(k)); PUMP Act (29 U.S.C. § 207(r)); Missouri Human Rights Act (RSMo Ch. 213). [eoc.gov/disability-discrimination](https://eoc.gov/disability-discrimination) | [dol.gov/agencies/whd/pump-act](https://dol.gov/agencies/whd/pump-act)*

Human Resources is the agency's accommodation decision-maker. This is true in every department and for every role. No supervisor, manager, director, RPM, or department leader, regardless of which department they work in, has authority to:

- Grant or deny a request for accommodation
- Evaluate medical documentation
- Promise an employee a specific placement, schedule, or assignment during a restriction period
- Tell an employee what accommodation they will receive
- Decide whether a restriction is reasonable, valid, or sufficient

If you are a supervisor or manager in any department, you must notify Human Resources the same business day if an employee gives you any of the following:

- A work restriction note from a healthcare provider
- An accommodation request in writing
- Medical documentation
- A verbal mention of a current or future accommodation need

A verbal mention to a supervisor counts as notice to the agency. Statements like "I'm going to need some changes when I come back from leave," "my doctor said I shouldn't be lifting," or "I might need accommodations during my pregnancy" all count as notice.

The supervisor's job is to route the notice to HR immediately, not to evaluate it, respond to it, or hold it. After HR receives the notice, HR makes the determination. Supervisors and managers follow HR's direction on implementation. This rule is uniform across the agency and applies regardless of department, role, or seniority.

### ► Definitions

- **Reasonable Accommodation:** A change to the job, the schedule, the work environment, or the way work is normally performed that allows a qualified employee with a covered medical condition to perform the essential functions of their role, unless the accommodation would create undue hardship for the agency.

- **Undue Hardship:** Significant difficulty or expense for the agency, considering factors such as cost, the impact on operations, the size of the agency, the nature of the work, and the effect on other employees and the individuals we serve.
- **Essential Functions:** The core duties of a position that must be performed, with or without accommodation, for the employee to do the job. Essential functions vary by role and by location and are defined by the agency.
- **Interactive Process:** The good-faith back-and-forth conversation between Human Resources and the employee to identify possible accommodations and select one that is effective.
- **Qualified Individual:** An employee who, with or without reasonable accommodation, can perform the essential functions of their position.
- **Work Restriction:** A medical limitation issued by a licensed healthcare provider that affects the employee's ability to perform some part of their job.
- **Medical Documentation:** Written information from a licensed healthcare provider that identifies the restriction, its expected duration, and any clinical context required to evaluate accommodation options. Documentation does not require disclosure of a diagnosis.

### ► When This Policy Applies

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This policy applies in any of the following situations:

- You have a disability covered by the ADA and need an accommodation to perform your job
- You are pregnant, recently gave birth, are recovering from childbirth, or have a medical condition related to pregnancy or childbirth, and you have a limitation that affects your work
- You have a temporary medical condition that requires work restrictions
- You are returning to work from leave with restrictions of any kind
- You are nursing and need lactation accommodation under the PUMP Act
- This policy applies whether the underlying condition is permanent, temporary, episodic, or expected to resolve.

### ► How to Request an Accommodation

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You can start the accommodation process in any of the following ways:

Email Hannah Cox, HR Manager, at [hcox@abilitiesllc.com](mailto:hcox@abilitiesllc.com)

Call the agency office and ask to speak with Human Resources

Send Hannah Cox a Google Chat message

You do not need to use any specific words. You do not need to name the law. You do not need to disclose your diagnosis to start the process. Saying that you have a medical condition affecting your work is enough to begin.

Once HR receives notice, HR will contact you to schedule an initial meeting to gather information and discuss what you need. The initial scheduling conversation can happen verbally or in writing.

**All substantive communication after the initial scheduling is in writing or in person.** Human Resources does not accept verbal accommodation requests, verbal documentation of restrictions, or verbal updates to an existing accommodation outside of a scheduled meeting. Written communication can be email or letter. In-person communication is conducted as a scheduled meeting documented in the employee's Notes tab in BambooHR by HR. The purpose of this rule is to make sure every part of the interactive process is documented, both for the employee's protection and for the agency's.

If you are not sure whether your situation qualifies, contact Human Resources. HR will help you determine whether the policy applies.

## ► The Interactive Process

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Once Human Resources receives notice that you need an accommodation, the interactive process begins.

- **Step 1: HR acknowledges receipt and schedules the initial meeting.** HR will acknowledge your request within two business days and will schedule the initial information-gathering meeting. The initial scheduling can happen verbally. Every substantive conversation after that is documented.
- **Step 2: HR reviews documentation.** HR will review any medical documentation you have provided and may request additional information if what was submitted is unclear or incomplete. You will be told specifically what additional information is needed.
- **Step 3: HR identifies possible accommodations.** HR considers your restrictions, the essential functions of your role as documented in your job description and your department handbook, the operational needs of your department, and the rights and needs of the individuals served. HR may consult your supervisor or department leader regarding operational impact, but the decision belongs to HR.
- **Step 4: HR meets with you.** HR will meet with you to discuss possible accommodations. This conversation is part of the good-faith process. You will be asked what accommodation you believe would help, and HR will discuss what the agency can offer.
- **Step 5: HR makes a determination.** HR will issue a written determination identifying the accommodation, the start and end dates, and any conditions. The determination will be one of the following: an accommodation is granted, an accommodation is granted with modifications, leave is offered as the accommodation, or no accommodation is available without undue hardship.
- **Step 6: HR communicates with your supervisor.** HR will tell your supervisor only what the supervisor needs to know to implement the accommodation. Your medical information is not shared.

Every meeting between HR and the employee during the interactive process is documented in the employee's Notes tab in BambooHR by HR. The note captures what was discussed, what documentation was reviewed, what accommodations were considered, and what was decided or held for follow-up. The agency commits to engaging in this process in good faith. You are also expected to engage in good faith, including responding to HR communications in writing or attending scheduled meetings, providing documentation when requested, and being open to accommodations the agency identifies.

## ► Medical Documentation

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Abilities, LLC may require medical documentation to support a request for accommodation. Documentation must come from a licensed healthcare provider and must include:

- The nature of the restriction (what you cannot do or what must be modified)
- The expected duration of the restriction
- Any specific limitations on lifting, standing, sitting, driving, exposure to chemicals, working alone, working with specific populations, working specific hours, or any other relevant function
- Documentation does not need to include a diagnosis. The agency cannot require you to disclose your diagnosis. The agency can ask follow-up questions of the healthcare provider, with your written authorization, if the documentation is unclear.
- The agency reserves the right to require periodic recertification of restrictions at reasonable intervals. The frequency depends on the nature of the restriction and the accommodation in place.
- The agency reserves the right, at its expense, to require a second opinion from a healthcare provider of its choosing when the original documentation is in doubt.

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### ► Essential Functions Vary by Role and by Location

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Essential functions are not the same for every position at Abilities, LLC. A role's essential functions depend on what the job actually requires. Each employee's specific physical and functional requirements are written into their job description, and additional role-specific and location-specific requirements are documented in each department handbook. HR considers the job description and the relevant department handbook when determining what accommodations are reasonable for any specific role.

Essential functions can include physical requirements (lifting, transferring, driving), cognitive requirements (medication administration, documentation), behavioral requirements (de-escalation, supervision), schedule requirements (overnight coverage, weekend availability), and location requirements (specific homes or sites). What is essential in one role may not be essential in another, and what is essential at one location may not be essential at another.

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### ► Categories of Accommodations the Agency May Consider

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The agency considers a range of accommodations during the interactive process. Possibilities include:

- Modified duties or restructured assignments
- Light duty, where the agency has identified a position within the employee's restrictions
- Schedule modifications, including shift changes, modified hours, or reduced schedules
- Equipment, tools, or workspace modifications
- Temporary reassignment to a different role for which the employee is qualified, when an opening already exists
- Temporary reassignment to a different work location, when an opening already exists
- Lactation accommodations as described below
- Unpaid leave, when no other accommodation is reasonable or no accommodation has been identified that allows the employee to perform essential functions
- Any other accommodation the interactive process identifies as effective and reasonable
- This list is not exhaustive. The agency will consider any accommodation raised in good faith.

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### ► Reasonable Does Not Mean Preferred

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A reasonable accommodation is one that allows you to perform the essential functions of your role without imposing undue hardship on the agency. It is not the accommodation you most prefer.

When more than one accommodation would be effective, the agency selects which one to implement. The agency considers cost, operational fit, impact on coworkers, impact on the individuals we serve, and consistency with how the agency has handled similar situations. You may share your preference and HR will consider it, but the choice belongs to the agency. This rule applies in every department and to every role.

The agency is not required to:

- Eliminate an essential function of your job
- Lower a performance or production standard
- Provide personal-use items such as eyeglasses, hearing aids, or wheelchairs
- Create a new position that does not otherwise exist
- Bump or displace another employee from their position to create an opening
- Provide an accommodation that imposes undue hardship
- Provide an accommodation that would require violating the rights of the individuals we serve, including HCBS Final Rule rights

- Provide indefinite leave without a return-to-work date

### ► The Agency's Other Rights

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In addition to the rights above, Abilities, LLC reserves the right to:

- Require fitness-for-duty certification from a licensed healthcare provider before allowing an employee to return from a restriction or accommodation period to full duty
- Require updated medical documentation when restrictions are extended or modified
- Decline an accommodation that would compromise the safety of the employee, coworkers, or the individuals we serve
- Decline an accommodation that would shift the workload onto coworkers in ways that compromise the work being done
- End an accommodation when the underlying restriction is no longer in place
- Engage outside counsel or compliance resources to support the determination

### ► Confidentiality

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All medical documentation submitted under this policy is confidential. It is stored in a separate, secure medical file maintained by Human Resources. It is not part of your personnel file.

Your medical information is shared only with:

- HR personnel responsible for the determination
- Department leadership, on a need-to-know basis, with only the information needed to implement the accommodation (your restriction, not your diagnosis)
- Outside counsel, insurance, or government agencies when required by law

Your coworkers will not be told your diagnosis, your specific restrictions, or that you have requested an accommodation. If your accommodation results in changes coworkers can see (a modified schedule, different duties, a different work location), HR will work with your supervisor on how to communicate the change without disclosing medical information.

### ► Lactation Accommodations

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Under the PUMP Act and the Pregnant Workers Fairness Act, employees who are nursing have the right to reasonable break time and a private, non-bathroom space to express breast milk for one year after the birth of the child. Abilities, LLC complies with both laws within the operational realities described in this policy.

**The operational reality.** The accommodations the agency can offer are shaped by constraints that are not within the agency's control:

The work happens in private homes that belong to the individuals we support. Even when a home has two DSPs scheduled, those DSPs are often physically alone with one or two individuals because the third individual is in the community, at an appointment, or otherwise out with the other DSP. Federal HCBS rules guarantee each individual the right to access their community on their own schedule, and the agency cannot violate those rights in an individual's own home to create coverage for a lactation break.

The agency does not maintain a float DSP pool.

ISLs are private residences. They do not have lockable private spaces other than bathrooms, which are not permitted lactation spaces, and bedrooms, which belong to the individuals who live there and are not work spaces.

The agency does not have temporary office or non-billable roles available for reassignment.

These are real limits. They do not eliminate the agency's obligation to accommodate, but they define what accommodations are actually available.

**Start the conversation early.** If you are pregnant and intend to express milk after returning to work, contact Human Resources during your pregnancy. The earlier the planning starts, the better.

**Pumping method is your decision.** How you pump, what equipment you use, how often, and for how long are personal medical decisions between you and your healthcare provider. The agency does not advise, suggest, or recommend pumping methods or equipment. The agency's role is to provide break time and space within what is operationally possible. Your medical choices are yours.

**Scheduling modifications: what is possible and what is not.** The agency offers scheduling modifications as part of the lactation accommodation conversation. Scheduling decisions are always governed by the needs and rights of the individuals we support first. The Plan of Service, the staffing pattern authorized by DMH and Medicaid, the HCBS rights of every individual to access their community on their own schedule, and the safety of the individual define what coverage in each home looks like. Accommodation cannot override those requirements.

The HCBS Final Rule and each individual's Plan of Service guarantee the right to community access, outings, appointments, and individualized activities on the individual's own schedule, not the agency's. When an individual chooses to leave the home, a DSP goes with them. A home that has two DSPs scheduled may have only one DSP physically present at any given moment for that reason. Lactation accommodation cannot reduce the staffing available to support an individual's choices.

Within those limits, scheduling modifications the agency may be able to offer include:

Shorter shifts that end before the employee's required pumping interval, so the employee is fully relieved from duty and pumps at home on her own time. The hourly rate is not changed by this accommodation. Total weekly hours and gross pay may be reduced.

Adjusted start and end times that align the shift with the employee's pumping schedule, so the employee can pump immediately before clocking in and immediately after clocking out.

Temporary reassignment to a different home or different shift, but only when an opening already exists in that location or on that shift. The agency does not remove or displace another employee to create a position for accommodation.

Scheduling modifications the agency cannot offer include:

Adding a second DSP to a shift that DMH and Medicaid have authorized for single coverage. The agency cannot create unbillable coverage, and DMH does not authorize additional staff to support an employee's accommodation.

Leaving an individual unsupervised during a pump break, or restricting an individual's HCBS rights so an employee can pump. An ISL employee cannot step away from an individual who requires continuous supervision, and the agency will not ask any individual to delay an outing, an appointment, or community access so an employee can take a pump break.

Pulling a DSP from another ISL to cover a pump break. Every home has its own authorized staffing pattern, individual needs, and HCBS obligations. The agency cannot move staff away from one home to cover another.

Removing or displacing another employee from their assigned home or shift to make room for an employee needing accommodation. The agency does not move existing employees against their preferences to create openings. Reassignment is only possible when an opening already exists.

If a workable schedule cannot be built within these limits, Human Resources will discuss other accommodation options, including unpaid leave under FMLA or otherwise.

**Effect on benefits.** Accommodations that reduce hours may affect benefit eligibility. Benefit eligibility runs by the existing benefit policy. The agency does not maintain benefits artificially during the lactation period. Human Resources will explain how the accommodation may affect your benefits before any decision is finalized.

**Pay.** Pump breaks are unpaid. The employee clocks out for the duration of the break and is fully relieved of duty during it. The agency does not schedule nursing employees onto shifts where they cannot be relieved.

**Private space at the office.** Human Resources designates a private lactation space at the office that is not a bathroom, is shielded from view, and is free from intrusion during use. This space is available to nursing employees during scheduled office time for training, supervision, paperwork, or other work-related reasons.

**Storage.** Where a refrigerator is available at the work location, the agency will provide access. Where one is not, the agency will assist in arranging cooler storage. Containers, bags, and pumping equipment are the employee's responsibility.

**Duration.** PUMP Act protections apply for one year after the birth of the child. PWFA protections continue as long as the related medical limitation exists.

**If the accommodation is not working.** If the planned accommodation is not working in practice, contact Human Resources. The plan can be adjusted within the operational constraints described in this policy.

### ► Interaction with Other Leave Policies

---

Accommodation under this policy and leave under other agency policies are different processes. They can run in parallel. Leave under FMLA, Workers' Compensation, or any other agency-provided leave does not replace the accommodation process. The accommodation process does not replace leave entitlements.

For example: A pregnant employee may use FMLA for prenatal appointments and recovery from childbirth and at the same time receive a PWFA accommodation for lifting restrictions during the pregnancy. An employee with a workplace injury may have Workers' Compensation benefits, light duty, and an ADA accommodation evaluation running together. An employee with a chronic condition may use FMLA for flare-ups and have an ADA accommodation in place for ongoing limitations.

