

**TRI-CITY HEALTHCARE DISTRICT
 AGENDA FOR A REGULAR MEETING
 OF THE HUMAN RESOURCES COMMITTEE
 OF THE BOARD OF DIRECTORS
 Tuesday, November 8, 2016 – 12:30 p.m. – Assembly Room 1
 Tri-City Medical Center, 4002 Vista Way, Oceanside, CA 92056**

<p>The Committee may make recommendations to the Board on any of the items listed below, unless the item is specifically labeled “Informational Only”</p>
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	Agenda Item	Time Allotted	Requestor/Presenter
1.	Call To Order/Opening Remarks	1 min.	Chair Kellett
2.	Approval of Agenda	1 min.	Chair Kellett
3.	Public Comments – Announcement Comments may be made at this time by members of the public on any item on the Agenda before the Committee’s consideration of the item or on any matter within the jurisdiction of the Committee. NOTE: During the Committee’s consideration of any Agenda item, members of the public also have the right to address the Committee at that time regarding that item.	2 min.	Chair Kellett
4.	Ratification of minutes	1 min.	Chair Kellett
5.	Old Business		
	a. None		
6.	New Business		
	a. Review Employee Benefits Broker RFP– Discussion/Action	10 min.	Norma Braun
	b. Review Training & Education Topics– Informational Only	10 min.	Norma Braun
	c. Review and Discussion of Administrative Policies – Discussion/Action 418- Equal Employment Opportunity 428- Fair Treatment for Non-Management 435- Leave of Absence	10 min.	Norma Braun
7.	2016 Work Plan	1 min.	Chair Kellett
8.	Committee Communications	3 min.	Chair Kellett
9.	Date of Next Meeting – December 13, 2016	1 min.	Chair Kellett
10.	Adjournment	1 min.	Chair Kellett
	Total Time Budgeted for Meeting	2 hrs.	

Note: Any writings or documents provided to a majority of the members of Tri-City Healthcare District regarding any item on this Agenda will be made available for public inspection in the Administration Department located at 4002 Vista Way, Oceanside, CA 92056 during normal business hours.

Note: If you have a disability, please notify us at 760-940-3348 at least 48 hours prior to the meeting so that we may provide reasonable accommodations.

TRI-CITY MEDICAL CENTER
HUMAN RESOURCES COMMITTEE
OF THE BOARD OF DIRECTORS
September 22, 2016

Voting Members Present:	Chair Cyril Kellelt, Director Laura Mitchell, Director Rosemarie Reno, Dr. Hamid Movahedian, Joe Quince, Gwen Sanders, Dr. Martin Nielsen, Dr. Gene Ma, Salvador Pilar
Non-Voting Members Present:	Steve Dietlin, CEO; Sharon Schultz, CNE Kapua Conley, COO; Cheryl Bernard-Shaw, CCO; Norma Braun, CHRO; Esther Beverly, VP of HR
Others Present:	Wayne Knight, CSO; Quinn Abler, Frances Carbajal
Members Absent:	Virginia Carson

Topic	Discussion	Action Follow-up	Person(s) Responsible
1. Call To Order	Chair Kellelt called the meeting to order at 12:35 p.m.		Chair Kellelt
2. Approval of the agenda	Chair Kellelt called for a motion to approve the agenda of September 22, 2016. Director Reno moved and Doctor Nielsen seconded the motion. The motion was carried unanimously.		Chair Kellelt
3. Comments from members of the public	Chair Kellelt read the paragraph regarding comments from members of the public.	No public comments.	Chair Kellelt
4. Ratification of Minutes	Chair Kellelt called for a motion to approve the minutes of the August 9, 2016 meeting. Director Mitchell moved and Director Reno seconded the motion. The motion was carried unanimously with date of next meeting correction from July to August.		Chair Kellelt

