



Four Points Counseling Center

Employee Handbook

Revised March 2024

Our Mission

To provide exceptional care to each individual.

By removing barriers;

Reframing and expanding perspectives;

Emphasizing integrity and dedication;

And demonstrating our belief that **people come first** in all that we do.

Our Values

❖ **Acting with Intention**

Our decisions are made with the ever-present awareness that each action we take carries with it an impact on our employees, clients, referral partners and our community.

❖ **People First Philosophy**

Four Points was founded on a legacy of strong and trusting relationships. We hold our relational orientation closely and seek to create space for everyone to thrive, and for employees to explore what growth and excellence means for them individually.

❖ **Inclusion Promotion**

We are brought together by the pain of the human experience and a desire to assist others along their way. Although our perspectives of pain, togetherness, and what it means to be human are different, our backgrounds, experiences, cultures, and abilities shape the lens through which we see the world, and by sharing with each other, embracing new viewpoints and confronting biases, we gain the strength of perspective that leads to true greatness and belonging.

❖ **Introspective Leadership**

We fundamentally believe in a transparent, accountable leadership style in which we challenge our assumptions, accept our limitations, welcome feedback and speak to our errors.

Equal Employment Opportunity

Four Points Counseling Center is an equal opportunity employer and prohibits discrimination of any kind. We are committed to providing a culturally sensitive, inclusive environment and base our hiring decisions on individual qualifications, competence, and merit, as well as the needs of the business. Opportunities are available to all applicants without regard to race, national origin, religion or belief, pregnancy, parental status, age, disability, sex, sexual orientation, marital status, gender identity, gender expression, veteran status, and any other characteristic protected by applicable law.

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About the Handbook

Occasionally the employee handbook is updated. When this occurs you will be notified and given a brief summary of changes or additions. We encourage accessing the full text, however, for complete information.

Depending on job description, there may exist expectations, standards, protocols, and other important information applicable to the role that is not described here. If this applies to you, supplemental information will be provided to you.

Finally, please note that nothing contained within the handbook is intended to change the at-will nature of the employment relationship.

Policies

I. Policies

A. Therapist Policies

Documentation Policy

Timely completion of documentation is a requirement governed by entities from licensure boards to Medicare and Medicaid with the potential to significantly impact therapist income. Four Points strives to strike a balance between the timeline that works for the most people and ethical and regulatory requirements.

Timeline for Completion

Providing services is the foundation of the therapist's role, and for services to be fully realized, they must be documented as part of the permanent record. Documentation is interchangeably referred to as "notes."

- ❖ Notes for all services including assessments and therapy sessions must be completed **within 5 calendar days** of the date of service.
- ❖ In cases of client crisis, those with suicidal/homicidal ideation or active suicidality, or in the event of mandated reporting, the timeline is modified and notes must be completed **within 24 hours** or 1 calendar day.

Medicaid Treatment Plans

This section applies only to clients with Medicaid policies. (For more resources related to Medicaid treatment plans and other Medicaid requirements, see the Therapist Access site.)

Treatment plans must be completed within two sessions, which means by the end of the second session. If the plan is not completed within the second session, unfortunately it is a Medicaid policy that the client cannot continue to be scheduled using billable therapy codes.

Impact on Income

Completing notes in the EHR triggers credit card processing and claims submission. Delayed notes prevents clients from being charged and claims from being submitted, which impacts therapist income. It may also result in complaints due to clients being charged multiple times when notes are caught up.

Chart Uploads

All documentation such as releases of information, treatment plans, records, messages from clients, and any other clinically relevant communication should be uploaded to the chart within 5 calendar days of receipt. This preserves the integrity of the chart and maintains compliance with state and federal regulations.

Implications of Non-Compliance

Noncompliance with the documentation policy may be considered a breach of the employment agreement and may result in disciplinary action up to and including termination. Lack of documentation for clients utilizing insurance may necessitate reporting to regulatory boards and insurance panels.

Policies

Teletherapy Practices

As a growing component of healthcare, telehealth policies have been implemented to assist in providing a safe virtual environment for clients and therapists. Telehealth, also referred to as teletherapy, includes audio-video sessions as well as audio-only sessions.

Confidentiality

Therapists are responsible for maintaining client confidentiality with the understanding that remote work poses additional risks compared to therapy provided in the same physical location as a client. A completely private space must be maintained and it is prohibited for another individual to be physically present during a session at any time. Failure to maintain a private space is a HIPAA violation.

Safety & Security

For your safety, teletherapy should not be conducted while driving. In the interest of information security, VPN software should be engaged prior to conducting telehealth sessions offsite.

Telehealth Platforms

Only approved HIPAA compliant platforms are permitted for teletherapy use.

Ethical Tele-Practice

With emails, texts and devices close at hand, the telehealth setting can create temptation to disengage along with the illusion that clients don't notice our disengagement. While clients may be unlikely to speak to a therapist's distraction, it's unlikely that they don't notice.

The pandemic's surge into tele-work resulted in various studies on the impact of a limited visual field. We now know that in the absence of complete body language, we attune much more finely to what we are able to see. Microexpressions that would have been subtle or entirely unseen are readily noticeable on our screens. This applies to therapists and clients alike.

Of course there's an ethical issue, too. Please remember: ***If you wouldn't do it in person, don't do it during teletherapy.***

Colorado-Based Services

The therapist and client must both be located within Colorado state limits. Conducting teletherapy while the therapist OR the client is out of state is prohibited.

- ❖ When clients move out of state, the therapist is unable to continue working with them due to interstate regulations and provisions of insurance contracts. Directors are happy to help therapists navigate this situation when it arises.
- ❖ Some services may have multiple individuals attending, such as couples or family therapy. If any individual is outside state limits at the time of the session, it is not legal to proceed.
- ❖ Unfortunately even therapists licensed in other states are not covered by the group's malpractice insurance for those other states and insurance contracts do not allow for work in those states.

Billing and Coding

It is the therapist's responsibility to read and understand the billing and coding information provided by Four Points related to telehealth practices. Incorrect billing and coding may result in denied claims and delays in therapist compensation.

B. All Employee Policies

Acceptable Use Agreement

This policy outlines the appropriate use of Four Points' information systems, electronic resources and platforms.

Information Access

Access is granted based on job description and information needed to perform job functions. Please do not share sensitive information with those outside the organization or individuals within the organization with a different position.

Sensitive information includes but is not limited to: passwords, contracted rates, protocols, templates, manuals and guides, and other intellectual property. We embrace a collaborative spirit, *and* information security is critical to our collective success. If someone asks for information, it is always a safe course to defer to leadership.

General Use Requirements

- ❖ Virtual Private Network (VPN): On site, you are automatically connected to a VPN which helps prevent external attacks. For remote work, connect to the provided VPN software.
- ❖ Network password: It is a serious security violation to share the password to the internal network with anyone. Clients may only access the guest network. Leadership provides passwords to staff as needed.
- ❖ Confidentiality: You are required to comply with laws and regulations related to protected health information (PHI) including when using internet connected platforms and electronic communication.
- ❖ Downloads: Refrain from downloading extensions ("add ons") and software without express permission.
- ❖ Suspicious files: Report any executable programs or suspicious files that appear on your computer.
- ❖ Remote access: It is prohibited to grant remote access without prior express permission from leadership.
- ❖ Open networks: Do not access client information or Four Points information, or login to the EHR using open networks, also known as public or unsecured networks.