If you are eligible for both leave and accommodation, HR will help you understand how the two interact.

### ► Role of Supervisors and Department Leadership

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The role of supervisors and managers in the accommodation process is the same in every department. Supervisors and managers:

- Notify HR the same business day of any work restriction notes, accommodation requests, medical documentation, or verbal mentions of current or future accommodation needs
- Do not evaluate medical documentation
- Do not grant, deny, or modify accommodations
- Do not promise an employee any specific placement, schedule, or assignment during a restriction period
- Do not tell an employee what accommodation they will receive
- Implement the accommodation HR has approved as written
- Maintain the confidentiality of any medical information they receive
- Contact HR if implementation is creating operational issues, rather than modifying the accommodation on their own

A supervisor or manager who tells an employee they will get a specific accommodation, who refuses to forward documentation to HR, who shares medical information with coworkers, or who treats an employee differently because they requested accommodation has violated this policy and is subject to corrective action up to and including termination.

### ► Non-Retaliation

Abilities, LLC does not retaliate against employees who request accommodation, provide medical documentation, participate in the interactive process, appeal a determination, or assert their rights under any of the laws this policy is governed by.

Retaliation is prohibited regardless of whether the original accommodation request was granted or denied. Retaliation includes formal action such as termination, demotion, or schedule reduction, and informal action such as exclusion, hostile communication, or assigning undesirable shifts in response to the request.

If you believe you have been retaliated against, contact Human Resources or follow the Grievance Policy in 5.1.

### ► Appealing an Accommodation Determination

If you disagree with HR's accommodation determination, you may appeal in writing to the Executive Director within ten business days of receiving the determination. Your appeal should explain why you believe the determination was incorrect and what outcome you are requesting.

The Executive Director will review the determination, the medical documentation, the interactive process record, and any new information you provide. The Executive Director may uphold the determination, modify it, or send it back to HR for further review. A written response will be issued within fifteen business days of receiving the appeal.

While the appeal is pending, the original accommodation determination remains in effect.

If you are not satisfied after the agency's internal appeal, you have the right to file a charge with the Equal Employment Opportunity Commission, the Missouri Commission on Human Rights, or both. Filing a charge with an outside agency does not require you to complete the internal appeal first.

## 2.6

## Religious Accommodation Policy

*Authority: Title VII (42 U.S.C. § 2000e(j)); Groff v. DeJoy, 600 U.S. 447 (2023); Missouri Human Rights Act (RSMo Ch. 213). [eeoc.gov/religious-discrimination](https://www.eeoc.gov/religious-discrimination)*

Abilities, LLC complies with all federal and state laws that require reasonable accommodation for employees' sincerely held religious beliefs, observances, and practices. This policy applies to every employee in every department regardless of role, classification, or work location. The same process and the same standards apply across the agency.

This policy is governed by Title VII of the Civil Rights Act of 1964, the standard articulated by the Supreme Court in *Groff v. DeJoy* (2023), and the Missouri Human Rights Act (RSMo Chapter 213). Where these laws differ, Abilities, LLC follows whichever provides the greater protection to the employee.

### ► Who Decides Religious Accommodations

Human Resources is the agency's religious accommodation decision-maker. This is true in every department and for every role. No supervisor, manager, director, RPM, or department leader has

authority to grant or deny a request for religious accommodation, evaluate the basis of the request, promise an employee a specific schedule or assignment, or tell an employee what accommodation they will receive.

If you are a supervisor or manager in any department and an employee gives you a religious accommodation request in writing or even a verbal mention of a current or future need, you must notify Human Resources the same business day. This includes statements like "I won't be available on Saturdays going forward," "my faith requires me to wear a head covering," or "I'll need time off for the High Holy Days." A verbal mention to a supervisor counts as notice to the agency. The supervisor's job is to route it to HR immediately.

### ► Definitions

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- **Sincere Religious Belief:** A religious belief, observance, or practice held with sincerity, regardless of whether it is part of a recognized organized religion or is shared with others of the same faith. Includes traditional religions, less-common religions, and personal religious convictions. Does not include personal preferences, political beliefs, secular ethical views, or scheduling preferences without religious basis.
- **Reasonable Accommodation:** A change to the schedule, the dress code, the work environment, or the way work is normally performed that allows an employee to practice or observe a sincere religious belief, unless the accommodation would create substantial increased cost or operational hardship for the agency.
- **Substantial Increased Cost:** The undue hardship standard articulated by the Supreme Court in *Groff v. DeJoy* (2023). More than minor inconvenience to the agency. The accommodation must result in substantial increased cost in relation to the conduct of the agency's business.
- **Interactive Process:** The good-faith back-and-forth conversation between Human Resources and the employee to identify possible accommodations and select one that is effective.

### ► When This Policy Applies

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This policy applies when an employee needs an accommodation related to a sincere religious belief, observance, or practice, including:

- Religious schedule observance (Sabbath, prayer times, holy days)
- Religious dress, grooming, or appearance
- Religious holiday observance
- Prayer or devotional practices during the workday
- Other workplace accommodation needs based on sincere religious belief

### ► How to Request a Religious Accommodation

---

You can start the accommodation process by emailing Hannah Cox, HR Manager, at [hcox@abilitiesllc.com](mailto:hcox@abilitiesllc.com), by submitting a written request to Human Resources directly, or by telling your supervisor or manager. Your supervisor will notify HR the same business day. A verbal mention to your supervisor about a current or future religious accommodation need is enough to start the process.

Once HR receives notice, HR will contact you to schedule an initial meeting. The initial scheduling can happen verbally. All substantive communication after that is in writing or in person, and every meeting is documented in your Notes tab in BambooHR by HR.

### ► The Interactive Process

---

The interactive process for religious accommodation follows the same six-step process as Policy 2.5, including HR acknowledgment within two business days, review of the request, identification of possible accommodations within the operational realities described below, an in-person meeting with the employee, a written determination, and communication with the supervisor of only what the supervisor needs to know to implement the accommodation.

### ► Documentation

---

Abilities, LLC requires a written statement from the employee describing the religious belief, observance, or practice; why it conflicts with the work requirement; and the accommodation being requested. The agency does not require proof of religious affiliation, membership in an organized religion, or any third-party verification of the belief. HR may ask follow-up questions if the connection between the belief and the accommodation is not clear, or if there is an objective reason to question sincerity.

### ► The Operational Reality

---

The accommodations the agency can offer for religious observance are shaped by constraints that are not within the agency's control:

The agency operates 24/7 care for the individuals we support. Coverage cannot pause for weekends, holidays, evenings, or overnights.

The work happens in private homes that belong to the individuals we support. Even when a home has two DSPs scheduled, those DSPs are often physically alone with one or two individuals because another individual is in the community, at an appointment, or out with the other DSP.

Federal HCBS rules guarantee each individual the right to access their community, their schedule, their activities, and their routines on their own terms, not the agency's. The agency cannot restrict an individual's rights to accommodate a staff member's religious observance.

The agency does not maintain a float DSP pool.

The agency does not have non-billable office or administrative roles available for reassignment.

These are real limits. They do not eliminate the agency's obligation to accommodate, but they define what accommodations are actually available.

### ► Scheduling Modifications: What Is Possible and What Is Not

---

The agency considers schedule modifications to accommodate religious observance. Scheduling decisions are governed by the operational requirements of 24/7 care for the individuals served first.

Within those limits, scheduling modifications the agency may be able to offer include:

- Scheduling shifts that do not conflict with the employee's religious observance, when shifts that fit the employee's needs exist on the schedule
- Voluntary shift trades coordinated through the schedule, when coworkers are willing
- Use of PTO for religious holidays
- Unpaid leave for religious holidays when PTO is exhausted

Scheduling modifications the agency cannot offer include:

- Permanently excluding any specific day or time of week from the employee's schedule when the employee's role or home requires coverage during those hours
- Reducing coverage at an ISL to accommodate religious observance
- Requiring coworkers to swap shifts as a condition of accommodation

- Restricting any individual's HCBS rights, schedule, or activities to accommodate staff religious practice
- Granting religious holidays as paid leave separate from PTO

If a workable schedule cannot be built within these limits, Human Resources will discuss other accommodation options including unpaid leave.

### ► Religious Dress and Grooming

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The agency accommodates religious dress, head coverings, jewelry, beards, hair length, and other appearance practices within safety, hygiene, and infection control standards. Where a religious dress practice conflicts with required PPE, infection control protocols, or safety equipment, HR will work with the employee to find a workable accommodation. Where no workable accommodation exists for a specific role due to safety requirements, alternative accommodations including reassignment to a role where the dress practice does not conflict may be considered, when an opening exists.

### ► Prayer and Devotional Practices During Shifts

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Brief prayer or devotional practices that do not require leaving direct support duties may be coordinated through HR.

Stepping away from direct support during a single-coverage shift to pray or perform devotion is not a workable accommodation in ISL settings, for the same reasons described in the lactation accommodation provisions of Policy 2.5. ISL employees cannot leave individuals unsupervised, and the agency cannot create coverage that DMH and Medicaid do not authorize. Office-based employees may take brief prayer or devotional breaks during their workday in the same manner as other personal breaks are managed.

### ► Reasonable Does Not Mean Preferred

---

A reasonable religious accommodation is one that allows you to practice your sincere religious belief without imposing substantial increased cost on the agency. It is not the accommodation you most prefer. When more than one accommodation would be effective, the agency selects which one to implement.

### ► Confidentiality

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Religious accommodation information is confidential. It is stored in your BambooHR Notes tab and the confidential HR file maintained by Human Resources. Information is shared only with HR personnel responsible for the determination, department leadership on a need-to-know basis with only the information needed to implement the accommodation (the schedule modification, not the religious basis), and outside counsel or government agencies when required by law. Coworkers will not be told the religious basis of any accommodation you receive.

### ► Interaction with Other Policies

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Religious accommodation under this policy and accommodation under Policy 2.5 are different processes that may apply at the same time. Religious accommodation does not replace PTO entitlements or other leave policies. The agency does not provide paid religious holiday leave separate from PTO.

### ► Role of Supervisors and Department Leadership

---

The role of supervisors and managers in the religious accommodation process is the same in every department and follows the framework in Policy 2.5: route requests to HR the same business day, do

not evaluate the basis of the request, do not grant or deny accommodations, do not promise specific placements, implement what HR has approved, and maintain confidentiality.

### ► **Non-Retaliation**

Abilities, LLC does not retaliate against employees who request religious accommodation, participate in the interactive process, appeal a determination, or assert their rights under any of the laws this policy is governed by.

### ► **Appealing a Religious Accommodation Determination**

The appeal process for religious accommodation determinations follows the same process as Policy 2.5: written appeal to the Executive Director within ten business days, review and written response within fifteen business days, original determination remains in effect during appeal, and the right to file with the EEOC or Missouri Commission on Human Rights is preserved.

## 2.7

## Bereavement Leave Policy

Abilities, LLC recognizes that the loss of a loved one affects every employee differently. Some losses require a few hours away from work. Others require weeks. The agency does not impose a fixed bereavement leave schedule because no fixed schedule does justice to the range of human experience around death.

### ► **How Bereavement Leave Works**

When you experience the death of a family member, close friend, or other significant person in your life, contact Human Resources or the Executive Director as soon as you are able. Bereavement requests are reviewed case-by-case by the Executive Director.

The Executive Director considers the relationship to the deceased, the circumstances of the death, the employee's role and operational coverage needs, and the employee's available PTO when determining the time the employee can be away from work.

PTO may be used for bereavement leave. When PTO is exhausted or insufficient, unpaid leave may be approved at the Executive Director's discretion. The agency does not maintain a separate paid bereavement leave bank.

### ► **Returning to Work**

Documentation of the death is required. Acceptable forms include an obituary, funeral program, memorial service notice, or written statement from the funeral home. HR may accept other reasonable proof on a case-by-case basis. Bereavement leave may be approved before documentation arrives, but the time will be reclassified (to PTO or unpaid leave) if documentation is not provided within a reasonable timeframe.

Employees returning from bereavement leave who need additional support, schedule flexibility, or accommodation in the weeks following a loss are encouraged to talk with Human Resources. Grief and acute mental health concerns may qualify for accommodation under Policy 2.5 or for FMLA leave under Policy 2.4.

## 2.8

## Jury Duty and Witness Leave Policy

*Authority: RSMo 494.460 (jury duty leave protection). [revisor.mo.gov](http://revisor.mo.gov)*

Under RSMo 494.460, no Missouri employer may discharge, threaten, or take adverse action against an employee for serving as a juror or for being subpoenaed as a witness. Abilities, LLC complies fully with this law.

**► Notice and Documentation**

Provide a copy of your jury summons or witness subpoena to Human Resources as soon as you receive it. Forward any updates, postponements, or release dates promptly so coverage can be planned.

**► Pay**

Jury duty leave and witness leave are unpaid at Abilities, LLC. You may use available PTO for jury duty or witness service if you choose. Any compensation paid by the court is yours to keep.

**► Returning to Work**

When jury duty or witness service ends earlier than a full workday, you are expected to return to work for the remainder of the day if your schedule and the timing reasonably allow. If you are released too late in the day to make your scheduled shift workable, contact your supervisor and Human Resources to coordinate.

**► Non-Retaliation**

The agency does not retaliate against any employee for serving on a jury or honoring a witness subpoena. Retaliation is a Tier 3 violation.

## 2.9

## Voting Leave Policy

*Authority: RSMo 115.639 (employee voting leave). [revisor.mo.gov](http://revisor.mo.gov)*

Under RSMo 115.639, Missouri employees are entitled to up to three hours of unpaid leave to vote in any public election when their schedule does not provide three consecutive non-work hours during the time the polls are open.

**► How to Request Voting Leave**

Request voting leave from your supervisor before election day. The agency may specify which three hours of your shift are used for voting leave to maintain coverage and operations.

**► Pay**

Voting leave is unpaid. You may use available PTO if you choose.

**► Eligibility**

*Authority: Family and Medical Leave Act (29 U.S.C. § 2601 et seq.); 29 C.F.R. Part 825. [dol.gov/agencies/whd/fmla](http://dol.gov/agencies/whd/fmla)*

Voting leave is not available if your work schedule already provides three consecutive non-work hours during the time the polls are open. Polls in Missouri are typically open from 6:00 AM to 7:00 PM on election day.

**2.10****Military Leave Policy (USERRA)**

*Authority: Uniformed Services Employment and Reemployment Rights Act (38 U.S.C. §§ 4301–4335). [dol.gov/agencies/vets/programs/userra](https://dol.gov/agencies/vets/programs/userra)*

Abilities, LLC complies fully with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and Missouri military leave protections. Employees called to active duty, training, or other service in the uniformed services are entitled to unpaid leave, reemployment rights upon return, continuation of certain benefits, and protection from discrimination based on military service.

**► Notice**

Provide written or verbal notice to Human Resources as far in advance as possible. Provide a copy of your military orders to Human Resources when issued.

**► Pay**

Military leave is unpaid at Abilities, LLC. You may use available PTO during military leave at your option.

**► Benefits**

Health benefits and other applicable benefits will be continued or restored in accordance with USERRA and the agency's benefit plans. Contact Human Resources to discuss your benefit options before leaving.

**► Reemployment**

Upon completion of qualifying military service, you are entitled to reemployment rights as defined by USERRA. Provide notice of your intent to return to work within the timeframes USERRA requires (which depend on the length of your service). Human Resources will assist with reemployment, role restoration, and benefit reinstatement.

**► Non-Discrimination**

Abilities, LLC does not discriminate against any employee based on military or veteran status. Discrimination on this basis is prohibited under Policy 1.1 and under USERRA.