Topic	Discussion	Action Follow-up	Person(s) Responsible
5. Old Business	None		
6. New Business a. Review Employee Benefits	<p>Norma Braun, CHRO presented current 2016 benefits and proposed 2017 benefits comparison in detail. Proposal to increase office visit/ED copays was presented. Wayne Knight, CSO explained current comparable market rates and outcomes-TCHD will continue to be on the lower side of copayment fees.</p> <p>The committee reviewed and discussed favorable outcomes.</p>	<p>Chair Kellett called for a motion to approve the proposed benefit changes. Director Reno moved and Director Mitchell seconded the motion. The motion was carried unanimously.</p>	Norma Braun
b. Policy Discussion/Action Policy 8610-415 Dress and Appearance Philosophy	<p>The Committee reviewed Policy 8610-415. Chair Kellett called for a motion to send Policy 8610-415 with renewal date to the Board of Directors for approval as is. Director Mitchell moved and Doctor Nielsen seconded the motion. The motion was carried unanimously.</p>	<p>Policy 8610-415 to be sent to Board of Directors for approval.</p>	Norma Braun
Policy 8610-424 Coaching & Counseling for Work Performance Improvement	<p>The Committee reviewed Policy 8610-424. Chair Kellett called for a motion to send Policy 8610-424 with renewal date to the Board of Directors for approval as is. Director Mitchell moved and Doctor Nielsen seconded the motion. The motion was carried unanimously.</p>	<p>Policy 8610-424 to be sent to Board of Directors for approval.</p>	
Policy 8610-430 Licensure- Monitoring Licenses, Registrations and Certificates- TCMC	<p>The Committee reviewed Policy 8610-430. Chair Kellett called for a motion to send Policy 8610-430 with renewal date to the Board of Directors for approval as is. Director Mitchell moved and Doctor Nielsen seconded the motion. The motion was carried unanimously.</p>	<p>Policy 8610-430 to be sent to Board of Directors for approval.</p>	
Policy 8610-437 Flex/Float to Activity	<p>The Committee reviewed Policy 8610-437. Chair Kellett called for a motion to send Policy 8610-437 with renewal date to the Board of Directors for approval as is. Director Mitchell moved and Doctor Nielsen seconded the motion. The motion was</p>	<p>Policy 8610-437 to be sent to Board of Directors for approval.</p>	

Topic	Discussion	Action Follow-up	Person(s) Responsible
<p>Policy 8610-474 Compensation for Education</p> <p>Policy 8610-478 Authorization to Hire New Employees & Engage Consultants</p> <p>Policy 8610-426 Performance Evaluations</p> <p>Policy 8610-485 Hiring & Employment; Screening Current Employees</p> <p>Policy 8610-486 Hiring & Employment; Pending Charges Against Current Employees</p>	<p>carried unanimously. The Committee reviewed Policy 8610-474. Chair Kellett called for a motion to send Policy 8610-474 with renewal date to the Board of Directors for approval as is. Director Mitchell moved and Doctor Nielsen seconded the motion. The motion was carried unanimously.</p> <p>The Committee reviewed Policy 8610-478. Chair Kellett called for a motion to send Policy 8610-478 with renewal date to the Board of Directors for approval as is. Director Mitchell moved and Doctor Nielsen seconded the motion. The motion was carried unanimously.</p> <p>The Committee reviewed Policy 8610-426. Chair Kellett called for a motion to send Policy 8610-426 with additions and revisions from the previous Compliance policies to the Board of Directors for approval as is. Director Mitchell moved and Gwen Sanders seconded the motion. The motion was carried unanimously.</p> <p>The Committee reviewed Policy 8610-485. Chair Kellett called for a motion to send Policy 8610-485 with additions and revisions from the previous Compliance policies to the Board of Directors for approval as is. Director Mitchell moved and Gwen Sanders seconded the motion. The motion was carried unanimously.</p> <p>The Committee reviewed Policy 8610-486. Chair Kellett called for a motion to send Policy 8610-486 with additions and revisions from the previous Compliance policies to the Board of Directors for approval as is. Director Mitchell moved and Gwen Sanders seconded the motion. The motion was</p>	<p>Policy 8610-474 to be sent to Board of Directors for approval.</p> <p>Policy 8610-478 to be sent to Board of Directors for approval.</p> <p>Revised Policy 8610-426 to be sent to Board of Directors for approval.</p> <p>Revised Policy 8610-485 to be sent to Board of Directors for approval.</p> <p>Revised Policy 8610-486 to be sent to Board of Directors for approval.</p>	