Mobile Devices

- ❖ Driving: Please do not engage in work-related activities while driving.
- ❖ Security: If you use a phone or tablet for work functions, which is not an expectation of your position, passcodes should be enabled with session timeouts of ten minutes or less.
- ❖ Downloads: Work-related data inadvertently downloaded on a device, such as email attachments, should be permanently deleted.
- ❖ Disposal: Devices used for work should be wiped of information and restored to factory settings before being discarded.

Social Media: Communicating with and/or connecting to clients via social media (friend, link, invite, etc.) is not permitted as it creates a dual relationship and is a conflict of interest. Please consider how social media content reflects you as a professional. Community partners, colleagues, and others have access to content shared online.

Privacy: Employees do not have an expectation of privacy regarding company systems usage including internet access and emails. Inspection of systems and data does not require consent of users. Personal information placed on information systems becomes property of the organization; however, Four Points aims to provide privacy to staff and will not unreasonably and without cause inspect systems information.

Unacceptable Use

It is prohibited to:

- ❖ Use systems to communicate sexual content, engage in harassment, or use words or phrases that may be construed as derogatory based on race, ethnicity, sex, age, disability, national origin, or any other category.
- ❖ Attempt to negate or circumvent security controls, policies and procedures, or use tools that compromise security.
- ❖ Engage in unauthorized use, destruction, exportation, modification, or distribution of information or information systems.
- ❖ Use information, systems, or technology including resources, equipment, platforms, or other materials for personal gain or use outside of your employment, including use in another position or company.
- ❖ **Access, obtain or possess company and/or client information for personal use or gain; and/or outside the limits of the acceptable use agreement; and/or for reasons outside those which are strictly relevant to your position. This includes all proprietary information and intellectual property of Four Points.**

Implications of Non-Compliance

Violation of this policy may result in disciplinary action, up to and including termination and civil and criminal liability. Violations may result in reporting to regulatory and/or licensing boards including the Department of Regulatory Agencies (DORA) and/or the Office of the Inspector General (OIG) as well as insurance panels.

Policies

Progressive Discipline

Four Points aims to foster a collaborative environment where employees experience clinical autonomy within a supportive framework. In the event role expectations are not met, leadership works with employees to find resolution.

Informal Progressive Action

When possible, concerns are addressed informally or utilizing a blend of formal and informal methods. Meetings, phone calls, email and other forms of communication are used to support employees in an effort to resolve concerns.

Should concerns be unresolved, informal action may be progressive in the same way that formal action may be progressive. Employee expectations as the result of any disciplinary action, whether formal or informal, are to be clearly communicated to the employee with information provided about potential for escalation.

Formal Progressive Action

1. **Coaching:** Coaching represents a supportive plan intended to assist the employee in making modifications to areas of concern. It is considered “pre-disciplinary” rather than a true disciplinary action.
2. **Verbal Warning:** A verbal warning is a notification to the employee citing concerns. Outlined objectives must be met to avoid escalation. The “verbal” classification is reflective of a lower level of action; it may be delivered via email or other written form. A copy of the warning is provided to the employee.

In the event a verbal warning is issued by email, the email itself serves as a copy. If a verbal warning is issued face-to-face, the employee receives an email summarizing the warning which may serve as a copy.

3. **Written Warning:** A written warning is formal corrective action provided to the employee via official letter. The letter may be delivered in electronic form, paper form, or both.

Written warnings may cite historical concerns, previous attempts at resolution, if any, as well as goals and objectives to be satisfied to avoid additional escalation, up to and including termination of employment.

4. **Further Action:** Action beyond a written warning may include termination of employment.

Exceptions to Progressive Discipline

The nature and/or severity of a behavior, performance, ethical, legal, safety or other issue may result in the need to take action such that the steps above are not followed.

Personnel Record

Employees may request modifications to personnel documents issued by leadership. Four Points reserves the right to decline such requests for any reason. Employees have the right to provide an addendum to be included in the personnel file upon request. Four Points will not deny a request to include such an addendum.

Policies

Employee Illness Policy & Protocol

We hope to empower clinicians to make the best decisions for themselves, particularly regarding their health. We also strive for clients to feel safe and cared for. To that end, the following outlines Four Points' policy and protocol for instances of employee illness.

General Illness

If you feel unwell, please assess your ability to be present at work, whether remotely or in the office. If your ability to be present feels compromised, regardless of the specific illness, please proceed with canceling your day.

Therapists: Please keep in mind that therapists are responsible for canceling clients. If you have a *true emergency*, staff can assist with cancellations. Fortunately, therapists seldom need this administrative support.

Administrative staff: Please contact supervisors as soon as possible so that plans for coverage can be made.

Therapist Protocol for Canceling Clients

- ❖ Timeline: Contact clients right away.
- ❖ New clients: Please give special care to intakes so we may preserve the relationship. Your wellbeing is our highest priority *and* it's a delicate balance to avoid wounding a client just stepping in the door!
- ❖ Contact method: Contact via phone call or text. These methods are ideal for schedule issues (please check for consent to electronic communication). Email is unlikely to be received quickly enough.
- ❖ Information: Please be thoughtful about what you share; clients can worry about their therapist.
- ❖ Notify: Please let your director know you'll be out. In the case of short notice cancellations, this lets us know to watch for any clients who missed the message about canceling their appointment and show up at the office.
- ❖ Plan: Let clients know what to expect. Share one of the following to avoid the client guessing about next steps.
 - a. Tell the client the approximate date/timeframe you anticipate the ability to reschedule their appointment.
 - b. Schedule the next appointment at the same time you notify the client of needing to cancel.
 - c. Confirm that you will see the client at their next regularly scheduled appointment.

Ex: "I'm reaching out to let you know that unfortunately I need to reschedule our session today. I apologize for the very short notice. Please let me know if you'd like to meet before our next scheduled session, otherwise I'll plan to see you at our usual time next week."

COVID-19

The general illness protocol applies to all types of illness, which includes COVID-19. Please note the following information is in addition to that which is outlined in the previous section.

If you test positive for COVID-19, please stay home for the time period currently recommended by the Centers for Disease Control and Prevention (CDC). If you feel unwell at the end of the time period, please continue to stay home. If you believe you have been exposed to COVID-19, you are encouraged to consult current CDC guidelines or the Colorado Department of Public Health for guidance regarding exposure.

Policies

Americans with Disabilities Act & Requests for Accommodations

Protections for Individuals with Disabilities

The Americans with Disabilities Act (ADA) prohibits discrimination against applicants and employees with disabilities and requires reasonable accommodations to those who are qualified for a job, with or without reasonable accommodations, so they may perform the essential functions of the job. *Essential functions* refers to core duties which cannot be modified.