## CHAPTER

**3****Compensation and Benefits**

*This chapter applies to all Abilities, LLC employees regardless of department, role, or classification.*

**3.1****Mileage Reimbursement Policy**

*Authority: IRS standard mileage rate guidance (Rev. Proc. 2023-34). [irs.gov/tax-professionals/standard-mileage-rates](https://irs.gov/tax-professionals/standard-mileage-rates)*

Abilities, LLC will reimburse employees for the authorized use of their personal vehicles when such use is required for official agency business and when no agency-owned vehicle is reasonably available. Mileage is reimbursed at the agency rate of \$0.72 per mile, effective June 1, 2026. The agency rate is reviewed annually and adjusted as needed.

This policy applies to all employees of Abilities, LLC. Most staff are expected to use company-owned vehicles. Certain departments may be authorized to use personal vehicles and claim reimbursement when required for business purposes.

### ► Who Is Eligible

**Behavior Services:** RBTs and Behavior Analysts traveling to and from sessions, ISLs, or community locations, or responding to a behavioral crisis.

- **Community Services:** Community Support Professionals and the Community Program Manager when traveling to service locations, community outings, or other agency-directed destinations as part of delivering authorized services.
- **Office and Administrative Staff:** RPMs, Director's Office, and other administrative staff driving to ISLs for oversight, attending trainings or meetings, or performing agency-directed errands.
- **Maintenance:** Traveling between ISL job sites, obtaining supplies, or completing maintenance-related errands. Employees assigned an agency-owned maintenance vehicle are not eligible while using that vehicle.
- **Nursing:** Traveling to ISLs for health assessments, picking up prescriptions, or attending medical appointments with individuals.

### ► What Is Not Reimbursable

- Routine commute mileage between home and your assigned work location.
- Mileage incurred by DSPs in ISLs where a company-owned vehicle is provided.
- Travel conducted for personal errands or voluntary activities.
- Mileage driven in an agency-owned vehicle.

### ► Documentation and Submission

- **How to record:** Use the agency-approved reimbursement form or a downloaded report from a mileage-tracking app. The record must include the date, starting point, destination, and total mileage for each trip.
- **How to submit:** Email [payroll@abilitiesllc.com](mailto:payroll@abilitiesllc.com) or deliver to the Finance Director.
- **Trip-by-trip:** All departments except Maintenance must record each trip individually.
- **Maintenance exception:** Maintenance employees may record mileage as a single daily total.
- **Insurance requirement:** Current proof of personal automobile insurance must be on file with Human Resources before any mileage reimbursement will be approved or processed.

*Authority: Fair Labor Standards Act (29 U.S.C. § 201 et seq.); 29 C.F.R. Part 516 (recordkeeping); RSMo 290.110 (final paycheck timeline). [dol.gov/agencies/whd/flsa](https://dol.gov/agencies/whd/flsa)*

Abilities, LLC is committed to ensuring that employees are paid accurately, on time, and in compliance with applicable laws and agency procedures. This policy applies to all employees of Abilities, LLC.

### ► Pay Periods and Paydays

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- **Pay period:** Sunday at 12:00 a.m. through Saturday at 11:59 p.m.
- **Payday:** Weekly on Fridays, covering the prior Sunday through Saturday pay period.
- **Time entry deadline:** Monday at 10:00 a.m. Entries submitted after the deadline will be processed with the following payroll.
- **Overnight shifts:** Shifts that cross two pay periods are split according to actual hours worked in each period.

### ► Overtime

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Hours worked in excess of 40 hours in a workweek are paid at 1.5 times your regular hourly rate. Salaried exempt employees are not eligible for overtime. Holiday pay does not stack with overtime pay. If holiday hours place an employee above 40 hours in a week, those hours will be paid at the higher of the two rates, not both.

### ► Timekeeping

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All employees must record hours worked using the designated system for their role. Intentional falsification of time records, including clocking in before starting work or clocking out after finishing, is a serious compliance matter and may result in termination of employment.

### ► Payroll Issues or Concerns

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Employees with payroll issues must email [payroll@abilitiesllc.com](mailto:payroll@abilitiesllc.com) and allow 2 business days for a response. All emailed correction requests must include your name, pay period, description of the error, and any supporting documentation.

### ► Direct Deposit and Tax Information

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Employees are responsible for entering and maintaining their own banking information and tax withholding elections in their BambooHR profile. Banking information and tax withholding is managed under the Pay Info tab. It is your responsibility to keep this information current. The agency is not liable for misdirected payments or incorrect withholding resulting from outdated information.

### ► Final Paycheck

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Under Missouri law (RSMo 290.110), an employee who is discharged is paid all wages owed immediately upon request. If no request is made, the agency pays all wages owed no later than seven days after the date of discharge. Employees who voluntarily quit or resign are paid all wages owed on the next regular payday following separation.

The final paycheck includes all wages earned through the time of separation and any PTO payout owed under Policy 2.1. Wages owed are calculated to the time of termination based on hours worked and applicable rates. The final paycheck is issued by the Payroll Administrator under the direction of Human Resources.

### ► Wage Garnishments and Court-Ordered Withholdings

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Abilities, LLC complies with all valid wage garnishments, child support orders, tax levies, and other court-ordered withholdings served on the agency. Human Resources processes garnishment orders, enters

them into BambooHR, and confirms accurate withholding. BambooHR collects the funds and transmits them to the appropriate creditor or court.

Federal and Missouri law limit the amount that may be withheld from your wages. Withholdings are taken from disposable earnings within those legal limits. If you receive a garnishment order, the agency is required by law to comply. The agency does not retaliate against any employee whose wages are garnished.

If you have questions about a garnishment, contact Human Resources at [hr@abilitiesllc.com](mailto:hr@abilitiesllc.com).

### 3.3

## Health Benefit Policy

Abilities, LLC supports the health and financial wellbeing of employees by providing flexible, affordable, and accessible benefits. Beginning January 1, 2026, Abilities, LLC offers a comprehensive benefits package including medical coverage through an Individual Coverage Health Reimbursement Arrangement (ICHRA), Direct Primary Care (DPC) through both Vitable Direct Primary Care and Midwest Healthcare & Wellness, dental and vision insurance, and life and supplemental insurance through AFLAC.

This policy applies to all full-time employees who work an average of 30 or more hours per week. New full-time employees become eligible for benefits after completing a 60-day waiting period from their official hire date. Coverage begins on the first day of the month following completion of that waiting period.

### ► Let's Be Honest About Health Insurance

Health insurance is confusing for all of us. The whole system is complicated and can be frustrating. Since we all have to deal with it, our goal is to give you real information in real words so you can make the best choice for yourself and your family without needing a translator.

Here are the basics, explained the way normal people talk:

- **Premium:** What you pay every month just to have health insurance. Like a membership fee. You pay whether you use it or not. Stop paying and you lose coverage.
- **Deductible:** What you pay before insurance starts helping with most things. If your deductible is \$5,000, you pay the first \$5,000 of medical bills on your own. After that, insurance starts sharing the cost.
- **Co-insurance:** After you meet your deductible, you and the insurance company split the bill. 20% coinsurance means you pay 20%, they pay 80%. 40% coinsurance means you pay 40%, they pay 60%.
- **Individual out-of-pocket max (OOP):** The most you personally can be charged in one year for covered services. Once you hit this number, insurance pays 100% for the rest of the year on covered services. This is your personal worst-case ceiling.
- **Family out-of-pocket max (OOP):** The combined ceiling for everyone on your plan. Once your whole family hits that amount together, insurance pays 100% for everyone, even if individual members haven't reached their own max.
- **In-network:** Doctors and hospitals that have agreed to lower prices with your insurance company. You pay much less in-network.
- **Out-of-network:** Doctors and hospitals without a contract with your insurance. Higher prices, less coverage, sometimes no coverage at all. Avoid unless it's an emergency.
- **Employer contribution:** The amount Abilities, LLC pays toward your health insurance.

► **Bronze, Silver, and Gold Plans**

Health insurance companies sort their plans into metal levels: Bronze, Silver, and Gold. These levels do NOT mean good, medium, or best. They describe how the costs are split between you and the insurance company.

**Bronze** is the "I don't go to the doctor much" plan. Lowest monthly payment, highest deductible and out-of-pocket costs. Insurance doesn't help much until something big happens. Bronze may be best if you rarely use medical care, you want the lowest monthly cost, or you can handle bigger bills when something happens.

**Silver** is the balance plan. Medium monthly cost, medium deductible, medium out-of-pocket. Silver may be best if you use some medical care, you want a middle option, you want better coverage without gold-level premiums, or you have kids or moderate medical needs.

**Gold** is the "I go to the doctor a lot" plan. High monthly premium, low deductible, lower co-pays and out-of-pocket costs, more predictable spending. Gold may be best if you have ongoing or chronic medical needs, you take expensive medications, you see specialists regularly, or you want smaller bills throughout the year.

The simplest way to choose: do you want to pay more every month, or only when something actually happens? Bronze means pay less monthly, more when you use it. Silver is balanced. Gold means pay more monthly, less when you use it.

► **Employer Contribution Structure (Effective January 1, 2026)**

Benefit	0 to 4 Years	5 to 9 Years	10+ Years
Medical: Employee	Up to \$500/mo	Up to \$800/mo	Up to \$800/mo
Medical: Family	Up to \$1,000/mo	Up to \$1,500/mo	Up to \$2,500/mo
Dental: Employee	\$0	\$0	Up to \$25/mo
Vision: Employee	\$0	\$0	Up to \$25/mo
Weight Loss Med Reimbursement	\$0	\$250/mo	\$250/mo
AFLAC Life and Supplemental	\$0	\$0	\$50/mo

Employer contribution amounts are reviewed annually and may change based on the cost of coverage, the agency's budget, and projected expenses.

► **Direct Primary Care (DPC)**

Abilities, LLC offers Direct Primary Care as a benefit in addition to health, vision, and dental insurance. Employees can access DPC through either of our two providers:

- **Vitable Direct Primary Care** (virtual primary care)
- **Midwest Healthcare & Wellness**, 625 E Russell Ave D, Warrensburg, MO 64093 (in-person primary care)

- DPC is a monthly membership that gives you fast, direct access to a primary care provider without using your insurance. It covers most everyday healthcare needs with no copays, no deductibles, and no surprise bills.
- **What's typically included in a DPC membership:**
  - Unlimited office visits
  - Unlimited telehealth visits
  - Same-day appointments
  - Direct access via text, phone, or email
  - Annual physical and wellness exam
  - Routine labs and basic imaging
  - Member pricing on additional labs, imaging, and services
  - Coverage options for family members

**What DPC does NOT replace.** You still need a Marketplace insurance plan for:

- ER visits
- Hospitalization
- Surgeries
- Specialist care
- MRI/CT scans outside the clinic
- Prescription medications
- Anything requiring insurance billing

### ► Open Enrollment and Qualifying Life Events

Open enrollment takes place each year in December for the benefit year beginning the following January 1. Employees must complete enrollment during the designated window. Failure to enroll results in no coverage for the upcoming plan year unless a qualifying life event occurs. The contribution structure above is set for the current plan year and is reviewed at each year's open enrollment.

When a new full-time employee becomes eligible for benefits, HR notifies the employee directly by email. It is the employee's responsibility to complete enrollment before the deadline.

Employees with a qualifying life event must notify Human Resources within 60 days of the event. Qualifying life events are: marriage, divorce, or legal separation; birth or adoption of a child; death of a spouse or dependent; loss of other health coverage (employee or dependent); a dependent aging out at 26 or otherwise losing eligibility; a court order requiring coverage of a dependent; and becoming eligible for or losing Medicare or Medicaid.

Pregnancy itself is not a qualifying life event. Eligibility to make a mid-year change begins at the birth or adoption of the child.

## 3.4

## Fringe Benefits Policy

Abilities, LLC recognizes the dedication and outstanding performance of its employees through various forms of rewards and recognition, including gift cards, event tickets, merchandise, and trips. This policy outlines how those items are handled in compliance with IRS guidelines and proper tax reporting. This policy applies to all employees.

## ► Reporting and Withholding

All taxable awards and gifts will be reported through payroll and included in your gross wages for tax purposes.

- **Cash and Gift Cards:** Cash and Gift Cards: All cash-based rewards, including cash, check, Venmo, or gift cards, regardless of the dollar amount or vendor, are considered cash equivalents and are fully taxable. These will be recorded in payroll under Non-Payable Taxable Wages in BambooHR.
- **Event Tickets, Merchandise, Trips, and Prizes:** Event Tickets, Merchandise, Trips, and Prizes: Event tickets, physical items valued at \$75 or more, and travel awards are taxable. Non-cash gifts or prizes will be reported on W-2 year-end adjustments.

## ► De Minimis Exceptions

The following may qualify as non-taxable fringe benefits, depending on value and frequency: logo-branded items under \$25 in value, occasional refreshments, and one-time holiday treats or small appreciation items. Note: gift cards are never considered small regardless of amount.

Employees are responsible for any payroll tax liability incurred from receiving prizes, tickets, trips, or other non-cash compensation. The agency does not provide additional pay to offset tax amounts.

Employees who do not wish to receive a prize or taxable award may decline by notifying payroll in writing prior to receiving the item.

## 3.5

## Compensation Policy (Wage Band Structure)

Abilities, LLC is committed to paying employees fairly, consistently, and transparently. Effective June 1, 2026, all positions at Abilities will be assigned to a wage band: a defined pay range with a minimum, midpoint, and maximum rate. Every compensation decision, including starting pay, merit increases, certifications, and promotions, will be made within this structure. PRN staff rates are negotiated individually and are not governed by this wage band structure.

## ► How Your Pay Grows

- **#1: Annual Merit Increases:** Once a year, within 30 days of your hire anniversary, your supervisor and Human Resources conduct a Performance Evaluation. Based on your performance, you may receive a raise of 0% to 5% of your current pay rate.
- **#2: Certification Bump (Direct-Care Roles Only):** Earning your professional certification earns an automatic 6% pay increase, effective immediately. This applies to the DSP, Lead DSP, AHM, and HM certification paths.
- **#3: Promotions:** When promoted, your starting pay in the new band is set at either the new band's minimum or your current rate plus 5%, whichever is greater.
- **#4: Above Band Maximum:** If your current pay is above the maximum for your band, your base pay stays where it is. Future merit increases will be paid as a lump sum bonus rather than a base rate increase.