Topic	Discussion	Action Follow-up	Person(s) Responsible
<p>Policy 8610-487 Hiring & Employment; Conviction/Exclusion/License Revocation of Current Employees</p> <p>Policy 8610-488 Hiring & Employment; Employee Requirements to Report Changes in Certification</p>	<p>carried unanimously.</p> <p>The Committee reviewed Policy 8610-487. Chair Kellelt called for a motion to send Policy 8610-487 with additions and revisions from the previous Compliance policies to the Board of Directors for approval as is. Director Mitchell moved and Gwen Sanders seconded the motion. The motion was carried unanimously.</p> <p>The Committee reviewed Policy 8610-488. Chair Kellelt called for a motion to send Policy 8610-488 with additions and revisions from the previous Compliance policies to the Board of Directors for approval as is. Director Mitchell moved and Gwen Sanders seconded the motion. The motion was carried unanimously.</p>	<p>Revised Policy 8610-487 to be sent to Board of Directors for approval.</p> <p>Revised Policy 8610-488 to be sent to Board of Directors for approval.</p>	
c. Work Plan	The work plan was reviewed.		Chair Kellelt
d. Committee Communications			Chair Kellelt
e. Date of next meeting	October 11, 2016		Chair Kellelt
f. Adjournment	Chair Kellelt adjourned the meeting at 1:15 p.m.		Chair Kellelt

HR Training & Education 2016:

Leadership

1. UHW contract training
2. Workers Comp 101
3. Work Place Violence Prevention Program
4. CNA Contract Training
5. Legal Update
6. Crucial Conversations
7. Performance Management

Employees

1. Retirement readiness
2. NSRP and SSI
3. Invest in Your Future-Deferred comp 457 program
4. Why You're Leaving Money on the Table if not in MAPP
5. Work Place Violence Prevention Program
6. Safety on the Job

All Employees

1. Quarterly Benefits Fair
(focus by quarter- medical, dental, vision, etc.)

Administrative Policy Manual
Human Resources

ISSUE DATE: 08/80

SUBJECT: Equal Employment Opportunity

REVISION DATE(S): 01/09; 04/12; 03/13

POLICY NUMBER: 8610-418

Human Resources Department Approval Date(s): 12/13

Human Resources Committee Approval Date(s): 12/13

Board of Directors Approval Date(s): 12/13

A. PURPOSE:

1. To comply with EEOC and DFEH guidelines and mandates.

B. POLICY:

1. Tri-City Healthcare District (TCHD) is an equal opportunity employer. It is TCHD's policy to provide equal employment opportunity for all applicants and employees, in all areas of employment including recruitment, hiring, training, promotion, compensation, benefits, transfer, and general treatment during employment.
2. TCHD does not unlawfully discriminate on the basis of race, religious creed (including religious dress and grooming practices), color, national origin, ancestry, physical disability, mental disability, medical condition (including AIDS and/or HIV status), genetic information, marital status, military and veteran status, sex, gender, gender identity, gender expression, age, sexual orientation, pregnancy, childbirth, breastfeeding and/or related medical conditions; these characteristics are defined as "protected classes." TCHD will accommodate nursing employees' lactation needs in accordance with state and federal law. TCHD will make reasonable accommodations for religious belief or observance (including religious dress and grooming practices), for pregnant employees, and for the known physical or mental disabilities of an otherwise qualified applicant/employee, unless undue hardship would result. Requests for accommodation should be made to Employee Health Services, who will determine whether a reasonable accommodation can be made for a qualified individual. Requests for accommodation of religious belief or observance should be directed to Human Resources.
3. It is the responsibility of every manager and employee to conscientiously follow this policy. Any employee with questions or concerns about any type of discrimination or harassment on any of these bases in the workplace is encouraged to bring these issues to the attention of their immediate supervisor or to a Human Resources representative. Employees can raise concerns and make reports without fear of retaliation (refer to Administrative Policy #403). Anyone found to be engaging in any type of unlawful discrimination will be subject to disciplinary action up to and including termination of employment with TCHD.
4. In carrying out this responsibility TCHD will:
 - a. Conduct recruitment practices and base hiring decisions for all job classifications upon the position requirements and an individual's qualifications for the position.
 - b. Make transfer and promotional decisions based on the individual's qualifications as related to the position for which he/she is being considered unless otherwise required by law.
5. Any person who believes they have experienced discrimination may file a complaint with a Human Resources representative.
6. Employees may also file a complaint with the Department of Fair Employment and Housing or the Equal Employment Opportunity Commission. Telephone numbers for each agency are available online and in the telephone book.
7. The lead Human Resources official has overall responsibility for implementation of this policy.