Four Points complies with all federal and state laws concerning the employment of persons with disabilities and acts in accordance with regulations and guidance issued by the Equal Employment Opportunity Commission (EEOC).

Requests for Accommodations

An individual with a disability requesting accommodation who can be reasonably accommodated without creating an undue hardship or a direct risk to safety in the workplace is given the same consideration for employment as any other applicant.

Four Points will reasonably accommodate qualified individuals with a disability so they can perform the essential functions of a job unless doing so causes a direct threat to others and cannot be eliminated by reasonable accommodation or if the accommodation creates undue hardship to Four Points. Requests for accommodation should be made to a director.

Individuals who are currently abusing drugs and/or alcohol are excluded from coverage under this policy, however individuals recovering from a substance use disorder are covered.

Policies

Non-Discrimination and Anti-Harassment

Four Points strives to cultivate an environment in which people feel valued, respected and safe, and will not tolerate discrimination or harassment of any kind.

All employees regardless of position are covered by this policy and action will be taken against any employee who violates it. This includes leadership members who knowingly allow or tolerate discrimination, harassment or retaliation, or fail to take action against misconduct. The following are prohibited:

Discrimination

Unfavorable treatment because of race, national origin, religion or belief, pregnancy, parental status, age, disability, sex, sexual orientation, gender identity, gender expression, marital status, veteran status, or other characteristic protected by law.

Harassment

Conduct that may be verbal or nonverbal and designed to threaten, intimidate or coerce. Some examples include:

- ❖ Offensive or unwelcome comments including epithets, slurs and negative stereotyping. Distribution, display or discussion of material that ridicules, denigrates, belittles or disrespects an individual or group.

Sexual Harassment

A form of harassment that is sexual in nature which can create an intimidating, hostile, frightening or offensive environment. Some examples include:

- ❖ Verbal: Innuendoes, suggestive comments, sexual jokes, requests for sexual favors including repeated, unwelcome requests for dates, and verbal abuse or "teasing" that is oriented toward a form of harassment.
- ❖ Nonverbal: Distribution, display or discussion of written or graphic material that is sexually suggestive
- ❖ Physical: Unwelcome, unwanted physical contact including touching, tickling, brushing against, hugging, cornering, kissing, fondling, and forced sexual intercourse or assault.

Retaliation

No penalty may be imposed on an employee in response to filing, responding to, or investigating a bona fide complaint of discrimination or harassment; or appearing as a witness in the investigation of a complaint. Lodging a bona fide complaint will not be used against an employee, however, filing complaints without grounds or with malicious intent is a violation of this policy and will be treated as such.

Confidentiality and Complaint Procedure

Complaints are treated confidentially to the greatest extent reasonably possible and information disclosed on a need-to-know basis. Complaints should be submitted to a director as soon as possible after the event occurs. Leadership will review the complaint and meet with the employee, with reasonable efforts to do so within three business days. Within two subsequent business days, a determination will be made as to whether an investigation will be opened.

Should there be an investigation, it should conclude within 45 business days from complaint submission. The conclusion of the investigation will include final personnel actions, which may include but are not limited to any of the following: complaint dismissal, entry of complaint into personnel file, disciplinary action, suspension of employment and termination of employment. Suspension of employment may be used for legal consultation.

Nothing in this policy may prevent the complainant or respondent from pursuing formal recourse or resolution.

Whistleblower Rights & Protections

Fundamental to the well being of the group and those within it are the principles of transparency and accountability. Our hope is that employees feel safe to raise concerns to leadership or another member of staff. Furthermore, we support your right to speak out against violations and wrongdoing.

What is whistleblowing?

Whistleblowing refers to an individual disclosing illegal or unethical acts by an employer, leadership, or others in the workplace. It includes reporting the violation of a health or safety rule, regulation, or other significant health or safety threat.

A disclosure is defined as: *The written provision of evidence... regarding any action, policy, regulation, practice, or procedure regarding a private enterprise...which, if not disclosed, could result in the waste of public funds, endanger public health, safety, or welfare, or could otherwise adversely affect the interests of the state.* C.R.S. §24-114-101

Your Rights as an Employee

- A. You have the right to engage in whistleblowing.
- B. You have the right to be protected from retaliation for whistleblowing. It is prohibited by law for an employer to take adverse action in response to a whistleblower's disclosure. Your protection is conditional on the following:
 - ❖ You believe in the truth of the information you report regardless of whether it is actually true. Protection does not apply if you know the information is false or you act with disregard for the truth.
 - ❖ You make a good faith effort to provide the information to your supervisor prior to making a report to a state or federal agency. (CRS § 24-114- 102)

What is Whistleblower Retaliation?

This refers to taking, failing to take, or threatening to take a personnel action (also known as disciplinary or corrective action) because of an employee's whistleblowing. it could include firing or laying off, demoting, denying opportunities or promotions, or reducing pay or hours.

Step One: Seeking Resolution

Bring concerns to Four Points leadership. You may report in any way you choose, including to a director or clinical supervisor. Options below represent possible pathways for reporting or disclosing information.

- A. Talk to a Director on-site or off-site
- B. Contact the Executive Director
- C. Report Anonymously: Leave a type-written note in the mailbox at 1221 E Elizabeth St, Ste 3 in Fort Collins. To protect your anonymity, please do not sign the note or include other identifying information.

Step Two: Reporting

If you believe your concerns have not been heard, resolved, and/or that a violation is ongoing, the following state departments may be contacted to report your concerns:

- A. Contact the Colorado Department of Regulatory Agencies (DORA)
Phone: 800-886-7675 Web: <https://dpo.colorado.gov/FileComplaint> Email: dora_dpo_licensing@state.co.us
- B. Contact the Colorado Department of Labor
Phone: 888-390-7936 Web: <https://cdle.colorado.gov/filing-a-complaint> Email: cdle_wc_complaints@state.co.us
- C. Contact the Behavioral Health Administration, Dept of Human Services
Phone: 303-866-7400 Web: <https://bha.colorado.gov/contact/contact-us> Email: CDHS_BHA_complaint@state.co.us

Policies

Substance Use Policy

Four Points Counseling Center intends to provide a safe work environment free of substance impairment.

- ❖ It is prohibited to be impaired by alcohol, narcotics, other controlled substances, over the counter substances, and prescription medications without a prescription during working hours.
- ❖ It is prohibited to possess, sell, exchange, transfer or manufacture controlled substances during work-related activities, while on Four Points property, and while acting as a representative of Four Points.
- ❖ Substance impairment while off company premises and outside of work hours is prohibited if such impairment interferes with work performance including the use of judgment and skill that are required for the position, or that compromises the safety of the employee, clients, or others.
- ❖ An employee convicted of a criminal drug offense occurring in the workplace or while performing job duties must notify leadership in writing as soon as possible and no later than five calendar days after the charge or conviction. Within 10 calendar days of receipt of notice, leadership will send notice to appropriate state and federal agencies according to compliance requirements. Within 30 calendar days of receipt of notification, a personnel decision will be made regarding disciplinary action, up to and including termination, or a requirement to complete a substance use program.