## ► Direct Care

Role	Minimum	Midpoint	Maximum
Direct Support Professional (DSP)	\$18.00/hr	\$20.25/hr	\$22.50/hr
Certified DSP (C-DSP)	\$19.08/hr	\$21.47/hr	\$23.85/hr
Lead DSP	\$20.50/hr	\$23.07/hr	\$25.63/hr
Certified Lead DSP (C-Lead DSP)	\$21.73/hr	\$24.45/hr	\$27.16/hr
Assistant House Manager (AHM)	\$21.50/hr	\$24.19/hr	\$26.88/hr
Certified AHM (C-AHM)	\$22.79/hr	\$25.64/hr	\$28.49/hr
House Manager (HM)	\$25.00/hr	\$28.13/hr	\$31.25/hr
Certified HM (C-HM)	\$26.50/hr	\$29.82/hr	\$33.13/hr

### ► Behavior Services

Role	Minimum	Midpoint	Maximum
Registered Behavior Technician (RBT)	\$18.00/hr	\$21.00/hr	\$24.00/hr
MANDT Instructor	\$22.00/hr	\$25.00/hr	\$28.00/hr
Lead RBT	\$25.00/hr	\$27.50/hr	\$30.00/hr
Behavior Analyst	\$75,000/yr	\$85,000/yr	\$95,000/yr

### ► Nursing

Role	Minimum	Midpoint	Maximum
Nursing Assistant (NA)	\$20.00/hr	\$23.25/hr	\$26.50/hr
Community LPN	\$56,000/yr	\$63,000/yr	\$70,000/yr
Community RN	\$65,000/yr	\$72,500/yr	\$80,000/yr

### ► Administration and Office

Role	Minimum	Midpoint	Maximum
Office Manager	\$20.00/hr	\$23.00/hr	\$26.00/hr
Payroll Administrator	\$25.00/hr	\$28.50/hr	\$32.00/hr
Quality Assurance Professional	\$25.00/hr	\$28.50/hr	\$32.00/hr

### ► Community Services

Role	Minimum	Midpoint	Maximum
Community Support Professional (CSP)	\$17.25/hr	\$19.50/hr	\$21.75/hr
Community Program Manager (CPM)	\$58,000/yr	\$65,000/yr	\$72,000/yr

### ► Maintenance

Role	Minimum	Midpoint	Maximum
Maintenance Technician	\$24.00/hr	\$26.50/hr	\$29.00/hr
Maintenance Director	\$65,000/yr	\$72,500/yr	\$80,000/yr

### ► Management

Role	Minimum	Midpoint	Maximum
Due Process Manager (DPM)	\$52,000/yr	\$58,500/yr	\$65,000/yr
Residential Program Manager (RPM)	\$63,000/yr	\$70,000/yr	\$77,000/yr
Human Resources Manager (HRM)	\$58,000/yr	\$65,000/yr	\$72,000/yr
Finance Director	\$68,000/yr	\$79,000/yr	\$90,000/yr
Director of Residential Operations (DRO)	\$68,000/yr	\$84,000/yr	\$100,000/yr

Role	Minimum	Midpoint	Maximum
Director of Culture and Experience (DCE)	\$68,000/yr	\$79,000/yr	\$90,000/yr

Abilities will review all wage band ranges at least once per year, considering current market rates in Missouri's DD services field, changes in DMH contract reimbursement rates, and the organization's financial position. No employee will experience a pay decrease due to a band adjustment.

## CHAPTER

## 4

## Compliance and Ethics

*This chapter applies to all Abilities, LLC employees regardless of department, role, or classification. Department-specific documentation requirements are located in each department handbook.*

Abilities, LLC operates within Missouri DMH's Tiered Supports framework. Compliance obligations are not separate from that framework. They are part of it.

- **Tier 1:** Every employee is expected to follow confidentiality rules, document accurately and on time, and report concerns when they see them.
- **Tier 2:** When a pattern of documentation errors, compliance concerns, or unreported incidents is identified, targeted follow-up occurs.
- **Tier 3:** The most serious compliance failures require the most intensive response. Prohibited practices must be reported to Missouri DMH at [prohibitedpractice@dmh.mo.gov](mailto:prohibitedpractice@dmh.mo.gov) and reviewed by the Behavior Support Review Committee (BSRC). Substantiated abuse, neglect, or exploitation must be reported to the appropriate state authorities. These obligations exist regardless of the circumstances and are non-negotiable.

## 4.1

## Confidentiality and HIPAA Policy

*Authority: HIPAA Privacy Rule (45 C.F.R. Parts 160 and 164); RSMo 630.140 (Missouri confidentiality of DMH records). [hhs.gov/hipaa](https://hhs.gov/hipaa)*

All employees of Abilities, LLC must maintain the confidentiality, privacy, and integrity of Protected Health Information (PHI) concerning individuals we serve. This policy applies to all employees, contractors, interns, volunteers, and other personnel affiliated with Abilities, LLC who have access to protected health information in any format, including verbal, written, and electronic.

Protected Health Information (PHI) is any information about health status, provision of healthcare, or payment for healthcare that can be linked to a specific individual.

### ► Your Obligations

- PHI is accessible only to authorized employees. Do not access, use, or disclose PHI unless it is necessary for your job duties.
- PHI may only be used and disclosed as permitted by HIPAA regulations. Obtain appropriate authorization before disclosing PHI to external entities.

- Discuss PHI only in private, secure locations. Documentation containing PHI must be secured and stored appropriately.
- All electronic documentation must be completed and stored using agency-approved, encrypted systems. Virtual meetings involving PHI will only occur using secure platforms (Zoom, WebEx, or Google Meet).
- Report any suspected breach of confidentiality or privacy immediately to your supervisor or Human Resources.

### ► Examples of HIPAA Violations

- Discussing PHI in public areas or where conversations can be overheard.
- Sharing PHI with unauthorized individuals, including family members, without appropriate consent.
- Leaving PHI documents unattended or visible in public areas.
- Using unsecured communication methods such as personal emails or messaging apps to send PHI.

Using personal FaceTime or video applications for your own non-work purposes during a shift. Note: supporting individuals in making video calls using agency-approved platforms is expected and is not a violation.

### ► Missouri Confidentiality Law

In addition to federal HIPAA rules, Abilities, LLC also follows Missouri law RSMo 630.140. This law protects the confidentiality of records created or kept as part of providing services through programs funded by the Missouri Department of Mental Health. All employees must keep individual records, service plans, and related information strictly confidential.

HIPAA compliance is a condition of employment. Violations, particularly those involving deliberate or reckless disclosure of PHI, may result in corrective action, employment action, or referral to appropriate authorities.

## 4.2

## AI Use Policy

Abilities, LLC supports the responsible use of artificial intelligence tools to improve efficiency and reduce administrative burden. However, all AI use must comply with federal and state confidentiality requirements, including HIPAA and Missouri law RSMo 630.140. No AI tool may ever be used to process, store, or transmit Protected Health Information. This policy applies to all employees across all departments and locations.

Claude.ai is the agency's preferred AI platform.

We chose Claude because of the safety and ethics standards built into how it operates. Claude does not generate images of real people, refuses to produce harmful or exploitative content, holds strict protections around child safety and vulnerable populations, and is designed to handle sensitive topics with care. For an agency that serves people with developmental disabilities, those guardrails matter.

### ► Appropriate Uses of AI

- Drafting or improving professional communications such as emails, memos, and announcements.
- Summarizing general regulatory guidance or publicly available policies.
- Creating templates for training materials, checklists, or forms.

- Brainstorming ideas for team meetings, events, or process improvements.
- Reviewing grammar, tone, or formatting of written documents.
- Researching best practices in developmental disability services.

#### ► Prohibited Uses of AI

- Entering any Protected Health Information into any AI tool, including individual names, dates of birth, diagnoses, medications, behavioral data, incident details, or service records.
- Entering any combination of information that could be used to identify an individual served by Abilities, LLC, even if a name is not included.
- Using AI to generate clinical documentation, behavior plans, nursing assessments, or any document that becomes part of an individual's official record.
- Copying AI-generated content into SetWorks, eMAR, CIMOR, or any official documentation system.
- Sharing login credentials for paid AI accounts with other employees.
- Employees are personally responsible for any information they enter into AI tools. If you are unsure whether a specific use is appropriate, contact your supervisor before proceeding.

### 4.3

## Documentation Standards

Accurate, timely, and complete documentation is a core job responsibility for every Abilities, LLC employee. Documentation protects individuals served, supports funding compliance, provides legal accountability, and ensures continuity of care. Regardless of department or role, all employees are expected to follow these universal standards. Department-specific documentation requirements, systems, timelines, and formats are located in your department handbook.

#### ► Universal Standards

- Document in the approved system for your role. Use only the authorized platform. If you are unsure which system to use, ask your supervisor before proceeding.
- Document in a timely manner. Documentation must be completed within the timeframe required by your department's policy and any applicable regulatory requirements.
- Be accurate and complete. Every entry must reflect what actually happened. Do not omit relevant information, generalize, or leave required fields blank.

Never falsify records. Falsification of any record, including service logs, time entries, incident reports, or billing documentation, is a serious violation that may result in immediate termination, loss of professional licensure, civil liability, and referral to law enforcement. This includes copying and pasting prior entries without meaningful updates.

Never document on behalf of another employee. Each employee must submit their own documentation using their own credentials.

Correct errors promptly and transparently. If you discover an error, correct it as soon as possible using the approved correction process for your department.

Protect the privacy of individuals served. All documentation must comply with HIPAA and Missouri RSMo 630.140.

### 4.4

## Fraud, Waste, and Abuse Prevention Policy

Abilities, LLC is committed to upholding the highest standards of integrity in the delivery of Medicaid-funded services. In accordance with federal and Missouri law, including Section 6032 of the Deficit Reduction Act of 2005, this policy establishes the agency's expectations and procedures for preventing, detecting, and reporting fraud, waste, and abuse. This policy applies to all employees, contractors, subcontractors, agents, consultants, and business partners acting on behalf of Abilities, LLC.

### ► Key Definitions

Term	Definition
Fraud	Intentional deception or misrepresentation made with knowledge that it could result in unauthorized benefit.
Waste	Overuse or careless use of services or resources that lead to unnecessary costs, even without intent to defraud.
Abuse	Provider practices inconsistent with sound business or medical practices that result in unnecessary costs or reimbursement.

### ► Common Violations

Violation Type	Examples
Billing for Services Not Provided	Submitting claims for unworked shifts; logging hygiene routines or med passes not completed.
Falsifying Documentation	Backdating entries; copy/paste logs across days without change; forging signatures or notes.
Misusing Medicaid IDs or Information	Using a person's Medicaid ID to order non-eligible supplies; sharing HIPAA-protected information without authorization.

### ► Whistleblower Rights and How to Report

The Federal False Claims Act makes it illegal to knowingly submit false claims to the government. Missouri law (RSMo 191.900 through 191.910) additionally criminalizes fraudulent billing and documentation falsification. Employees are protected from retaliation when reporting fraud in good faith. Retaliation includes termination, demotion, harassment, or reduction in hours.

Report all suspected fraud, waste, or abuse by contacting the Director's Office or Human Resources via phone, text, Google Chat, or email. Reports may also be submitted anonymously through the secure grievance form link on the BambooHR Dashboard, which routes directly to Human Resources. You may also report anonymously to the Missouri Medicaid Fraud Control Unit at 1-800-286-3932.

## 4.5

## Mandated Reporting Policy

All Abilities, LLC employees are mandatory reporters under Missouri law. If you have reason to believe that an individual served by Abilities, LLC has experienced abuse, neglect, or exploitation, you are legally required to report it. This is not optional. You do not need proof before reporting. You report when you have reason to believe something may have happened. This policy applies to every employee of Abilities, LLC without exception.

**► What You Must Report**

- Physical, sexual, or emotional abuse by any person, including staff, family members, or other individuals served.
- Neglect of essential care needs, including missed medications, inadequate supervision, or failure to follow a care plan.
- Financial exploitation or misuse of their personal property or funds.
- Use of a prohibited practice, including any restraint, seclusion, or aversive intervention not authorized under a DMH-approved Behavior Support Plan.

**► How to Report**

- **Step 1:** Ensure the individual is safe. If there is immediate danger, call 911 first.
- **Step 2:** Report to your supervisor or Human Resources immediately. Do not wait until the end of your shift.
- **Step 3:** Your supervisor or Human Resources will guide you through any additional reporting process if needed.
- **Step 4:** Complete required documentation. Complete an incident report in SetWorks and any other required documentation as directed by your supervisor. Documentation must be factual, complete, and submitted on time.

You may also report directly to the Missouri DMH Abuse and Neglect Hotline at **1-800-364-9687**. Reporting to DMH directly does not replace your obligation to report internally, but it is always available to you, including when your supervisor is unavailable or when you do not feel comfortable reporting internally first.

Abilities, LLC strictly prohibits retaliation against any employee who makes a mandated report in good faith. Failure to make a required report is a violation of Missouri law and Abilities, LLC policy and may result in criminal liability and employment action up to and including termination.

## 4.6

## Organizational Compliance and Legal Standing

As a Missouri DMH Division of Developmental Disabilities Tiered Provider and Medicaid-enrolled agency, Abilities, LLC is required to maintain its legal and financial standing as a condition of continued licensure, provider enrollment, and program participation. The Finance Director and Executive Director hold the responsibilities described in this policy.

**► Insurance**

Abilities, LLC maintains active insurance coverage at all times as required by Missouri DMH, applicable law, and sound business practice. Required coverage includes general liability, professional liability, workers' compensation, commercial auto, and rental or property coverage as applicable. The Executive Director is responsible for ensuring all policies are current and maintained at coverage levels consistent with DMH provider requirements.

### ► Tax Obligations

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Abilities, LLC pays all Missouri state taxes and federal payroll taxes on time. All required tax withholdings and employer contributions are calculated and remitted automatically through BambooHR with each payroll run. The Finance Director is responsible for verifying that tax remittances were processed correctly.

### ► Fair Labor Standards Act Compliance

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Abilities, LLC complies with the Fair Labor Standards Act in all aspects of employee compensation and scheduling. This includes accurate classification of exempt and non-exempt employees, payment of overtime for all hours worked over 40 in a workweek for non-exempt employees, and maintenance of required payroll records.

Employees who believe they have experienced a wage or labor concern should email [payroll@abilitiesllc.com](mailto:payroll@abilitiesllc.com).

### ► Missouri Secretary of State Registration

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Abilities, LLC maintains its registration as an active Missouri corporation with the Missouri Secretary of State and holds a current Certificate of Good Standing. The Executive Director is responsible for ensuring that annual registration renewals are filed on time. A lapse in good standing can affect the agency's ability to hold contracts, maintain DMH licensure, and participate in Medicaid as an enrolled provider.

## 4.7

## Digital Records and Storage Policy

Every document you create for or about Abilities, LLC is an agency record. That includes anything about the individuals we support, staff, operations, finances, training, scheduling, billing, communication with families or guardians, internal notes, drafts, and anything in between. Agency records must live on agency systems. They cannot live in your personal accounts.

### ► Where Agency Records Must Be Stored

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Agency records are created and stored only in agency-provided systems. These include:

- BambooHR (HR and personnel records)
- SetWorks (individual records, eMAR, clinical documentation, incident reports)
- The agency Google Drive (shared drives owned by Abilities, LLC)
- Your agency Google Workspace email (the @abilitiesllc.com account assigned to you)
- WhenToWork (scheduling)
- Monday.com (workflow and project tracking)
- WorkTango (employee recognition)
- BoldSign (electronic signature)
- QuickBooks (financial management)

- CIMOR, EMOMED, and MMAC (Missouri DMH documentation and Medicaid billing)
- Sandata / EAS (EVV)
- Any other system the agency has authorized for a specific business purpose

If you are not sure whether a system is agency-authorized, ask the Executive Director before storing anything in it.

### ► Personal Accounts Are Not Permitted for Agency Records

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You may not create, draft, save, send, sync, back up, or store agency records in any of the following:

- Personal Google Drives or personal Google accounts
- Personal Gmail or any other personal email
- Personal cloud storage (Dropbox, iCloud, OneDrive personal, Box personal, etc.)
- Personal computers, personal laptops, or personal tablets used outside of agency-authorized remote access
- Personal phones used outside of agency-authorized apps
- Personal notes apps (Notes, Evernote, Notion personal, etc.)
- Personal external drives, USB drives, or memory cards
- Personal printed copies retained outside of agency premises

This rule applies whether the record is about an individual served, a staff matter, a financial matter, or any other agency business. It applies regardless of whether the record contains PHI, names, identifying information, or appears to be "internal-only" or "just a draft." A draft is still an agency record.

If you discover that you have created or stored agency records in a personal account or on a personal device, you must migrate the records to the appropriate agency system and permanently delete the records from the personal location immediately. Notify the Executive Director once migration and deletion are complete.

### ► Shared Drives

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When you create a shared drive, shared folder, or shared workspace for agency work in any agency-authorized system, the Executive Director must be added as Owner or Manager at the time of creation. This applies to every shared drive, every shared folder, and every shared workspace that contains agency work, including drives created for a specific project, a specific home, a specific team, or a specific event.