Administrative Policy Manual
Human Resources

ISSUE DATE:04/88

SUBJECT: Fair Treatment For Non-Management

REVISION DATE(S): 03/05; 04/12; 02/13

POLICY NUMBER: 8610-428

Human Resources Department Approval Date(s):

10/13

Human Resources Committee Approval Date(s):

10/13

Board of Directors Approval Date(s):

10/13

A. PURPOSE:

1. To provide an orderly mechanism for non-management employees employment related complaints. (TCHD Administrative Policy #427 Fair Treatment for Supervisory and Management Employees).

B. DEFINITION:

1. Fair Treatment Process: In the case of corrective actions involving a disciplinary final written warning or intent to terminate, any employee who has completed ninety (90) days of active service may proceed with the Fair Treatment Process. A Human Resources representative will facilitate the Fair Treatment Process.

C. PROCESS:

1. Step 1: Meeting with Management

- a. If an employee has received a final written warning or a notification of intent to terminate his or her employment, and wishes to initiate the Fair Treatment Process, he or she must contact Human Resources to schedule a meeting with the next level of management, beyond their direct supervisor, to discuss the issue. This initial contact shall be made within 5 working days (M-F) from the date of the suspension or intent to term notification. If the employee fails to contact Human Resources within 5 working days (M-F), his or her opportunity to continue the Fair Treatment process shall end.
 - i. The manager and a Human Resources representative will meet with the employee, listen to the issues and inquire if the employee can offer information for further investigation and analysis. The manager will respond in writing with his or her decision to the employee within five working days (M-F) following the meeting.
 - ii. If the Fair Treatment Process has been initiated due to a termination then the date of the letter from the manager to the employee at completion of Step 1 becomes the effective date of the employee's termination. Although the employee has been terminated, he or she may choose to continue the Fair Treatment Process by contacting Human Resources within 5 working days (M-F) of the notification of the manager's decision.

2. Step 2: Fair Treatment Form

- a. If the employee still feels after Step I that the decision is unfair, , the employee may commence a formal grievance process within 5 working days (M-F) of the decision by the employee's manager in Step I. The formal grievance process begins with the submission to Human Resources of a completed Fair Treatment form, signed by the employee and describing in specific detail the nature of the grievance and the facts giving rise to it. If the employee fails to submit the completed Fair Treatment form within the above time frame, the Fair Treatment process shall end.
- b. The Director or Vice President will review, investigate and analyze the complaint. The Director or Vice President will then respond to the employee in writing. The decision letter

will be sent no later than 5 working days (M-F) after concluding his/her analysis.

3. Step 3: Fair Treatment Form/Final review by lead HR official

- a. If the matter is still unresolved to the employee's satisfaction after Step II, the employee may request review by the lead Human Resources official. This request for review must be initiated within five working days (M-F) from the completion of Step 2. If the employee fails to contact the Human Resource Representative within this time frame, his or her opportunity to continue the Fair Treatment Process will end.
- b. The complaint is sent to the Lead Human Resources Official who will review the information. The Lead Human Resources Official will respond in writing to the employee no later than five working days (M-F) after concluding his/her analysis.
- c. Decisions of the Lead Human Resources Official shall be in writing and be binding.
- d. No employee will be subject to reprimand, retaliation or harassment by anyone as a result of initiating a formal or an informal complaint, truthfully answering questions during an investigation, assisting a fellow employee, and/or providing truthful testimony.