Employee Use of Medications

The responsibility belongs to the employee to engage in consultation with a physician, pharmacist, and/or their prescribing clinician to ascertain the impact of medication(s) on the employee's ability to perform the duties of their position safely. *If it is determined that an employee's medication(s), whether prescription or non-prescription, may affect job performance, the employee is required to notify and engage in consultation with leadership before beginning or resuming client services due to the potential for impact on service delivery.*

Alcohol and Drug Testing

Four Points may conduct alcohol and/or drug testing under any of the following circumstances:

For cause testing: Four Points may ask an employee to submit to a drug and/or alcohol test any time it feels the employee may be under the influence of drugs or alcohol, including but not limited to the following circumstances: Evidence of drugs or alcohol on or about the employee's person, or in their vicinity, behavior of the employee which may suggest impairment by drugs or alcohol, suspect or unusual performance patterns including but not limited to complaints from clients or others.

Post-accident testing: An employee involved in an on-the-job accident or injury that might suggest possible use of drugs or alcohol in the accident or injury event may be asked to submit to a drug and/or alcohol test. "Involved in an on-the-job accident or injury" means any employee who could have contributed to the accident or injury event in any way.

Personnel Action

An employee who tests positive or endorses being impaired during work activities will be subject to disciplinary action or required to complete a substance use program.

Disciplinary action, including termination, may also be taken for the following reasons:

- ❖ The employee is tested for drugs and/or alcohol outside of the employment context and results indicate a violation of this policy.
- ❖ The employee refuses a request to submit to testing under this policy.
- ❖ The employee adulterates, dilutes, tampers with, or otherwise interferes with accurate testing.

In such cases, the employee will be given the opportunity to explain the circumstances prior to any final employment action.

Expectations

II. Therapists

Expectations

Self Care: Workdays are structured based on what works best for each therapist with the exception of position parameters or other arrangements. We encourage therapists to take care of themselves and their needs including taking breaks or having meals whenever preferred.

Communication: We value communication and pride ourselves on a kind and courteous communication style. This includes email which may unintentionally come across as abrupt. Please pause to review emails to ensure that a high standard of grammar, spelling and punctuation is reflected and that the intended sentiment has been conveyed.

Four Points takes a zero tolerance stance regarding abusive and offensive language. This includes written, verbal, gestural and other communication that could be interpreted as threatening, degrading or harassing.

1 business day: Please respond to leadership members (directors) within one business day.

2 business days: Please respond to team members, outside providers, and others within 2 business days.

Client Communication

All therapists have a phone number to be used by clients. Therapists choose how to secure this phone number and are responsible for checking messages daily and responding to clients according to the standards outlined here.

Clients should receive responses within one business day if it is not a weekend or holiday. If you are away, please use an out of office reply with a directive to crisis resources. Also provide the Four Points main phone number and email address.

Clients in crisis must receive a return contact as soon as reasonably possible and within 24 hours maximum. Therapists unable to respond to a client in crisis must alert a director who will triage the contact.

Licensure: Therapists maintain their respective licenses independently and apply for renewal on time as a condition of employment. Maintenance of licensure includes understanding requirements, obtaining renewal hours, applying for renewal, covering expenses, and requesting assistance if needed. Leadership is eager to provide support when requested. Renewed licenses should be forwarded to leadership.

Core Knowledge: Several fundamental knowledge areas are covered in orientation and within training materials. While some information is specific to Four Points, much more is based on state and federal regulations and clinical best practices that are applicable to the field of therapy as a whole. It is critical that material from orientation and trainings becomes working knowledge. Expectations include:

- ❖ To have at minimum a foundation level of understanding and ability related to clinical concepts and skills.
- ❖ To be familiar with Four Points policies and protocols listed within this handbook.
- ❖ To understand provisions of HIPAA as they relate to mental health and the appropriate uses and disclosures of PHI.
- ❖ To be proactive in asking about laws, ethics, clinical topics or other areas where a knowledge gap may exist.
- ❖ To request training or support in any of the above-mentioned areas. Leadership would be eager to support you.

Calendar Responsibility: With the exception of the initial appointment scheduled by staff, therapists are in charge of their calendars. This autonomy carries a high level of responsibility, and therapists who thrive at Four Points tend to do well with the following:

- ❖ Schedule awareness: Know who is on your schedule and avoid no showing a client. Start and end sessions on time.
- ❖ Prompt responses: Get back to clients in a timely manner.
- ❖ Follow up: Be mindful of discharge timelines and contact clients who haven't scheduled in a while.
- ❖ Clean up: Check your calendar for any updates needed. Remove appointments for clients you no longer see.
- ❖ Manage time off: Block time off in your calendar and ensure clients understand when their next appointment is.

Calendars & Time Records

Four Points' state classification requires time records. This doesn't mean therapists are hourly employees- this is a requirement of the company rather than the employee. The EHR largely covers this with the integrated calendar's record of sessions. Please add blocks to your calendar for work tasks that take time during the week otherwise.

Expectations

Availability & Caseload: Availability of open appointments can impact caseload due to the difficulty it can create with scheduling. Leadership may request a schedule modification to increase availability. Therapists are ultimately responsible for their caseload- being aware of volume, requesting clients when needed, and asking for assistance.

When clients occupy times you don't prefer, keep in mind:

- ❖ Clients tend to be amenable to shifting their time slot once a relationship is established.
- ❖ Mentioning that a time is available only temporarily can make it easier to shift the time in the future.
"I wanted to let you know that I may have this time available for only a few weeks. We can revisit that later, but my hope is we'll be able to find another time that works for us well."

Therapists in Administrative and Other Roles: Employees may fill roles in addition to the therapist role. Roles include but are not limited to clinical supervisors, administrative staff and directors who function as therapists while performing another role. Employees with multiple roles adhere to the expectations and agreements related to each role. Performance concerns related to one position may have implications for the employee's other position(s), or for employment as a whole.

Unauthorized Practices

Please note this section is not intended to be an exhaustive list of all prohibited activities. Rather, the information here reflects that which may carry significant consequences, is more highly nuanced, or tends to occur at a greater frequency.

Scope: Therapists provide services they are licensed to provide *and* that they were hired to provide. Four Points is not licensed to provide in-home services, thus therapists may only provide services in office (on site) or via telehealth.

- ❖ Some modalities represent the intersection of therapy and another discipline, such as trauma-informed yoga. A therapist who is a certified yoga instructor is unable to facilitate yoga even within a therapeutic framework.
- ❖ When in doubt about a practice or service, please ask leadership. If you have an interest in something new, you are welcome to explore this with a director. We're eager to support your interests and professional growth where possible.

Interstate Practice: As mentioned previously, employees may only provide services within Colorado to clients who are also physically within Colorado. It's a misconception that a client's permanent residence impacts the ability to provide interstate services.

Recordings: Prior written permission is required to record client interactions and/or staff interactions including but not limited to assessments, consultations, therapy sessions and clinical supervision. In general, it may be possible to be granted permission for recording due to participation in an academic or training program *with prior written permission only*.