Failing to grant the Executive Director Owner or Manager access on an agency-related shared drive is a Tier 2 violation. Concealing the existence of an agency-related shared drive from the Executive Director is a Tier 3 violation.

### ► Why This Matters

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Agency records belong to the agency, not to the person who created them. When records live in personal accounts, the agency cannot retrieve them when needed, cannot retain them as required by DMH and Medicaid rules, cannot produce them in response to audits or legal inquiries, and cannot recover them when an employee separates. Personal accounts also create real privacy and compliance risk for the individuals we serve and for the agency, including HIPAA and Missouri DMH confidentiality violations.

### ► What This Means for You, Personally

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If you keep agency records on your personal devices, personal cloud accounts, personal email accounts, or printed at home, those personal items can be pulled into a DMH investigation, audit, or legal matter the agency is involved in. Subpoenas can reach personal devices, personal cloud accounts, and personal email when there is reason to believe agency records are stored there. Keeping work on agency systems is the cleanest way to keep your personal devices, accounts, and email out of any of that. We are not telling you this to scare you; we are telling you so you can protect yourself.

## CHAPTER

## 5

## Individual Rights and Services

*This chapter applies to every Abilities, LLC employee, no matter your role. The people we support have rights that must be protected at all times. These rights are not optional. They are not negotiable.*

Abilities, LLC is a Missouri DMH Tiered Provider. The Tiered Supports framework shapes how we deliver services, but it does not change an individual's rights. Tier 1 is about expectations and culture that apply universally to everyone in a home. A consistent mealtime schedule, a shared cleaning routine: these are Tier 1 practices. They do not restrict any individual's rights. When an intervention involves limiting what a specific individual can do, it is a rights restriction. It requires formal due process, no matter how small or reasonable it seems to staff. When you are not sure which side of that line something falls on, contact your supervisor or the Due Process Manager before acting.

## 5.1

### Grievance Policy

*Authority: 9 CSR 45-5.010 (Missouri DMH grievance requirements for DD providers).  
[dmh.mo.gov/dd/progs/dd-providers](https://dmh.mo.gov/dd/progs/dd-providers)*

Anyone connected to Abilities, LLC has the right to speak up about a concern or complaint. This includes the people we support, their families and guardians, and all employees. No one will face punishment for speaking up. This policy covers everyone: the people we support, their parents, guardians, and representatives, caregivers, employees, contractors, and volunteers.

A grievance is a concern or complaint. It can be about abuse, neglect, or exploitation; a violation of someone's rights; how a staff member acted; workplace safety; dissatisfaction with services; or anything else that needs to be looked into and resolved.

#### ► How to File a Grievance

- Pick up a grievance form from any home, the agency office, or by asking Human Resources.
- Submit a grievance by email directly to Human Resources.
- Drop off a completed form in person at the agency office.
- Submit a grievance online and anonymously using the secure link on the BambooHR Dashboard. It goes directly to Human Resources.
- If a person you support wants help filling out the form, you must help them. Keep what they share private.

#### ► What Happens After You Submit

Step	What Happens	Timeframe
1. Submission	Turn in the form to Human Resources in person, by email, or through BambooHR.	When you file
2. First Review	Human Resources reviews the grievance as soon as they receive it.	Same day as receipt
3. Confirmation	Human Resources sends written confirmation with a summary of the concern and what happens next.	Within 2 business days
4. Investigation	Human Resources may contact people involved, review records, or bring in a supervisor.	During review window
5. Resolution	A written response is sent.	Within 14 calendar days of submission
6. Appeal	Email Human Resources to request an appeal. The Executive Director personally reviews and sends a final written response. That response is final.	7 days to request; 7 calendar days for final response

All grievances are confidential. Only Human Resources and the people who need to know will have access.

► **Other Ways to Report Concerns**

Contact	Phone
Johnson County Board of Services	660-240-3343
Kansas City Regional Office	816-889-3400
Executive Director	660-747-7507 ext. 9
DMH Consumer Rights (Constituent Services)	800-364-9687 or TT 573-526-1201

Every year, the people we support are given information about how to file a grievance with Abilities, LLC and how to contact DMH. This must be given in writing or in a way the person can understand.

## 5.2

**Individual Feedback Policy**

The people we support have the right to share how they feel about their services and supports at any time, good or bad, without fear of negative consequences. Their feedback matters and helps us improve. We collect feedback in ways that are easy to understand and respectful.

The people we support are partners in evaluating the quality of their own services.

Once a year, every individual and their guardian receives a satisfaction survey. The Executive Director owns the annual satisfaction survey, designs it, oversees its administration, reviews the results, and uses what comes back to inform agency-wide improvements. Staff should regularly check in with the people they support to ask how things are going. If someone has a specific complaint, they can use the grievance process in Policy 5.1.

## 5.3

**Individual Rights Policy**

Every person we support has rights. These rights belong to them. As a staff member, your job is to protect these rights and support the person in using them. You do not get to decide which rights a person gets to exercise. This policy applies to all individuals receiving services from Abilities, LLC and to every employee.

**► The Rights Every Individual Has**

*Authority: HCBS Final Rule (42 C.F.R. § 441.301(c)(1)–(4)); RSMo 630.110–167 (Missouri Rights of Patients and Residents); 9 CSR 10-7.020 (DMH Rights of Individuals); 9 CSR 45-2.017 (Person-Centered Strategies); 9 CSR 45-3.040 (Behavioral Supports). cms.gov/medicaid/home-community-based-services | dmh.mo.gov*

Every individual receiving services from Abilities, LLC has rights protected by federal law, Missouri state law, and Missouri DMH regulation. These rights apply at all times, in every setting, with every staff member. They are not granted by Abilities, LLC and they cannot be removed by Abilities, LLC.

**Dignity and personal treatment.**

The right to be treated with dignity and respect at all times.

The right to humane care and the least restrictive treatment necessary.

The right to be free from abuse, neglect, exploitation, and unnecessary medication or restraint.

The right to be informed of these rights in a format and language they can understand.

**Privacy, communication, and relationships.**

The right to privacy in their personal life, their communications, and their relationships.

The right to privacy in their sleeping and living space, including the right to a lockable door where applicable.

The right to choose roommates in shared living units.

The right to decorate and furnish their own living space.

The right to mail, phone, and electronic communication with anyone they choose.

The right to have visitors at any time of their choosing.

**Choice, control, and community.**

- The right to make their own choices, including choices staff may not agree with.
- The right to control their own schedule, activities, and access to food at any time.
- The right to access their community freely.
- The right to choose their services, providers, and settings.
- The right to physical accessibility in their home and in services.

**Faith, civic life, and personal autonomy.**

- The right to practice their religion or choose not to.
- The right to vote.
- The right to manage their own money, unless a restriction has been formally approved through due process.

**Care, planning, and records.**

- The right to participate fully in their person-centered planning, including who is at the table and what goes into the plan.
- The right to refuse treatment or services, with limited exceptions defined by law.
- The right to access their own records.
- The right to consult with and have representation by an advocate, attorney, or trusted person of their choice.

**Speaking up and being heard.**

- The right to file a grievance under Policy 5.1 without fear of punishment or retaliation.
- The right to report concerns directly to Missouri DMH, the Regional Office, or any outside advocate or agency without going through Abilities first.

**► Guardians and Court Orders Cannot Override These Rights**

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Home and Community-Based Services (HCBS) is a federal program funded by Medicaid. Federal law governs this service, and that federal framework protects the civil and personal rights of every individual receiving it. Guardians and court orders may direct many aspects of a person's life, but they cannot instruct Abilities, LLC to violate an individual's federally protected rights within this service. Staff may not follow guardian instructions that would constitute a rights restriction or rights violation under HCBS rules. If you receive a directive from a guardian that conflicts with an individual's rights, bring it to your supervisor immediately.

**► Rights Cannot Be Taken Away Without Due Process**

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A right can only be limited if a formal due process has been completed. Staff cannot create their own rules that limit what a person can do. These informal rules are called house rules and they are never acceptable without due process approval. Rights restrictions must never be used for staff convenience, as discipline, as retaliation, or to save money.

Under Missouri regulation 9 CSR 45-2.017 and 9 CSR 45-3.040, no individual's rights can be restricted without due process. The individual must be told about the restriction, given a chance to speak up, offered outside help if they disagree, and told how to get their rights back.

**► Your Job as a Staff Member**

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Your job is to protect these rights and support the person in using them. You do not get to decide which rights a person gets to exercise. If you are not sure whether something you are being asked to do, or

something you see another staff member doing, is a rights restriction, contact your supervisor or the Due Process Manager before acting.

## 5.4

### Due Process Policy

*Authority: 9 CSR 45-3.030(3) (Missouri DMH, due process required for rights restrictions); 42 C.F.R. § 441.301 (HCBS Final Rule). dmh.mo.gov/dd/progs/dd-providers*

Every person we support has full rights. No one can limit those rights without going through a formal process called due process. This universal policy establishes the core protections that apply to all individuals and all employees. Full due process procedures, including the role of the Due Process Manager and implementation requirements, are located in the Residential Services Department Handbook.

Due process submissions are reviewed by the Columbus Group through Missouri DMH. The Columbus Group is the external review body responsible for evaluating proposed rights restrictions submitted through the DMH due process system.

#### ► Core Protections

- No single person can decide to restrict an individual's rights. It takes a full team discussion that includes the individual, their support team, and relevant professionals.
- An individual's rights may not be restricted by provider policy, staff practices, or house rules.
- Rights may not be limited without formal due process.
- Rights restrictions must never be used for staff convenience, as discipline, as retaliation, or to save money.
- Positive supports must be tried and documented before any rights restriction is considered, unless the risk of harm is immediate and extreme.

#### ► What Must Be in Place Before Any Restriction

- A specific, individualized reason for the restriction, written in the person's PCSP or a PCSP amendment.
- Evidence that less restrictive approaches were used before the restriction.
- A teaching plan focused on building independence.
- Set dates for review and clear, measurable goals for ending the restriction.
- Regular monitoring and data collection in SetWorks.
- Review by the due process committee before the restriction starts and at least annually thereafter.

#### ► Emergency Restrictions

An emergency restriction can only be used when a person is in clear and immediate danger to themselves, others, or property, and no less restrictive option is available. It must be made jointly by the provider and the DMH Regional Office. It is temporary. The full planning team must meet within five business days. This must comply with 9 CSR 45-5.010(4)(A)1.

## 5.5

### Non-Discrimination in Services Policy

*Authority: Title VI, Civil Rights Act of 1964; Section 504, Rehabilitation Act of 1973; ADA (42 U.S.C. § 12101); 42 C.F.R. Part 438. [hhs.gov/civil-rights](https://www.hhs.gov/civil-rights)*

Abilities, LLC serves every individual fairly and equally. No one will be treated differently, given worse services, or denied services because of who they are. This policy applies to all individuals receiving services from Abilities, LLC and every employee delivering those services. This is separate from the employment non-discrimination policy in Policy 1.1, which covers staff.

### ► What Is Prohibited

- Refusing to provide services to an individual based on race, color, national origin, religion, sex, age, disability, sexual orientation, gender identity, or any other protected characteristic.
- Treating an individual in a demeaning or disrespectful way based on who they are.
- Applying different standards of care or support based on an individual's identity.
- Making service decisions based on assumptions about an individual's background or beliefs.
- Punishing an individual for asserting their rights under this policy.

### ► Language and Communication Access

If an individual communicates in a language other than English, or needs a different communication format, they have the right to receive information and services in a way they can understand. No one may be turned away or left out because of a language or communication barrier.

If you believe discrimination in services has occurred, file a grievance through Policy 5.1. You can also contact Missouri DMH Constituent Services at 800-364-9687 or the U.S. Department of Health and Human Services, Office for Civil Rights at 800-368-1019.

## 5.6

### Investigation Procedure for Harassment, Discrimination, and Workplace Violence Complaints

When a complaint is filed alleging harassment, discrimination, retaliation, threats, or workplace violence under Policy 1.1, Policy 5.5, or Policy 6.4, Abilities, LLC investigates. This policy describes how that investigation works, who runs it, and what to expect from start to finish. It applies to complaints involving employees, contractors, volunteers, and interns. Complaints involving the people we serve are handled under the grievance process in Policy 5.1.

### ► How to File a Complaint

Complaints are filed the same way grievances are filed under Policy 5.1: by emailing Human Resources, dropping off a written complaint at the agency office, or submitting the anonymous form on the BambooHR Dashboard. You may also tell your supervisor, who is required to route the complaint to Human Resources the same business day.

You do not need to use the words "harassment" or "discrimination" to file. Describing what happened is enough. Human Resources will determine which policy applies.

### ► What Happens After You Submit

Step	What Happens	Timeframe
1. Submission	Complaint is received by Human Resources in person, by email, or through BambooHR.	When you file
2. First Review	Human Resources reviews the complaint as soon as it is received and decides whether interim measures are needed.	Same day as receipt
3. Confirmation	Human Resources sends written confirmation with a summary of the complaint and what happens next.	Within 2 business days
4. Investigation	Human Resources interviews the complainant, the respondent, and any witnesses, reviews relevant documents, and gathers any other information needed to reach a finding.	During review window
5. Resolution	A written finding is issued to the complainant and the respondent, with the action the agency is taking.	Within 14 calendar days of submission
6. Appeal	Either party may email Human Resources to request an appeal. The Executive Director personally reviews and sends a final written response. That response is final.	7 days to request; 7 calendar days for final response

### ► Interim Measures

While an investigation is open, HR may put interim measures in place to protect everyone involved. These can include separated scheduling, removal from a specific work location, administrative leave (paid or unpaid), or restricted contact between the parties. Interim measures are not findings and not discipline; they are protective steps during the investigation. Either party may ask HR to revisit them if they are not working.

### ► What the Investigation Looks Like

Human Resources runs the investigation. The Executive Director may be involved when the complaint is serious enough to warrant it, when Human Resources is itself a party, or when the respondent is in agency leadership.

During the investigation, Human Resources interviews the complainant first, the respondent next, and any witnesses identified by either party or by the investigator. Each interview is documented in writing. Documents, schedules, chat logs, emails, and any other relevant records are reviewed.

The respondent will be told that a complaint has been filed and given enough detail about the allegations to respond meaningfully. The complainant's identity may be shared with the respondent when the nature of the complaint makes anonymity impossible. Anonymous complaints submitted through the BambooHR form are investigated to the extent possible, but the agency may not be able to reach a finding when there is no way to follow up with the complainant.

### ► Confidentiality

Investigations are kept as confidential as the process allows. Information is shared only with the people who need to know to investigate and act on the complaint. Both parties are expected to keep the investigation confidential. Discussing an open investigation with coworkers, on social media, or with anyone not involved in the investigation is grounds for corrective action.

Confidentiality does not mean silence. Either party may discuss the underlying conduct with a lawyer, a therapist, a partner, or a family member. Either party may file a charge with the Equal Employment Opportunity Commission, the Missouri Commission on Human Rights, or any other government agency at any time. Filing a charge with an outside agency does not require completing the internal investigation first.

### ► Non-Retaliation

Abilities, LLC does not retaliate against anyone who files a complaint in good faith, participates in an investigation, or appeals a finding. Retaliation against a complainant, a witness, or a respondent's witness is a Tier 3 violation and may result in immediate termination.

If you believe you have been retaliated against during or after an investigation, file a new complaint. Retaliation complaints are investigated under this same procedure.

### ► What Findings Look Like

At the end of the investigation, Human Resources issues a written finding to both parties. The finding will be one of the following: substantiated (the agency found the conduct occurred), not substantiated (the agency did not find sufficient information to conclude the conduct occurred), or inconclusive (the agency could not reach a determination either way).