D. REFERENCED FORM WHICH CAN BE REQUESTED FROM HR:

1. Fair Treatment Form

**Administrative Policy Manual
Management of Human Resources**

ISSUE DATE: 7/87

SUBJECT: Leave of Absence

REVISION DATE: 08/12, 12/13

POLICY NUMBER: 8610– 435

Human Resources Department Approval:

12/13

Human Resources Committee Approval:

12/13

Board of Directors Approval:

12/13

A. PURPOSE:

1. To establish guidelines for authorized time away from work for Tri-City Healthcare District (TCHD) employees.

B. POLICY:

1. It is the policy of TCHD to grant time away from work to eligible employees. Types of leave time authorized by TCHD are: Pregnancy Disability Leave (PDL), Family and Medical Leave (FMLA), California Family Rights Act Leave (CFRA), Kin Care, Reasonable Accommodation Leave, Military Family Leave, Military Leave, Workers' Compensation, and Personal Leave. In addition, in accordance with federal and California state law and established TCHD guidelines, TCHD accommodates and authorizes short-term absences for parental school leave, jury duty, bereavement leave, voting, volunteer firefighters, victims of stalking and other specified crimes, and other legal matters. Eligibility, duration, and conditions vary based upon the type of leave and are outlined in the sections that follow.
2. The following conditions apply to all types of leave time:
3. TCHD may grant a leave of absence to employees under the circumstances described in the "Fact Sheets" of each specific leave. These fact sheets are designed to comply with the leave of absence requirements prescribed by state and federal law. TCHD may modify, add to, or delete any of these fact sheets at any time.
4. Requests for time away from work must be submitted on the appropriate request form as far in advance as possible and approved as required by the department manager/director and Employee Health Services (if indicated by the nature of the leave).
5. Documentation to authorize or renew the leave may be required based on the nature and anticipated duration of the leave. Any leave of absence requiring certification from a health care provider will be denied if the appropriate certification is not received by the due date. This may result in the leave being designated as unapproved and will be subject to the Absence and Tardiness Policy # 408.
6. Specific leave approval and documentation requirements are available from Employee Health Services.
7. An employee who is on an approved leave is expected to return to work at the time designated in the leave documentation or in accordance with applicable federal and California state statutory provisions. If the employee does not return as indicated, the absence will be subject to the provisions of Policy # 408, Absences and Tardiness. A medical release must be provided to Employee Health Services prior to the employee returning to work.
8. Any accrued Paid Time Off (PTO) must be used during a leave (except for Workers Compensation, Pregnancy Disability, and Military Leave). If an employee chooses to decline the use of PTO time, the employee must make the request in writing by signing the declination on the *Leave of Absence* form, which is generated in Employee Health Services. Employees who have Annual Leave Bank (ALB) and/or Extended Leave Bank (ELB) hours must use them during any

leave attributable to the employee's own medical condition.

9. If an employee on leave is eligible for payments under California Workers' Compensation Insurance (WCI), State Disability Insurance (SDI) or Family Temporary Disability Insurance (FTDI), he/she must apply.
10. Benefits will be continued during a leave as required by the statutes and regulations that apply to the particular type of leave. Medical benefits through TCHD will continue for 12 cumulative weeks in a rolling year that an employee is on leave of absence. After which, their benefits will terminate, and they will be given the opportunity to enroll with COBRA.
11. An employee returning from an approved, protected leave will be returned to the same or an equivalent position, unless the position has ceased to exist for reasons of business necessity or unless otherwise exempted by law.
12. TCHD will not interfere with, restrain, or deny employees their rights to leave time.
13. TCHD may delay or continue with any counseling, performance review, or disciplinary action, including discharge, that was contemplated or started prior to an employee's request for or receipt of a leave of absence or that has come to TCHD's attention during the leave. If any such action is delayed during the leave of absence, TCHD may proceed with the action upon the employee's return to work.

C. PREGNANCY DISABILITY LEAVE (PDL):

1. In accordance with California state law, TCHD provides pregnancy disability leave for up to four months (17 weeks + 3 days) to any female employee who becomes disabled and is unable to perform the essential functions of her position as a result of pregnancy. This leave can be taken continuously, intermittently, or on a reduced work schedule based upon medical certification.