It is never permissible for a client to create a recording, even for purposes that may be perceived as benefiting the client. Therapists are not authorized to make decisions independently about the permissibility of recordings due to the high risk of liability to Four Points. Any and all recordings must have prior written approval from leadership.

Dual Relationships: A dual relationship is one in which a therapist and a current/former client have a relationship outside the therapeutic relationship. Therapists are not permitted to engage in outside relationships with current/former clients. If a therapist becomes aware of a dual relationship, they should notify leadership right away (no later than 48 business hours) to collaborate and determine ethical and supportive next steps. See "Dual Relationships" on the Therapist Access site for more on this complex topic.

Transporting Clients: Employees are not permitted to transport clients. If there is a safety concern, for example substance impairment, options may include calling the emergency contact or a rideshare service. Consult with a director if a client needs transportation due to safety risk. Please also see the Crisis Response Protocol for information regarding clients in crisis.

Animals in the Workplace: Certified therapy animals and registered service animals are permitted on site. Emotional support animals and pets are not permitted due to liability. This includes clients who wish to bring animals to sessions. If you have a certified therapy animal or registered service animal, we are happy for you to bring your animal to work; please meet with leadership to discuss.

III. Administrative and Non-Clinical Staff

Breaks & Self Care

We intend for all employees to have autonomy over how to take time for themselves during the day. Administrative employees should be sure to take 30-60 minutes of time away from all work activities, depending on the day's schedule, at a time that works best for the employee.

Coverage

In the event of absences from work, communication about the absence and the anticipated duration is of primary importance so that management may arrange for coverage.

Management Alerts

Those interacting the most with clients and providers are often the first to realize that a system or process is not working correctly. Please bring to the attention of a director any information about problems with platforms such as the EHR, website, voicemail, etc., as well as any observations that lead to your own independent concerns.

Systems Maintenance

The number of systems, spreadsheets, and platforms housing information within Four Points creates challenges when it comes to ensuring that information is regularly updated with current information. Administrators are in a unique position to assist with updating information as it changes over time and are empowered to do so. When in doubt about whether information should be modified, please consult with leadership.

Operations Feedback

Administrators are key in helping management understand how well processes are working and are asked to share feedback and input, especially in the event of newly implemented systems.

IV. Employee Safety

Closest ER to Fort Collins Location

UCHealth Poudre Valley Hospital
1024 S Lemay Ave, Fort Collins, CO 80524

Closest ER to Loveland Location

Banner McKee Medical Center
2000 N Boise Ave, Loveland, CO 80538

Inclement Weather

When conditions are unfavorable, employees decide how to manage their workday including what they need to stay safe. Therapists that decide to work remotely should remember to contact clients right away and attempt to move sessions to teletherapy when possible. In general, please use caution when walking to and from offices. Despite snow removal efforts, snow and ice can accumulate in parking lots, on walkways, and elsewhere.

Therapists Working Alone

We strongly encourage that therapists keep in mind these safety measures when scheduling clients:

- ❖ Avoid seeing new clients when you will be alone. It helps to refrain from creating intake slots that are in the evening.
- ❖ Schedule evening sessions when others also work in the evening. Ask a director which days others tend to stay late.
- ❖ If you notice that an exterior or parking lot light is out, notify a director so it can be fixed right away.
- ❖ If you're alone in the building, you can give the impression that others are in the office by turning on lights and noise machines, opening doors, etc.
- ❖ **If you will be alone unexpectedly or feel uncomfortable for any reason, let a director know. A staff member will gladly stay at the office or make arrangements to increase your comfort or safety. Please make someone aware of the situation so we can help.**

Client Interactions

Therapists are empowered to end a session any time it feels unsafe or a client engages in an abusive way. Abusive behavior by anyone is not okay, which includes clients.

It may be appropriate to consider deescalation techniques depending on the client, the situation, and other contextual factors. If you feel uneasy about a particular client, please let a director know. Consider alerting someone ahead of holding a session with the client, especially a staff member whose office is closeby. You are also welcome to reach out to any staff member who works at another office.

Administrative staff is empowered to terminate phone calls with individuals using abusive, offensive, or harassing language. It is sufficient to inform the caller, *"I'm unable to continue the call in this way, I'm letting you know that I'm ending the call now."* Individuals sending inappropriate or aggressive messages also do not need to receive responses and administrative staff can consult with leadership on how to manage these particular messages.

To discuss deescalation or matters regarding safety in more depth, please reach out to your supervisor or a director.

Building Security

Specifics about office locations, such as building details, is sensitive information and sharing this information outside the group can create a security risk. While we certainly don't anticipate a security incident, we do believe that risk can be greatly decreased by being smart when it comes to sharing information and always using good judgment. Here are a few examples:

- ❖ Number of entrances and exits
- ❖ Information about non-public entryways (like back doors)
- ❖ When the building is open/closed and whether employees are "allowed" to work alone
- ❖ Operations info such as how mail is handled and when cleaning occurs
- ❖ Whether security measures like alarms are used

Please use caution and exercise discretion when sharing information.

Email & Text Safety

Scams and phishing via text and email are commonplace and often start by asking to confirm personal information, like a phone number. Names of directors and administrative staff are used to encourage a response. Please watch for this. Scammers have changed account names to show names of Four Points staff, but if you check the domain (like @fourpointsc.com), it usually reveals they aren't part of the group.

- ❖ Requests for money or personal or company information is a red flag.
- ❖ Don't reply to suspicious emails (or texts) or click links or attachments in suspicious emails.
- ❖ If a conversation feels strange and you need a way out, we recommend something like: *"I'd like to help you but the group's policy is that requests for ___ go through leadership. If I can get your number I'll gladly pass it on."*

V. Client Information

Records Ownership

Legal agreements, including those contained in intake forms and releases of information, are between clients and Four Points, with therapists acting as representatives of Four Points Counseling Center. As such, client records are held by Four Points and remain with Four Points should a therapist leave their employment. Clients have the right to access records and can request them at any time. The protocol for record transfers is a formal request submitted by the client.

Therapists Requests for Letters & Records

Letters and other materials containing protected health information (PHI) including client records fall at the intersection of a therapist's work with a client and a therapist's employment by a group. Producing material that travels outside the group has legal implications and carries liability for the therapist and the group as a whole. The same applies to releasing records, even when a release is signed.

For this reason, **letters and other materials containing PHI must be triaged through a director.** All records requests are fulfilled administratively and **therapists should please not release any records.** Four Points' goal is for therapists to be able to support clients while leadership screens for risk and liability along the way.

If you receive a request for records, a letter or something else, please contact a director before proceeding. A director will collaborate with you on the request and work with you on meeting your client's needs if at all possible.

Examples you may encounter include but are not limited to: Treatment summaries/updates, ESA letters, support for disability applications, requests for accommodations, forms for workers comp claims, letters for probation, and coordination of care letters.

Caution regarding ESA letters: In most cases, Four Points does not endorse writing ESA letters (Emotional Support Animals). If you are asked to write one, please contact a director so we may share more information about the complexity regarding compliance and ethical care as well as the standards required in order to meet regulations and best practices.