A substantiated finding results in corrective action under the Code of Conduct and the Tiered Supports framework. Substantiated conduct involving harm to individuals served, falsification, threats of violence, or sexual harassment may result in immediate termination.

A not substantiated or inconclusive finding does not mean the complainant lied or acted in bad faith. It means the available information did not allow the agency to conclude what happened. The agency may still take protective steps based on what it learned during the investigation.

### ► Appeal

Either party may appeal a finding by emailing Human Resources within 7 calendar days of receiving it. The Executive Director personally reviews the file, the finding, and the appeal, and issues a final written response within 7 calendar days. That response is final inside the agency.

The people we support sometimes want to give staff gifts. The intent is usually generous. Our job is to receive that kindness in a way that protects the relationship, protects the individual financially, and keeps the boundary between staff and client clear.

### ► What Is Okay to Accept

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- Cards.
- Drawings, paintings, and handmade artwork.
- Crafts the individual made themselves.
- Baked goods or homemade food the individual made themselves.

These gifts are about the relationship and cost the individual nothing financially. Accepting them is fine.

### ► What Is Not Okay to Accept

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- Purchased gifts of meaningful value.
- Money in any amount.
- Gift cards.
- Items the individual bought for you using their own funds.

If an individual offers you any of these, the answer is a warm decline. Thank them for the thought, explain that you cannot accept it, and let your supervisor know it happened.

### ► When a Gift Crosses Into Exploitation

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Soliciting, suggesting, or accepting expensive purchased gifts from an individual we support is financial exploitation, not generosity. The same applies if the individual offers and you accept knowing the value or knowing they cannot afford it. Financial exploitation is reportable abuse under the agency's abuse and neglect reporting policy and may result in termination and law enforcement involvement.

If you are unsure whether something crosses the line, ask your supervisor before accepting.

## CHAPTER

# 6

## Health and Safety

*This chapter applies to all Abilities, LLC employees regardless of department, role, or classification. Every employee shares responsibility for the health, safety, and dignity of the individuals we serve.*

Note: Emergency Procedures, Individual Death, Delegations and Protocols, Controlled Medication, and Medication Administration policies are located in the Residential Services Department Handbook, as those policies are specific to ISL and residential program staff.

**Tier 1: Universal Health Monitoring:** Every individual receives consistent health monitoring as part of standard care. This includes routine wellness checks, documentation of any health changes in SetWorks, and timely incident reporting. Every staff member participates every shift.

**Tier 2: Targeted Health Oversight:** Individuals with elevated health risks receive additional monitoring and coordination. The Health Risk Screening Tool (HRST) is used to assess risk level and inform care planning.

**Tier 3: Acute and Crisis Health Response:** When an individual experiences an acute health event, the most intensive response is activated. This includes 911, immediate nursing involvement, incident reporting to DMH, and coordinated care with the individual's medical team.

## 6.1 Event Reporting (Incident Reporting) Policy

All employees are required to promptly and accurately report any incident or event that may affect an individual's wellbeing, safety, or rights. This is not optional. Timely and accurate reporting is a core job requirement and a condition of continued employment. This policy applies to all employees, volunteers, interns, and contractors. The terms Event Report, Incident Report (IR), and EMT (Event Management Tool) are used interchangeably and refer to the same type of report.

### ► Reportable Events

*Immediate DMH Notification means contacting DMH by phone as soon as possible after the event occurs.*

Incident	Report Required?	Immediate DMH Notification?
Abuse, Neglect, Misuse of Funds, Sexual Abuse	Yes	Yes
Emergency Room Visit	Yes	No
Hospital Admission	Yes	Yes
Arrest	Yes	Yes
Swallowing Inedible Item	Yes	No
Life Saving Interventions (Heimlich, CPR)	Yes	No
Physical Altercations	Yes	No
Injury (unexplained bruises, scratches, cuts)	Yes	No
Falls (witnessed or unwitnessed)	Yes	No
Police or Emergency Responders	Yes	No
Natural Disaster	Yes	Yes
Medication Error	Yes	No
Suicide Attempt or Threat	Yes	No
MANDT Physical Restraint	Yes	No

Incident	Report Required?	Immediate DMH Notification?
Death	Yes	Yes

► **Reporting Procedure**

- **Step 1:** Ensure the safety and wellbeing of the individual. If 911 is necessary, that is always the first call.
- **Step 2:** Notify your direct supervisor immediately.
- **Step 3:** Complete the Event Report in SetWorks before the end of your shift.
- **Step 4:** The Residential Program Manager submits the Event Report in CIMOR.
- **Step 5:** For Immediate Notification Events: on weekends, the on-call Administrator is responsible for immediate KCRO notification. On weekdays, the assigned RPM is responsible.

Immediately report incidents or suspicions of abuse, neglect, or misconduct to your supervisor. Your supervisor will direct next steps.

Late or missing Event Reports are addressed through coaching and follow-up. Timeliness of Event Reports is considered during employee performance evaluations. All reportable events are submitted to DMH as required by Missouri regulation 9 CSR 10-5.206.

**6.2 Abuse, Neglect, and Mandated Reporting**

Abilities, LLC prohibits all forms of abuse, neglect, or exploitation against individuals we support. All employees, contractors, and volunteers are mandatory reporters under Missouri law and must immediately report any observed or suspected incident. This is a legal requirement, not a choice.

Mandated reporting means that if you have reason to believe abuse, neglect, exploitation, or a prohibited practice has occurred or is occurring, you are legally required to report it. This is not optional, and it is not a judgment call about whether something is serious enough. You report when you have reason to believe. Do not wait for confirmation. Do not discuss it with coworkers first. Report.

Failure to report is a crime under Missouri law (RSMo 630.155 and RSMo 630.160) and may result in criminal charges, civil liability, and immediate employment action. Reportable events must be reported to DMH as required by Missouri regulation 9 CSR 10-5.206. This policy applies to all employees, contractors, and volunteers working for or associated with Abilities, LLC.

► **Definitions**

Term	Definition
Neglect	Failure to provide necessary care, supervision, or services needed to maintain an individual's health, safety, and wellbeing, for example: not administering required medications or leaving an individual unattended.
Verbal Abuse	Threats of violence, profanity directed at

Term	Definition
	individuals, name-calling, or any language intended to intimidate, degrade, or humiliate.
Physical Abuse	Actions causing physical harm, including hitting, striking, kicking, biting, or any inappropriate use of force.
Sexual Abuse	Inappropriate touching, coercion to engage in sexual activities, unwanted kissing, or any sexual conduct involving individuals.
Misuse of Funds or Property	Borrowing without permission, theft, or unauthorized use or removal of an individual's property.

### ► How to Report

Immediately report incidents or suspicions to your supervisor. Anonymous reporting is also available through the grievance form link on the BambooHR Dashboard.

### ► Protection from Retaliation

Upon receiving a report, the employee alleged to have perpetrated abuse or misconduct will be immediately removed from contact with individuals served pending investigation. Abilities, LLC strictly prohibits retaliation against any employee who reports in good faith.

## 6.3

### Communicable Diseases Policy

*Authority: OSHA Bloodborne Pathogens Standard (29 C.F.R. § 1910.1030); 9 CSR 40-1.060 (Missouri infection control); 19 CSR 20-20. osha.gov/bloodborne-pathogens | cdc.gov/infectioncontrol*

Abilities, LLC maintains infection control practices in accordance with OSHA Bloodborne Pathogens standards (29 C.F.R. § 1910.1030), CDC guidelines, and Missouri DMH requirements. All employees are responsible for following infection control practices at all times.

### ► Infection Control Requirements

- Employees should not report to work when experiencing symptoms of a contagious illness, including fever, active cough, vomiting, or diarrhea. Follow the standard call-in procedure in Policy 2.1.
- Employees should return to work when fever-free for at least 24 hours without fever-reducing medication and symptoms have substantially improved.
- Employees with potential exposure to blood or bodily fluids will be offered the Hepatitis B vaccination series at no cost. Contact Human Resources.
- Follow CDC hand hygiene guidelines and use appropriate PPE as directed.
- When Nursing directs masking, isolation precautions, or outbreak protocols in a specific home, comply immediately. Do not improvise. Follow Nursing direction.

- Employees are expected to manage their PTO to ensure they are able to call out when ill.

## 6.4

### Workplace Violence Policy

Abilities, LLC supports individuals with developmental disabilities, including individuals with significant behavioral needs. Some of those needs include aggression, self-injury, property destruction, and crisis behaviors that escalate quickly. This is the work. It is not unusual, it is not optional, and it is not a basis for refusing an assignment.

#### ► The Absolute Rule

Refusing to work with a specific individual served, based on their diagnosis, behavior, communication style, presentation, or personal characteristics, is not permitted at Abilities, LLC. This applies to every role, every department, and every tenure, and is grounds for termination.

What you can do, and should do, is raise clinical and safety concerns through the established escalation chain: House Manager, RPM, BCBA, and Executive Director. The agency maintains a full clinical and behavioral framework for individuals whose needs are significant or whose behavior creates safety risk, including Behavior Support Plans, Safety Crisis Plans, BCBA consultation, BSRC involvement, individual-specific training, and tiered staff support. That framework exists to be used. Raising a concern is appropriate and expected. Refusing to work with an individual is not.

#### ► Threats and Violence

Threats, intimidation, harassment, or acts of violence are prohibited at Abilities, LLC, whether they occur between employees or are directed at staff by family members of individuals served, visitors, community members, or any other outside party. Threats include verbal, written, and electronic threats, and any gestures or actions that a reasonable person would interpret as threatening. Acts of violence include any unwanted physical contact intended to intimidate or harm.

Threats and violence are reported immediately to a supervisor and to Human Resources. If HR is unavailable, the report goes to the Director of Culture & Experience, and then to the Executive Director. The agency's response can include investigation under Policy 5.6, immediate termination, no-trespass orders, no-contact restrictions, modifications to staffing or visit arrangements, and law enforcement involvement.

#### ► Support After a Traumatic Event

Severe behavioral crises, the death of a coworker, the death of an individual we serve: these things happen in this work, and they leave a mark. Employees who experience a traumatic event at work can contact the Director of Culture & Experience to access counseling services.

## 6.5

### Drug Screening Policy

*Authority: Drug-Free Workplace Act of 1988 (41 U.S.C. § 8101 et seq.); federal Medicaid conditions of participation (42 C.F.R. Part 441). [samhsa.gov/workplace](https://www.samhsa.gov/workplace)*

Abilities, LLC maintains a drug-free work environment. All employees are subject to pre-employment screening and may be tested during employment. Testing is conducted using a 14-Panel Saliva Cube oral swab administered by the Nursing Department.

## ► Types of Screening

- **Pre-Employment:** Required before the first day of work. Employment is contingent on a negative result.
- **Random:** Two employees selected at random each quarter by HR. Employees are notified upon arrival and tested immediately.
- **Reasonable Suspicion:** Required when a supervisor observes objective signs of impairment (slurred speech, unsteady gait, smell of alcohol or marijuana, behavior significantly out of character). The employee is removed from direct care immediately and suspended pending results.
- **Post-Accident:** Required after any accident in an agency vehicle or any work-related incident where impairment is reasonably suspected. Refusal is grounds for immediate termination.

## ► Positive Results

- HR notifies the employee confidentially as soon as results are received.
- The employee may request a second screen within 24 hours. If the second screen is negative, the original result is void.
- If the positive result is due to a legally prescribed medication, the employee must provide documentation from a licensed provider to HR within 48 hours.
- A verified positive result without medical justification is grounds for termination. Employees terminated for a positive test are not eligible for rehire for 12 months.
- All results are confidential and stored in the employee's medical file, separate from the personnel file.

## 6.6

## Driving Safety Policy

Abilities, LLC employees drive agency vehicles and personal vehicles in the course of their work. Safe driving protects employees, the individuals we serve, and the public. This policy establishes the agency's driving safety standards.

### ► Scope

This policy applies to any employee whose role includes driving on agency business, including driving an agency vehicle, transporting individuals served, or driving a personal vehicle for agency business. Specific operational provisions for residential driving (agency vehicle assignments, vehicle inspections, ISL vehicle custody, fuel cards) are governed by the Residential Services Department Handbook.

### ► Driver Eligibility at Hire

Any employee whose role includes driving must meet the following standards at the time of hire:

- Valid driver's license
- Motor Vehicle Record (MVR) review completed by Human Resources
- No DUI or DWI conviction within the previous three years
- No current driver's license suspension or revocation

The Executive Director may grant exceptions to these standards in writing, with documented justification.

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### ► Personal Vehicle Use

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- Office employees who use personal vehicles for agency business must keep current personal auto insurance on file with Human Resources. Mileage reimbursement under Policy 3.1 requires current insurance documentation.
- DSPs and ISL staff do not use personal vehicles to transport individuals served. Transportation of individuals is provided in agency vehicles only.

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### ► Cell Phone Use While Driving

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Cell phone use while driving any vehicle on agency business, agency vehicle or personal, is prohibited. This prohibition includes hands-free use. GPS may be set before driving begins. Phone calls, texts, and other phone activity are conducted before or after driving, not during.

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### ► Vehicle Accidents

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When an accident occurs in an agency vehicle, the following process applies:

- **Step 1: Safety first.** Make sure individuals in the vehicle and any other parties are safe. Call 911 for any injury or significant damage.
- **Step 2: Call police every time.** Police are called for every accident in an agency vehicle, regardless of severity, fault, or whether anyone appears injured. The agency requires a police report on every incident.
- **Step 3: Call your supervisor and HR.** Notify your House Manager, RPM, or supervisor and Human Resources as soon as the immediate scene is secured.
- **Step 4: Submit a written statement.** Submit a written statement to Human Resources within one business day of the accident describing what happened.
- **Step 5: Post-accident drug screen.** A post-accident drug screen is required under Policy 6.5.
- **Step 6: Driving privileges suspended.** Your driving privileges are suspended pending review of the accident.
- **Step 7: HR review.** Human Resources reviews the police report, your written statement, and any other relevant information before any disciplinary determination is made.

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### ► At-Fault Total of an Agency Vehicle

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If an agency vehicle is totaled and the employee is determined to be at fault, employment is terminated. Termination occurs immediately upon a clear at-fault determination, or upon the determination that the vehicle is totaled, whichever is later.

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### ► Other Accidents and Moving Violations

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Other accidents and moving violations are reviewed case-by-case by Human Resources in consultation with the Executive Director. Driving privileges may be suspended, restricted, or revoked based on the circumstances. Loss of driving privileges may make certain roles unworkable, in which case Human Resources will evaluate options under Policy 2.5 or determine that the role can no longer be performed.

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### ► Annual Driving Record Review

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Human Resources pulls annual MVRs for all employees whose role includes driving. New issues identified through annual review are addressed under the same standards used at hire. Employees who fall below the eligibility standards through new convictions, suspensions, or accumulated violations may have driving privileges revoked.

## ► Reporting Off-Duty Driving Issues

Employees whose role includes driving must report to Human Resources within five business days any off-duty event that affects their driving eligibility under this policy, including DUI or DWI charges or convictions, license suspensions or revocations, or accumulated moving violations. Failure to report is grounds for corrective action up to and including termination.