D. FAMILY AND MEDICAL LEAVE (FMLA) AND CALIFORNIA FAMILY RIGHTS ACT (CFRA):

1. In accordance with federal and California state law, TCHD provides an eligible employee up to 12 work weeks of leave during a rolling 12-month period for a qualifying reason with accompanying certification. This leave can be taken continuously, intermittently, or on a reduced work schedule.
2. Intermittent leaves require semi-annual certification. According to Section 825.308 of the U.S. Department of Labor, an employer may request recertification more frequently if circumstances described by the previous certification have changed significantly, or the employer receives information that casts doubt upon the employee's stated reason for the absence.
3. An employee is eligible for FMLA/CFRA if he/she has:
 - a. Completed 12 months of service (does not need to be consecutive)
 - b. Worked at least 1250 hours in the 12 consecutive months immediately preceding the leave
4. If eligible, FMLA/CFRA will be granted for the following reasons:
 - a. Birth of an employee's child (within one year of birth). Six weeks paid under CPFL (California Paid Family Leave).
 - b. Placement of a child (age 18 or less) with an employee through adoption or foster care (within one year of placement).
 - c. To care for an employee's spouse, child or parent with a serious health condition.
 - d. An employee's own serious health condition makes them unable to perform one or more of the essential functions of his or her job.
 - e. To bond with the child of a domestic partner (CFRA only).
 - f. To care for an employee's domestic partner with a serious health condition (CFRA only).
 - g. Employees returning from continuous leave are required to submit a medical release from their healthcare provider in order to return to work.

E. KIN CARE LEAVE:

1. In accordance with California state law, TCHD provides an eligible employee with Kin Care leave to care for a qualifying family member (child, parent, spouse or domestic partner) who is ill. An employee is eligible for Kin Care immediately upon becoming eligible to use accrued PTO as

outlined in Policy # 433, Paid Time Off Program. An eligible employee may use actual accrued PTO up to a maximum of one half the amount of PTO that the employee accrues in the current year as long as they continue to have PTO hours in their bank.

F. MILITARY LEAVE:

1. Leave without pay is provided when an employee enters military service of the Armed Forces of the United States or the Armed Forces Reserves. The employee is afforded reemployment rights and retains full seniority benefits for all prior service upon reemployment in accordance with the Uniformed Services Employment and Reemployment Rights Act and the California Military and Veterans Code. The employee needs to bring military orders to Employee Health Services for review prior to commencement of the leave.
2. In accordance with Assembly Bill No. 392, a qualified spouse of a qualified member of the Armed Forces, National Guard or Reserves may take up to 10 days of unpaid leave during a qualified leave period, (meaning the qualified member is on leave from deployment during a period of military conflict). PTO may be declined for this leave.
3. FMLA entitles eligible employees with a spouse, registered domestic partner, son, daughter, or parent on active duty or recall to active duty status in the National Guard or Reserves in support of a contingency operation, may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.
4. FMLA includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered service member during a single 12-month period. A covered service member is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty that may render the service member medically unfit to perform his or her duties, for which the service member is undergoing medical treatment, recuperation, or therapy; or is in outpatient status, or is on the temporary disability retired list.

G. WORKERS' COMPENSATION:

1. In accordance with California state law, TCHD provides any employee who sustains a work-related injury or illness with workers' compensation leave and benefits. Workers' compensation leave will simultaneously count toward any available FMLA/CFRA leave time.

H. PERSONAL LEAVE:

1. Personal leaves are granted for a maximum of 31 days, at the sole discretion of TCHD, and can only be authorized by a department manager or director. Among the concerns taken into consideration will be TCHD's legitimate business needs and the ability to find a temporary replacement, or to leave the position vacant for the expected duration of the leave. An additional 30 days may be approved with administrative approval by a Vice President or above.

Human Resources Committee Work Plan | 2016

ACTION	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Review Committee Members up for Renewal or Replacement			❖				❖			❖		
Review HR Metrics			❖				❖					❖
Review HR Charter				❖								
Review HR Employee Fiduciary Retirement Subcommittee Charter											❖	
Quarterly HR Employee Fiduciary Retirement Subcommittee Update - Lincoln & Prudent	❖				❖						❖	
Review Employee Benefits UHC									❖			
All HR Policies Reviewed (ongoing)	->	->	->	->	->	->	->	->	->	->	->	->
Workers Comp Cases Review					❖							
Review Training & Education Topics				❖						❖		
Key Grievance / ER-LR Data							❖					❖
Review of Legal Developments/New Laws					❖							
Employee Health & Wellness/ Clinic							❖					