Document Storage, Destruction & Disposal

This section refers to documents containing protected health information (PHI). Please refer to compliance training materials or contact leadership for details about HIPAA and PHI.

Storage

Paper documents must be stored in a locked drawer and/or inside a locked office until disposed of. In general, paper documents should be used rarely and stored minimally. Electronic documents should always be the first choice. Paper documents should be scanned and saved to the EHR and subsequently shredded. If needed, documents may be stored on an individual Google Drive account which is HIPAA compliant and highly preferable to paper copies.

Unintentional Disclosure

In order to reduce the likelihood of unintentional (accidental) disclosure of PHI, paper documents should not be left on a desk, countertop or otherwise left in sight. They should not be left where they can be inadvertently accessed, resulting in a privacy violation, such as in an unlocked drawer or disposed in a public trash can.

Destruction & Disposal

When disposed of, paper documents and other materials containing PHI must be made essentially unreadable, indecipherable, and unable to be reconstructed by using the on site shredder. Documents are not permitted to be taken off site for disposal.

Disposal of shredder bags is managed by leadership. Please do not take bags off site. You may take the bag out of the shredder and replace the bag, but please leave the full bag on site.

VI. Payroll & Benefits

Payroll

Payroll runs every other Friday. Changes to the payroll schedule, for example due to federal holidays, are indicated on the payroll calendar and announced with advance notice. Benefits requests, submission of hours and reimbursement requests should be submitted by 8am on Monday the week of payday in order to be included on the upcoming payroll.

If you have questions regarding your paycheck please contact a director. If you feel there is an error, please contact a director within six months of the pay cycle.

Health Plan Coverage

Coverage is effective the first day of the month following 30 days of full time employment. Eligibility is based on maintaining full time status and meeting associated role expectations. Eligibility may be compromised due to failure to meet expectations and may also be compromised by absenteeism, which refers to taking unpaid time off in such an amount that employment status drops below full time. (Paid leave is not absenteeism.)

Employees may cancel coverage at any time. Those who lose employer-sponsored coverage may be eligible to continue coverage by electing to enroll in Colorado State Continuation coverage.

Employee Benefits

The following assumes full time status. See section on part time employment for more information.

- ❖ Paid Time Off: PTO is an accrued benefit that may be used for any reason including vacation and sick time. Accrual is capped at 120 hours, meaning the maximum amount of hours that can be banked is 120, after which point accrual stops. There is no rollover cap, however the accrual maximum remains. If the cap is reached, accrual resumes once PTO is used. Accrual is calculated using hours worked. If you are out on PTO, take unpaid time off, or are otherwise not working, PTO does not accrue.
- ❖ Bereavement: A non-accrued benefit available annually.
- ❖ Jury Duty: Paid leave provided to employees with corresponding documentation of jury summons.
- ❖ Therapist Training Compensation: Trainings, meetings and events considered mandatory by Four Points are paid at a *clinical rate*, which is an amount intended to be comparable to the average gross pay per session.

Workers' Compensation: Four Points maintains workers' compensation insurance, which provides for medical expenses, lost wages, and rehabilitation costs to employees injured during the course and scope of their job. It is important to note that non-medical workers' compensation benefits can be reduced by half if a drug test shows an intoxicant, even a legal substance such as alcohol or marijuana, in an employee's system at the time of their injury. Please see the Worker's Compensation poster from the Department of Labor displayed at your office location for other important information.

State Programs

FAMLI: A state-managed partial wage replacement program. FAMLI provides paid leave to eligible workers who need time off to care for a new child, a family member with a serious health condition or who themselves are unable to work due to a serious health condition. The program is funded by employee paycheck deductions and matching employer contributions. In accordance with Colorado law, employee deductions are not optional.

Employees who receive FAMLI benefits may "top off" their payments with accrued PTO as long as doing so meets compliance requirements and the FAMLI stipulations regarding total wages. Learn more at <https://famli.colorado.gov/individuals-and-families>.

CO Secure Savings: A state-run retirement savings program in which employees may elect to participate. Information about elections, opting out, and the limitations of an employer's role in the program is available at coloradosecuresavings.com.

A note about FMLA: As a business with fewer than 50 employees, Four Points is not a covered entity under the Family and Medical Leave Act (FMLA). Please know that although FMLA does not apply, we are eager to support employees who must take a leave of absence. If this applies to you, please connect with a director.

Part Time Employment

Four Points does not offer part time positions except in specific and temporary circumstances. To learn more about when this may be available or for any other questions, please contact a director. Part time employees receive information as a supplement to this handbook.

VII. Onboarding & Offboarding

New Employees

New employees attend orientation at which time access is granted to important systems. Additional material is shared via self-paced trainings. The first weeks of employment are intended to help staff thrive at Four Points.

Inability to complete any onboarding element including orientation, paperwork, and trainings may result in the following: a delay in ability to see clients (for therapists), a delay to official start of employment, rescission of offer of employment or termination of employment.

Departing Employees

Four Points requests that notice be provided in writing, with email as an acceptable form of written notice. A minimum notice period of 30 days is requested. Information is provided to departing employees regarding compensation, termination of health coverage (if applicable), among other logistics. Assigned equipment is returned by or on the last day of employment.

Therapist responsibilities upon departure from employment:

- ❖ Completing documentation including progress notes, treatment plans, and all other outstanding or necessary paperwork. Access to systems is revoked at the end of the last day of employment. We strongly recommend allowing several days prior to the last day to complete notes and other tasks.
- ❖ Notifying clients of departure and discussing continuation of care preferences in an ethical and professional manner.
- ❖ Sharing transition plans with the director in a timely manner and by the date requested.
- ❖ Completing compliant discharge summaries for all clients.
- ❖ Contacting clients regarding amounts owed in instances in which the therapist did not allow charges to run automatically or due to noncompliance with documentation standards for timely completion of notes.
- ❖ Attending scheduled HR meetings and any other necessary meetings as part of the departure process.
- ❖ Maintaining adherence to expectations including abiding by Four Points policies and procedures. Failure to meet role expectations and/or the presence of concerns during the notice period may result in expedited departure.

Compensation for Departing Therapists

This process holds in mind the therapist's financial needs as well as the practicalities of a percent of collections model. The following outlines the final compensation process in compliance with the Colorado Wage Act, § 8-4-101, et seq., CRS.

Services without completed documentation are not compensated due to the service status as incomplete and non-billable. Access to the electronic health record is terminated on the employee's last working day and is not able to be extended.

A. Voluntary Departure: On an employee's last working day, there are usually reimbursements yet to be received due to claims processing time. This processing time results in an employee receiving paychecks for additional pay cycles beyond the time period the employee is actively working. Accrued PTO is paid out on the payroll date corresponding to the last pay period the employee is actively working.

The final paycheck to be issued includes compensation for outstanding claims and outstanding client payments in accordance with the terms of the employment agreement. This means the employee is paid for services which have not been reimbursed or paid to Four Points.