### CHAPTER

# 7

## Staff Development

*This chapter establishes the agency's expectations for staff training, performance, and professional development. It applies to every employee of Abilities, LLC.*

- **Tier 1: Universal Training and Foundation:** Every employee receives the same foundational training, no exceptions. The goal is to send you into the work prepared, equipped, and confident. Tier 1 also means a culture where asking questions is welcomed and expected; it is not a sign you are behind, it is a sign you are paying attention.
- **Tier 2: Role-Specific Growth and Skill Building:** Once the foundation is solid, we build out the skills your specific role requires. This is also where additional coaching, refreshers, and targeted skill-building happen, sometimes because you ask for them, sometimes because your supervisor sees an opportunity to support your growth. The goal is for you to feel competent in the work, not just trained on paper.
- **Tier 3: Advanced and Specialized Development:** For employees pursuing certifications, advanced practice, or leadership roles. Tier 3 is investment in employees who want to grow further: MANDT instructor pathways, BCBA tracks, certification programs, and leadership development.

### 7.1

## Training Policy

Abilities, LLC requires all employees to complete all training mandated by the Missouri Department of Mental Health (DMH), Division of Developmental Disabilities (DDD), as well as all required internal agency training. Employees must complete orientation and ongoing training within the required timelines, and all renewals must be kept current. This policy applies to all employees of Abilities, LLC.

### ► Universal Training Requirements

The following training requirements apply to all employees. Department and role-specific training requirements beyond these universals are found in your department handbook and job description.

### ► Training Timelines and Renewal Requirements

Training	Completion Timeline	Renewal
Bloodborne Pathogens (BBP)	Within 2 weeks of hire	Annually
Confidentiality and HIPAA	Within 2 business days of hire	Annually
Individual Rights/HCBS Final	Within 2 business days of hire	Annually

Training	Completion Timeline	Renewal
Rule		
Abuse, Neglect, and Mandated Reporting	Within 2 business days of hire	Annually
Agency Policy Packet (signed)	At hire	Annually

### ► Documentation Required at Hire

- All employees must provide the following documentation before beginning work. No employee may start their first shift until required documents are on file with Human Resources.
- Social Security card.
- Proof of education: high school diploma or GED.

Valid driver's license, which must be held at all times as a condition of employment. A lapsed or suspended license is grounds for immediate removal from the schedule until reinstated.

### ► Training Attendance

Training timelines and refresher schedules are regulated by DMH and Missouri state law, not by Abilities, LLC. The agency cannot grant exceptions to these timelines.

- **Attend in full:** Employees must attend all scheduled training in full.
- **15-minute rule:** Employees who arrive more than 15 minutes late will be sent home and rescheduled. This counts as a call-in under the Attendance Policy.
- **Leaving early or absence:** Both are subject to the Attendance Policy.
- **Certification lapse:** Calling in to a training that causes a required certification to expire results in being removed from the schedule until the certification is reinstated.
- **Double call-in to training:** If an employee calls in to a scheduled training and then calls in to the rescheduled session, they will be terminated immediately. This rule stands regardless of available PTO balance or uncovered call-in count.
- **Do not contact instructors:** Employees may not contact instructors directly about rescheduling, calling in, arriving late, or any other training-related question. All training call-ins go through the Attendance Line. All other training-related questions go to Human Resources. If HR is unavailable, the question goes to the Director of Culture & Experience, and then to the Executive Director.
- **Records:** Maintaining current certification status is a condition of employment. Training records are tracked in BambooHR for 7 years.

All training scheduling requests must go through Human Resources. Do not contact trainers directly.

## 7.2

### Virtual Capabilities Policy

Abilities, LLC will support and facilitate the use of virtual technologies to connect individuals with guardians, family, friends, and community members; participate in remote or hybrid medical and mental health appointments; attend virtual Person-Centered Service Plan (PCSP) meetings; access educational, vocational, or recreational opportunities online; and stay connected during times of restricted in-person contact.

### ► Staff Responsibilities

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- Support individuals in using tablets, phones, computers, or other virtual devices.
- Ensure devices are charged, accessible, and in working order.
- Provide support without infringing on privacy, dignity, or the individual's right to confidential communication.

Assist individuals with navigating video call platforms when requested. Supporting individuals in making video calls is a staff responsibility. For the distinction between this and personal staff use of video platforms, see Policy 4.1.

### ► Approved Platforms

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Only non-public-facing platforms should be used for telehealth, professional meetings, or private conversations. Approved platforms include: Zoom, Google Meet, Skype, FaceTime, Microsoft Teams, and WebEx. Public-facing platforms such as TikTok or Facebook Live are not permitted for service delivery or professional interactions.

Devices used for virtual communication must be password protected.

Individuals must be supported in choosing private locations for confidential or sensitive conversations.

Staff must not record or take screenshots of virtual communications unless explicitly directed in the individual's PCSP and with guardian consent.

Any suspected misuse of technology or breach of HIPAA must be reported via a SetWorks incident report.

## 7.3

## Performance Evaluation Policy

Abilities, LLC is committed to evaluating every employee's job performance annually using a structured, documented, and fair process. Performance evaluations provide clear written feedback, determine annual merit increases based on documented evidence, and set development goals for the year ahead. This policy applies to every employee of Abilities, LLC. PRN employees are excluded from annual performance evaluations as stated in the Wage Band Policy.

### ► What the Evaluation Does

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- Gives you clear, written feedback on how you are doing in your job. You will know exactly what you are doing well and exactly where you need to improve.
- Determines your annual raise. Raises are based on how well you perform your job, not on how long you have worked here or on personal relationships.
- Sets goals for your growth. Every employee receives two specific development goals to work toward during the next year.

### ► Key Terms

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- **Review Period:** The twelve months preceding your hire anniversary date. All evaluation scores must be based solely on documented evidence from within this window.
- **Task Area:** A section of the evaluation form corresponding to a core responsibility from the employee's job description.
- **Criterion:** An individual, scorable item within a task area describing a specific expected behavior or outcome.

- **Standard Criterion:** A criterion scored by the rating team based on documented evidence.
- **Data-Driven Criterion:** A criterion scored objectively by a number pulled from agency systems, not by human judgment.
- **Rating Team:** The group of individuals who complete the evaluation form together. No single person may complete an evaluation alone.
- **Self-Assessment Bonus:** Three bonus points added to an employee's total score when the employee completes the BambooHR self-assessment before their evaluation meeting.

### ► The Scoring Scale

Score	Rating	What It Means
0	Not Achieved	You did not do this part of your job at all, or you rarely completed it. There are consistent, reported issues.
1	Basic	You do this, but not all the time. Mostly there, but there is room for improvement.
2	Proficient	You do this well most of the time. You are reliable and competent, but there are some small, documented gaps.
3	Mastery	You do this at the highest level. There are no documented issues.

### ► Rules That Protect You

- Look at the data before scoring anything. Scoring from memory or gut feeling is not allowed.
- A score of 0 or 1 requires a written explanation with exactly what happened, when it happened, and where the evidence is.
- If it was never documented, it cannot count against you. Undocumented issues cannot lower your score.
- No issues means Mastery. Doing your job correctly with no documented issues is a score of 3.
- Data-driven criteria are scored by numbers, not people. There is no judgment involved.
- When the rating team disagrees, the documentation wins.

### ► Development Goals

Every employee receives exactly two development goals as part of their evaluation, regardless of how well they scored. Goals are set by your rating team and written on your evaluation form. They must be specific enough that you and your supervisors can tell whether you are making progress during the next year. Vague goals like "keep doing a good job" or "try harder" are not valid goals.

### ► Your Part as an Employee

- **Complete your self-assessment:** BambooHR will automatically send you a self-assessment to fill out before your evaluation. Complete it before the meeting to earn 3 bonus points.
- **Respond to feedback requests:** BambooHR will send you requests to provide feedback about coworkers and your supervisor. Your responses are anonymous.
- **Attend your evaluation meeting:** If you do not attend, it will be recorded as a call-in and the evaluation will not be rescheduled.
- **Sign the evaluation form:** Your signature confirms you received the evaluation, not that you agree with every score. If you disagree, write your perspective in the Employee Comments section.

### ► **Appealing Your Evaluation**

If you believe your evaluation contains a factual error, you may request a review. Put your concern in writing and submit it to Human Resources within 14 calendar days of your evaluation meeting. Human Resources will review the concern with the rating team and respond in writing within 14 calendar days. An appeal must identify the specific criterion being disputed and explain the factual basis for the dispute.

### ► **Confidentiality**

- Your performance evaluation is a confidential record stored in BambooHR under your employee file. Only you, your direct supervisors, Human Resources, and the Executive Director can see it.
- This policy tells you how your performance is measured. The Wage Band Policy (Policy 3.5) tells you what happens to your pay after your performance is measured. Questions about pay after your evaluation should go to Human Resources.

## 7.4

## Communication Policy

Clear communication is how we keep individuals safe, support each other, and run the agency well. Abilities, LLC uses a defined set of communication channels so information stays organized, accountable, and accessible to everyone who needs it. This policy applies to all employees regardless of department or role.

### ► **Why Our Communication System Matters**

Every conversation about an individual, a shift, a schedule change, or an agency update has to land somewhere it can be found again. When information lives in personal texts or private threads, it disappears the moment a staff member leaves or a phone breaks. Our system protects continuity of care, supports accountability, and gives every team member access to the same information.

### ► **Official Communication Channels**

- Abilities, LLC communicates through three official channels. All employees are expected to use and monitor these channels as part of their job.
- Work email, issued by Abilities, LLC and accessed through Google Workspace. Used for formal and external communication, documentation, and anything that needs a written record outside of a chat thread.
- Google Chat, used for team and home-based conversations, day-to-day coordination, and individual-related updates that belong in the record.
- BambooHR Announcements, used for agency-wide communications from leadership.

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### ► Work Email Expectations

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- Check your work email while on shift.
- Use your work email, not a personal account, for any agency-related communication.
- Treat your work email as a written record. Anything you send can be retrieved during an audit, investigation, or review.

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### ► Google Chat Expectations

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- Monitor your assigned chats during your shift.
- Respond during your shift to direct messages or chat tags that involve your work.
- The specific chats you belong to, who is in each chat, and what each chat is used for is set by your department. See your department handbook for the chat structure that applies to your role.

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### ► BambooHR Announcements

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Leadership uses BambooHR Announcements to reach the whole agency at once. You are responsible for reading these. New announcements appear on your BambooHR dashboard when you log in.

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### ► Employee Facebook Group

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Abilities, LLC also has a private Employee Facebook Group used for giveaways, trivia, agency culture, and fun. This is an informal channel and is not used for official agency communication. Participation is optional.

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### ► Off-Shift Expectations

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You are not expected to respond to email or chat outside your scheduled shift. If your role requires after-hours availability, that expectation is written into your job description.

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### ► Documentation of Individual-Related Communication

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Any conversation about an individual, including medications, behavioral changes, health concerns, care updates, or anything else related to the people we support, must go in the appropriate house or team chat. This applies to all employees regardless of role or department.

Abilities, LLC does not support secrecy or concealment in care-related communication. Side conversations through personal texts, personal email, or informal channels are not acceptable substitutes for documented communication in agency channels. When information about an individual is shared, it belongs in the record, not in a private thread.

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### ► No Expectation of Privacy

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All communication on agency systems, including work email and Google Chat, is the property of Abilities, LLC. The Executive Director can retrieve and review any email or chat message, including messages that have been deleted. All Google emails and chat messages are legal records of employment and are retained for seven years. Do not use agency systems for anything you would not want reviewed.

## Staff Accountability Tier Reference

When something goes wrong at work, leadership uses a tiered framework to decide how to respond. This page exists so that every employee can see the same framework leadership uses. Knowing it removes guesswork. It also makes clear that not every issue ends in discipline. Most do not.

## ► The Three Tiers

Tier	What It Means	Examples
Tier 1	A teachable moment. The issue is addressed through coaching, feedback, or a conversation. No formal write-up. This is where most issues are handled.	Late once or twice; minor documentation gap caught and fixed; small communication misstep; first-time mistake on a routine task.
Tier 2	A pattern or a more serious single issue. Formal coaching documentation. May include a written corrective action plan with specific expectations and a follow-up timeline.	Patterned absences after coaching did not change behavior; repeated documentation errors after training; failure to follow a known procedure that did not result in harm.
Tier 3	A serious violation or a serious pattern that did not improve. Includes the most significant outcomes, including separation from employment. Always involves leadership review and documentation.	Falsifying documentation; violating an individual's rights; theft; abuse or neglect; serious safety violations; refusal to complete required corrections after Tier 2.

### ► How to Read This Table

The examples in the table are examples, not rules. Every situation has its own context, and two situations that look the same on paper can land in different tiers because of the circumstances around them. Leadership uses judgment, not a checklist. The framework gives the response structure; it does not replace judgment.

### ► Skipping Tiers

Most issues start at Tier 1 and move up only if the pattern continues or the behavior does not change. Some issues skip tiers because of the severity of what happened. Rights violations, abuse, neglect, theft, and falsification of records are examples of issues that start at Tier 3 regardless of whether the employee has any prior history.

### ► Documentation

Tier 1 conversations are tracked in coaching notes. Tier 2 and Tier 3 actions are documented in BambooHR as formal employment records. Every employee has access to their own records and can see what is on file.

## Signs of Burnout

Caregiving is emotionally and physically demanding in ways most other jobs are not. Burnout is a real, common, and treatable consequence of doing this work over time, and recognizing it early, whether in

yourself or in someone on your team, is one of the most important skills in this field. While burnout shows up most in direct care, it can affect anyone in the agency, and the signs and supports below apply across every role.

### ► What Burnout Looks Like

---

Burnout is not a single feeling but something that builds over time, with subtle signs at first and obvious ones later. Common signs across the cycle:

- **Emotional exhaustion.** Feeling drained at the start of your shift, not just the end, and dreading work in a way that goes beyond "I don't want to go in today."
- **Depersonalization.** Becoming detached or cynical about the people you support, talking about them as tasks rather than people, and losing the warmth that brought you into this work.
- **Reduced sense of accomplishment.** Feeling like nothing you do matters, even when the work is being done.
- **Physical signs.** Headaches, stomach issues, frequent illness, trouble sleeping, exhaustion that does not lift with time off.
- **Withdrawal.** Pulling back from coworkers, missing more shifts, being less present at work even when you are there.
- **Irritability.** Shorter fuse with coworkers, supervisors, or the people you support, with small things prompting big reactions.

### ► How to Detect Burnout in Yourself

---

The hardest part of burnout is that you usually feel it before you can name it. A few questions worth asking honestly:

- Do I feel different about the people I support, or about my work, than I did six months ago?
- Am I dreading work in a way I did not used to?
- Am I sleeping, eating, and resting in ways that take care of me?
- Am I talking about work outside of work in ways that feel heavy or angry?
- Am I withdrawing from the parts of life that usually fill me back up?
- If you can honestly say yes to any of these, that is a signal to pay attention.

### ► How to Detect Burnout in Others

---

You will often see burnout in a coworker before they see it in themselves. Things to watch for:

- A coworker who used to be warm with the individuals they support, or with their team, is now flat or short.
- A coworker who used to engage with the team is now quiet, withdrawn, or skipping interactions they used to be part of.
- A coworker is starting to call in more, arrive late, or leave early.
- A coworker is talking about the work with bitterness or cynicism that is new for them.
- A coworker is making more mistakes than usual on tasks they used to handle without issue.

When you see this in someone, you are not their therapist and you do not have to fix it. What helps most is honest, low-pressure attention. A simple "I noticed you have not been yourself lately. Are you doing okay?" gives the person a chance to open up if they want to, and it tells them they are seen.

### ► What to Do About It

---

Burnout is not solved by toughing it out. People who push through it without addressing it tend to either leave the field entirely or become the kind of employee who hurts the people they support and the people they work with, and both outcomes are preventable.

### ► If You Are Noticing Burnout in Yourself

- Tell your supervisor, not because they will fix it for you, but because they need to know.
- Speak with the Director of Culture and Experience. You can call the office and request a meeting at any time.
- Use your PTO; it exists for this exact reason.
- Talk to someone outside of work, whether friends, family, a counselor, a doctor, or any trusted person from outside the caregiving world. This is not weakness; it is maintenance.

Look at the basics: sleep, food, water, exercise, and time outside of work that has nothing to do with work. Burnout often starts in the body before it shows up in the mind.

### ► If You Are Noticing Burnout in Someone Else

- Reach out to them directly, not through someone else. A short, honest check-in goes further than a long one.
- Do not diagnose them or push them to act; ask, listen, and follow up.
- If you have a serious concern about a coworker's wellbeing or about the safety of the people they support, tell their supervisor or yours.

### ► If You Are a Supervisor

- Burnout in your team is part of what you watch for. Schedule coverage, PTO patterns, work quality, and tone in the chat are all signals.
- Address it directly with the employee, because most of the time something is going on.
- When you have a team member showing signs, make space for them and make it clear that taking care of themselves is part of doing the job well, not the opposite of it.
- This work is not done alone. The agency exists to support the team, the team exists to support each other, and burnout is one of the things we watch for together.

## Acronym Guide

Acronyms used throughout this handbook and by Missouri DMH, Medicaid, and the agency.

Acronym	Meaning
AFLAC	American Family Life Assurance Company (supplemental insurance provider)
AHM	Assistant House Manager
ASD	Autism Spectrum Disorder
BACB	Behavior Analyst Certification Board
BBP	Bloodborne Pathogens

Acronym	Meaning
BCBA	Board Certified Behavior Analyst
BCaBA	Board Certified Assistant Behavior Analyst
BSP	Behavior Support Plan
BSRC	Behavior Support Review Committee
C-AHM	Certified Assistant House Manager
C-DSP	Certified Direct Support Professional
C-HM	Certified House Manager
C-Lead DSP	Certified Lead Direct Support Professional
CDC	Centers for Disease Control and Prevention
CIMOR	Client Information Management and Operations Repository (Missouri DMH documentation system)
CN	Community Networking (HCBS service type)
CPM	Community Program Manager
CPR	Cardiopulmonary Resuscitation
CSP	Community Support Professional
C-DSP	Certified Direct Support Professional
DCE	Director of Culture and Experience
DD	Developmental Disabilities
DDD	Division of Developmental Disabilities (Missouri DMH subdivision)
DHSS	Department of Health and Senior Services (Missouri)
DMH	Department of Mental Health (Missouri)
DOL	Department of Labor (federal)
DPM	Due Process Manager
DRA	Deficit Reduction Act
DRO	Director of Residential Operations
DSP	Direct Support Professional

Acronym	Meaning
EAS	Electronic Authorization System (EVV component)
ED	Executive Director
EMOMED	Electronic Medicaid Operational Management and Enrollment Database (Missouri billing system)
EMT	Event Management Tool (incident reporting in SetWorks)
EVV	Electronic Visit Verification
FCSR	Family Care Safety Registry (Missouri background check system)
FMLA	Family and Medical Leave Act
HCBS	Home and Community-Based Services
HIPAA	Health Insurance Portability and Accountability Act
HM	House Manager
HR	Human Resources
HRM	Human Resources Manager
HRST	Health Risk Screening Tool
ICHRA	Individual Coverage Health Reimbursement Arrangement
IDD	Intellectual and Developmental Disabilities
IR	Incident Report
IRS	Internal Revenue Service
ISL	Individualized Supported Living (residential home)
ISD	Individualized Skill Development (HCBS service type)
KCRO	Kansas City Regional Office (Missouri DMH)
Lead DSP	Lead Direct Support Professional
LIMA	Level I Medication Aide (also written L1MA)

Acronym	Meaning
LPN	Licensed Practical Nurse
MANDT	Crisis prevention and intervention training system (MANDT System, Inc.)
MMAC	Missouri Medicaid Administration Contractor
NA	Nursing Assistant
OSHA	Occupational Safety and Health Administration
PA	Personal Assistant (HCBS service type)
PCSP	Person-Centered Service Plan
PHI	Protected Health Information
PIP	Performance Improvement Plan
PPE	Personal Protective Equipment
PRN	Pro Re Nata (as needed; refers to on-call/as-needed employment status)
PTO	Paid Time Off
QAP	Quality Assurance Professional
RBT	Registered Behavior Technician
RN	Registered Nurse
RPM	Residential Program Manager
RSMo	Revised Statutes of Missouri
THC	Tetrahydrocannabinol (active compound in marijuana/cannabis)

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PWFA (Pregnant Workers Fairness Act)	2.5
Rating team (evaluation)	7.3
Reasonable accommodation	2.5
Reference checks	1.8
Refusing client assignment prohibited	6.4
Religious accommodation	2.6
Retaliation, prohibited	4.4, 4.5, 6.2
Returning to work (workers' comp)	2.3
Rights restrictions	See Due Process, 5.4
Sabbath observance (24/7 operational reality)	2.6
Scoring scale (evaluation)	7.3
Self-assessment bonus (evaluation)	7.3
Separation, system access revocation	1.5
Service letter (Missouri RSMo 290.140)	1.8
Service letter, 45-day response	1.8
SetWorks	1.4, 1.5, 4.7
Sexual harassment	1.1, 5.6
Shared drives, Executive Director as Owner/Manager	4.7
Social media policy	1.1
Standard criteria (evaluation)	7.3
Succession	See Leadership Succession, 1.3
System outage, EVV/billing contact	1.4
System outage, incident reporting during	1.4

Term	Policy Reference
System setup	1.5
Tax obligations (agency)	4.6
Tax withholding (employee)	3.2
THC/marijuana, federal funding basis for prohibition	1.1
THC/marijuana, prohibited product types	1.1
Tiered Supports framework	Ch. 1, 2, 4, 7
Timekeeping	3.2
Title VII religious accommodation	2.6
Training	7.1
Training records (BambooHR)	7.1
Undue hardship	2.5
USERRA compliance	2.10
Values (Integrity, Community, Empathy)	Ch. 1
Virtual capabilities	7.2
Vitable Primary Care	3.3
Voting leave (RSMo 115.639)	2.9
Voting leave, request before election day	2.9
Voting leave, three hours unpaid	2.9
Wage bands	3.5
Wage concerns (payroll@abilitiesllc.com)	4.6
Wage garnishment, BambooHR collects/transmits	3.2
Wage garnishment, HR processes	3.2
WhenToWork	1.4, 1.5
Whistleblower rights	4.4
Witness leave, subpoena	2.8
Work restrictions	2.5

Term	Policy Reference
Workers' compensation	2.3, 2.5
Workplace behavior	1.1
Workplace violence	6.4
WorkTango	1.4

## Legal References and Authority

The following statutes, regulations, and guidance documents are the legal basis for the policies in this handbook. Citations are listed by topic. Where a government website is listed, it is the official source for current information on that law or regulation.

### ► Employment Discrimination and Harassment

Citation	Description	Source
Title VII, Civil Rights Act of 1964 (42 U.S.C. § 2000e et seq.)	Prohibits employment discrimination based on race, color, religion, sex, and national origin. Governs sexual harassment.	eeoc.gov
Americans with Disabilities Act (42 U.S.C. § 12101 et seq.)	Prohibits discrimination against employees with disabilities. Requires reasonable accommodation.	eeoc.gov
Age Discrimination in Employment Act (29 U.S.C. § 621 et seq.)	Prohibits discrimination against employees age 40 and older.	eeoc.gov
Genetic Information Nondiscrimination Act (42 U.S.C. § 2000ff)	Prohibits discrimination based on genetic information.	eeoc.gov
Pregnant Workers Fairness Act (42 U.S.C. §§ 2000gg et seq.)	Requires reasonable accommodation for pregnancy, childbirth, and related conditions.	eeoc.gov
Pregnancy Discrimination Act (42 U.S.C. § 2000e(k))	Prohibits discrimination based on pregnancy, childbirth, or related conditions.	eeoc.gov
Missouri Human Rights Act	Missouri state law prohibiting	mchr.mo.gov

Citation	Description	Source
(RSMo Chapter 213)	employment discrimination. Enforced by the Missouri Commission on Human Rights.	

### ► Labor and Wage Law

Citation	Description	Source
Fair Labor Standards Act (29 U.S.C. § 201 et seq.)	Governs minimum wage, overtime pay, recordkeeping, and child labor standards for non-exempt employees.	dol.gov/agencies/whd/flsa
29 C.F.R. Part 516	FLSA payroll recordkeeping requirements.	dol.gov
RSMo 290.110	Missouri statute governing final paycheck timing.	revisor.mo.gov
RSMo 290.140	Missouri Service Letter Statute. Governs former employee requests for letters describing employment.	revisor.mo.gov
National Labor Relations Act § 7 (29 U.S.C. § 157)	Protects employees' rights to discuss wages, hours, and working conditions.	nlr.gov

### ► Leave Laws

Citation	Description	Source
Family and Medical Leave Act (29 U.S.C. § 2601 et seq.)	Federal law providing eligible employees up to 12 weeks of unpaid, job-protected leave for qualifying family and medical reasons.	dol.gov/agencies/whd/fmla
29 C.F.R. Part 825	DOL implementing regulations for FMLA.	dol.gov
PUMP Act (29 U.S.C. § 207(r))	Requires reasonable break time and a private space for nursing employees to express breast milk for up to one year after	dol.gov/agencies/whd/pump-act

Citation	Description	Source
	birth.	
Uniformed Services Employment and Reemployment Rights Act (38 U.S.C. §§ 4301–4335)	Protects the employment rights of employees who serve in the military.	dol.gov/agencies/vets/programs/userra
RSMo 494.460	Missouri jury duty leave protection. Prohibits adverse action for jury service.	revisor.mo.gov
RSMo 115.639	Missouri voting leave. Employees entitled to up to three hours of unpaid leave to vote.	revisor.mo.gov

### ► Accommodations

Citation	Description	Source
ADA (42 U.S.C. § 12101; 29 C.F.R. Part 1630)	Requires reasonable accommodation for employees with qualified disabilities.	eeoc.gov/disability-discrimination
Pregnant Workers Fairness Act (42 U.S.C. §§ 2000gg et seq.)	Requires accommodation for pregnancy, childbirth, and related medical conditions.	eeoc.gov
Title VII (42 U.S.C. § 2000e(j)); Groff v. DeJoy, 600 U.S. 447 (2023)	Religious accommodation standard. Employer must accommodate unless it causes substantial increased cost.	eeoc.gov/religious-discrimination

### ► Workers' Compensation and Safety

Citation	Description	Source
RSMo Chapter 287	Missouri Workers' Compensation Law. Governs benefits, procedures, and employer obligations for work-related injuries.	labor.mo.gov/DLS/WorkersComp
OSHA Bloodborne Pathogens Standard (29 C.F.R. §	Requires exposure control plans, PPE, hepatitis B	osha.gov/bloodborne-pathogens

Citation	Description	Source
1910.1030)	vaccination offers, and training for workers with blood exposure risk.	
9 CSR 40-1.060	Missouri infection control requirements for residential programs.	health.mo.gov
19 CSR 20-20	Missouri DHSS communicable disease regulations.	health.mo.gov

### ► Background Checks and Employment Eligibility

Citation	Description	Source
RSMo 630.170	Missouri statute listing disqualifying offenses for employment in DD programs.	revisor.mo.gov
RSMo 210.900 et seq.	Missouri Family Care Safety Registry statute.	health.mo.gov/safety/fcsr
9 CSR 45-5.010	Missouri DMH regulation governing DD provider requirements, including background checks and staff qualifications.	dmh.mo.gov
8 U.S.C. § 1324a; 8 C.F.R. Part 274a	Federal law requiring I-9 employment eligibility verification for all new hires. Governs E-Verify.	uscis.gov/i-9-central

### ► Confidentiality, HIPAA, and Fraud

Citation	Description	Source
HIPAA Privacy Rule (45 C.F.R. Parts 160 and 164)	Federal law protecting the privacy and security of Protected Health Information (PHI).	hhs.gov/hipaa
RSMo 630.140	Missouri law protecting the confidentiality of records in DMH-funded programs.	revisor.mo.gov

Citation	Description	Source
Federal False Claims Act (31 U.S.C. §§ 3729-3733)	Federal law prohibiting submission of false claims to the government. Creates liability for Medicaid fraud.	<a href="https://justice.gov/civil/false-claims-act">justice.gov/civil/false-claims-act</a>
RSMo 191.900-191.910	Missouri health care fraud statutes.	<a href="https://revisor.mo.gov">revisor.mo.gov</a>
Deficit Reduction Act of 2005, § 6032 (42 U.S.C. § 1396a(a)(68))	Requires Medicaid providers to educate employees about the False Claims Act and whistleblower protections.	<a href="https://medicaid.gov">medicaid.gov</a>

### ► Individual Rights and HCBS

Citation	Description	Source
HCBS Final Rule (42 C.F.R. § 441.301 et seq.)	Federal Medicaid rule establishing home and community-based services settings requirements and individual rights protections.	<a href="https://cms.gov/medicaid/home-community-based-services">cms.gov/medicaid/home-community-based-services</a>
9 CSR 45-3.030	Missouri DMH regulation governing individual rights in DD residential programs.	<a href="https://dmh.mo.gov">dmh.mo.gov</a>
9 CSR 45-3.030(3)	Due process requirements for rights restrictions in DD programs.	<a href="https://dmh.mo.gov">dmh.mo.gov</a>
Title VI, Civil Rights Act of 1964	Prohibits discrimination in programs receiving federal financial assistance.	<a href="https://hhs.gov/civil-rights">hhs.gov/civil-rights</a>
Section 504, Rehabilitation Act of 1973	Prohibits discrimination on the basis of disability in federally funded programs.	<a href="https://hhs.gov/civil-rights">hhs.gov/civil-rights</a>
42 C.F.R. Part 438	Medicaid managed care nondiscrimination requirements.	<a href="https://medicaid.gov">medicaid.gov</a>

### ► Mandatory Reporting and Incident Reporting

Citation	Description	Source
RSMo 630.155	Missouri mandatory reporting requirements for abuse and neglect in DD programs.	revisor.mo.gov
RSMo 630.160	Criminal penalty for failure to report abuse or neglect in a DD program.	revisor.mo.gov
9 CSR 10-5.206	Missouri DMH regulation governing reportable events and incident reporting requirements.	dmh.mo.gov

### ► Drug-Free Workplace and Training

Citation	Description	Source
Drug-Free Workplace Act of 1988 (41 U.S.C. § 8101 et seq.)	Requires federal contractors and grantees to maintain drug-free workplace policies.	samhsa.gov/workplace
42 C.F.R. Part 441	Federal Medicaid conditions of participation.	medicaid.gov
RSMo 630.110	Missouri statute requiring annual training for DD program employees.	revisor.mo.gov
RSMo 630.115	Requires individual rights training within 2 business days of hire in DD programs.	revisor.mo.gov

### ► Compensation and Benefits

Citation	Description	Source
Internal Revenue Code § 132	Governs tax treatment of employee fringe benefits.	irs.gov
IRS Publication 15-B	IRS Employer's Tax Guide to Fringe Benefits.	irs.gov/pub/irs-pdf/p15b.pdf
IRS Rev. Proc. 2023-34	IRS standard mileage rate guidance.	irs.gov/tax-professionals/standard-mileage-rates

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**Abilities, LLC**

Warrensburg, Missouri

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**OUR MISSION**

Abilities, LLC partners with individuals, families, and the community to provide safe, respectful, and high-quality supports that promote independence, dignity, and an improved quality of life for people with developmental disabilities. Our mission is not simply to provide services. It is to support people in living meaningful lives within their communities.