** Four Points may extend the date of final compensation beyond what is customary should there be extensive denied claims, such as occurs when a client's policy is terminated and a new policy is identified for resubmission. This protocol is based on the state definition of wages in that amounts become wages when they are earned, vested and determinable. (CRS 8-4-101). In this case, the therapist would continue to be paid according to the terms of the employment agreement as payments/reimbursements are received.*

B. Involuntary Departure: Should employment be terminated at the volition of Four Points, final paychecks are issued immediately in accordance with Colorado law. Compensation includes wages for payments received as well as payments for outstanding claims and outstanding client payments in accordance with the terms of the employment agreement. Accrued PTO, if applicable, is also paid at this time.

Compensation for Departing Administrative Staff

A. Voluntary departure: Final paychecks are issued on the regularly scheduled payday corresponding to the final pay period worked. The final paycheck includes wages and accrued PTO, if applicable.

B. Involuntary departure: Final paychecks are issued immediately in accordance with Colorado law. The final paycheck includes wages and accrued PTO, if applicable.



Colorado Minimum Wage: inflation-adjusted annually; \$14.42/hour in 2024, (Rule 3)

- Employees must be paid at least minimum wage (whether hourly, salary, commission, piecework, etc.) unless exempt
- Unemancipated minors can be paid 15% less than full minimum wage
- Use the highest minimum wage that applies; all local minimum wages are posted at ColoradoLaborLaw.gov

Overtime: 1½ times regular pay rates for hours over 40 weekly, 12 daily, or 12 consecutive (Rule 4)

- Overtime is required *each* week over 40 hours, or day over 12, even if 2 or more weeks or days *average* fewer hours
- Employers cannot provide time off (“comp time”) instead of time-and-a-half premium pay for overtime hours
- Key variances/exemptions (all are detailed in Rules 2.3-2.4):
 - Modified overtime in a small number of health care jobs; exemption for certain heavy vehicle drivers
 - No 40-hour weekly overtime in downhill ski/snowboard jobs (but 56-hour overtime for many under federal law)
 - Agriculture: overtime after 48-56 hours (based on size and seasonality); extra breaks and pay on long days

Meal Periods: 30 minutes uninterrupted and duty-free, for shifts over 5 hours (Rule 1.9)

- Can be unpaid, but only if employees are completely relieved of all duties, and allowed to pursue personal activities
- If work makes uninterrupted meal periods impractical, eating on-duty must be permitted, and the time must be paid
- To the extent practical, meal periods must be at least 1 hour after starting and 1 hour before ending shifts

Rest Periods: 10 minutes, paid, every 4 hours (Rule 5.2)

#Work Hours:	Up to 2	>2, up to 6	>6, up to 10	>10, up to 14	>14, up to 18	>18, up to 22	>22
#Rest Periods:	0	1	2	3	4	5	6

- Need not be off-site, but must not include work, and should be in the middle of the 4 hours to the extent practical
- Rest periods are time worked for minimum wage and overtime purposes, and if employers do not authorize and permit rest periods, they must pay extra for time that would have been rest periods, including for non-hourly-paid employees
- Key variances/exemptions:
 - In some circumstances, 10-minute rest periods can be divided into two of 5 minutes (Rule 5.2.1)
 - Agriculture: certain work requires more breaks; other is exempt (Rule 2.3, & Agricultural Labor Conditions Rules)

Time Worked: Pay for time employers allow performing labor/service for their benefit (Rule 1.9)

- All time on-premises, on duty, or at workplaces (but not just letting off-duty employees be on-premises), including:
 - putting on/removing work clothes/gear (but not clothes worn outside work), cleanup/setup, or other off-clock duty,
 - waiting for assignments at work, or receiving or sharing work-related information,
 - security/safety screening, or clocking/checking in or out, or
 - waiting for any of the above tasks.
- Travel for employer benefit is time worked; normal home/work travel is not (details in Rule 1.9.2)
- Sleep time, if sufficiently uninterrupted and lengthy, can be excluded in certain situations (details in Rule 1.9.3)

Deductions, Credits, Charges, & Withheld Pay (Rule 6, and Article 4 of C.R.S. Title 8)

- Final pay: Owed promptly (if a termination by employer) or at next pay date (if employee resigned)
- Vacation pay: Departing employees must be paid all accrued and unused vacation pay, including paid time off usable for vacation, without deducting or declaring forfeiture based on cause for termination, lack of resignation notice, etc.
- Deductions from pay: Allowed if listed below or in C.R.S. 8-4-105 (including deductions required by law, in a written agreement for the benefit of the employee, for theft in a police report, or for property loss after audit/notice)
- Tip credits: Employers can pay up to \$3.02 below the highest applicable minimum wage (Colorado or local), if:
 - (a) tips (not mandatory service charges) raise pay to full minimum, & (b) tips aren’t diverted to non-tipped staff/owners
- Meal credits/deductions: Allowed for the cost or value (without employer profit) of voluntarily accepted meals
- Lodging credits/deductions: Allowed if housing is voluntarily accepted by the employee, primarily for the employee’s (not the employer’s) benefit, recorded in writing, and limited to \$25 or \$100 per week (based on housing type)
- Uniforms: Must be provided at no cost unless they are ordinary clothes without special material or design; employers must pay for any special cleaning required, and cannot require deposits or deduct for ordinary wear and tear

Exemptions from COMPS (Rule 2.2 lists all; key exemptions are below)

- Executives/supervisors, administrators, and professionals paid at least a salary (not hourly wages) of \$55,000 in 2024 (then inflation-adjusted in future years), except \$33.17/hour for highly technical computer work
- Other highly compensated, non-manual-labor employees paid at least 2.25 the above salary (\$123,750 in 2024)
- 20% owners, or at a nonprofit the highest-paid/highest-ranked employee, if actively engaged in management
- Various (not all) types of salespersons, taxi drivers, camp/outdoor education field staff, or property managers

Record-Keeping & Notices of Rights (Rule 7)

- Employers must give all employees (and keep for three years) pay statements that include time worked, pay rate (including any tips and credits), and total pay
- This year’s poster must be displayed where easily accessible, or if not practical (such as for remote workers), provided within one month of beginning work and when employees request a copy
- Employers must include a copy of this poster, or the COMPS Order, in any employment handbook or manual
- Violation of notice of rights rules (posting or distribution), including by providing information undercutting this poster, may yield fines and/or ineligibility for employee-specific credits, deductions, or exemptions in COMPS

Complaint & Anti-Retaliation Rights (Rule 8)

- Employees can send the Division (contact info below) complaints or tips about violations, or file lawsuits in court
- Employers cannot retaliate against, or interfere with, employees exercising their rights
- Anonymous tips are accepted; anonymity or confidentiality are protected if requested (Wage Protection Rule 4.7)
- Owners and other individuals with control over work may be liable for certain violations — not just the business, even if the business is a corporation, partnership, or other entity separate from its owner(s) (Rule 1.6)
- Immigration status is irrelevant to these labor rights: the Division will not ask or report status in investigations or rulings, and it is illegal for anyone to use immigration status to interfere with these rights (Wage Protection Rule 4.8)

This Poster is a summary and cannot be relied on as complete labor law information. For all rules, fact sheets, translations, questions, or complaints, contact:
DIVISION OF LABOR STANDARDS & STATISTICS, ColoradoLaborLaw.gov, cdle_labor_standards@state.co.us, 303-318-8441 / 888-390-7936



COLORADO
Department of
Labor and Employment

Colorado Workplace Public Health Rights Poster: PAID LEAVE, WHISTLEBLOWING, & PROTECTIVE EQUIPMENT

*Updated July 14, 2023
may be updated periodically*

THE HEALTHY FAMILIES & WORKPLACES ACT (“HFWA”): Paid Leave Rights

Coverage: All Colorado employers, of any size, must provide paid leave

- All employees earn 1 hour of paid leave per 30 hours worked (“accrued leave”), up to 48 hours a year.
- Employees are required to be paid their regular pay rate during leave, and the employer must continue their benefits.
- Up to 48 hours of unused accrued leave carries over for use during the next year.
- For details on specific situations (irregular hours, non-hourly pay, etc.), see Wage Protection Rule 3.5, 7 CCR 1103-7.
- Up to 80 hours of supplemental leave applies in a public health emergency (PHE), until 4 weeks after the PHE ends.*

Employees can use accrued leave for the following safety or health needs:

- (1) a mental or physical illness, injury, or health condition that prevents work, including diagnosis or preventive care;
- (2) domestic abuse, sexual assault, or criminal harassment leading to health, relocation, legal, or other services needs;
- (3) caring for a family member experiencing a condition described in category (1) or (2);
- (4) grieving, funeral/memorial attendance, or financial/legal needs after a death of a family member;
- (5) due to inclement weather, power/heat/water loss, or other unexpected occurrence, the employees needs to either
 - (a) evacuate their residence, or (b) care for a family member whose school or place of care was closed; or
 - (6) in a PHE, a public official closed the workplace, or the school or place of care of the employee’s child.

Employer Policies (Notice: Documentation: Incremental Use: Privacy: and Paid Leave Records)

- **Written notice and posters.** Employers must (1) provide notice to new employees no later than other onboarding documents/policies; and (2) display updated posters, and provide updated notices to current employees, by end of year.
- **Notice for “foreseeable” leave.** Employers may adopt “reasonable procedures” in writing as to how employees should provide notice if they require “foreseeable” leave, but **cannot deny paid leave** for noncompliance with such a policy.
- **An employer can require documentation to show that accrued leave was for a qualifying reason only if leave was for four or more consecutive work days** (i.e. days when an employee would have worked, not calendar days).
- **Documentation is not required to take accrued leave**, but can be required as soon as an employee returns to work or separates from work (whichever is sooner). **No documentation can be required for PHE leave.**
- **To document leave for an employee’s (or an employee’s family member’s) health-related need**, an employee may provide: (1) a document from a health or social services provider *if* services were received and a document can be obtained in reasonable time and without added expense; *otherwise* (2) the employee’s own writing.
- **Documentation as to domestic abuse, sexual assault, or criminal harassment** can be a document or writing under (1) above (e.g. legal or shelter services provider) or (2) above, or legal document (restraining order, police report, etc.).
- **If an employer reasonably deems an employee’s documentation deficient**, the employer must: (A) notify the employee within seven days of either receiving the documentation or the employee’s return to work or separation (whichever is sooner), and (B) give the employee at least seven days to cure the deficiency.
- **Incremental Use.** Depending on employer policy, employees can use leave in either hourly or six-minute increments.

- **Employee Privacy.** Employers cannot require employees to disclose “details” about an employee’s (or their family’s) HFWA-related health or safety information; such information must be treated as a confidential medical record.
- **Records must be retained and provided upon request.** Employers must provide documentation of the current amount of paid leave employees have (1) available for use, and (2) already used during the current benefit year, including any supplemental PHE leave. Information may be requested once per month or when the need for HFWA leave arises.

Retaliation or Interference with HFWA Rights

- **Paid leave cannot be counted as an “absence”** that may result in firing or another kind of adverse action.
- **An employee can’t be required to find a “replacement worker” or job coverage when taking paid leave.**
- **An employer cannot fire, threaten, or otherwise retaliate against, or interfere with use of leave by**, an employee who: (1) requests or takes HFWA leave; (2) informs or assists another person in exercising HFWA rights; (3) files a HFWA complaint; or (4) cooperates/assists in investigation of a HFWA violation.
- **If an employee’s reasonable, good-faith HFWA complaint, request, or other activity is incorrect**, an employer need not agree or grant it, but cannot *act against* the employee for it. Employees *can* face consequences for misusing leave.

PROTECTED HEALTH/SAFETY EXPRESSION & WHISTLEBLOWING (“PHEW”): Worker Rights to Express Workplace Health/Safety Concerns & Use Protective Equipment

Coverage: All Employers and Employees, Plus Certain Independent Contractors

- PHEW covers not just “employers” and “employees,” but all “principals” (an employer or a business with at least 5 independent contractors) and “workers” (employees or independent contractors working for a “principal”).
- It is unlawful to **retaliate against, or interfere with**, the following acts:
 - (1) **raising reasonable concerns**, including informally, to the principal, other workers, the government, or the public, about workplace violations of government health or safety rules, or a significant workplace health or safety threat;
 - (2) **opposing or testifying, assisting, or participating** in an investigation or proceeding about retaliation for, or interference with, the above-listed conduct.
- A principal need not address a worker’s PHEW-related concern, but it still cannot fire or take other *action against* the worker for raising such a concern, as long as the concern was reasonable and in good-faith.

Workers’ Rights to Use Their Own Personal Protective Equipment (“PPE”):

- A worker must be allowed to **voluntarily wear their own PPE** (mask, faceguard, gloves, etc.) if the PPE (1) provides **more protection** than equipment provided at the workplace, (2) is **recommended** by a government health agency (federal, state, or local), and (3) does not make the worker **unable to do the job**.

COMPLAINT RIGHTS (under both HFWA & PHEW)

- Report violations to the Division as complaints or anonymous tips, or file in court after exhausting pre-lawsuit remedies.

This Poster summarizes two Colorado workplace public health laws: C.R.S. § 8-13.3-401 et seq., (paid leave), and C.R.S. § 8-14.4-101 et seq. (health and safety whistleblowing) including amendments current as of the date of this poster. It does not cover other health or safety laws, rules, and orders, including under the federal Occupational Safety and Health Act (OSHA), from the Colorado Department of Public Health and Environment (CDPHE), or from local public health agencies. Contact those agencies for such health and safety information.

*In a PHE, employees gain additional hours of leave for inability to work, testing, quarantining, caring for family in such situations, and related needs. No PHE is now in effect; this poster will be updated if one is declared.

This poster must be displayed where easily accessible to workers, shared with remote workers, and replaced with any annually updated versions.
**This Poster is a summary and cannot be relied on as complete labor law information. For all rules, fact sheets, translations, questions, or complaints, contact:
 DIVISION OF LABOR STANDARDS & STATISTICS, ColoradoLaborLaw.gov, cdle_labor_standards@state.co.us, 303-318-8441 / 888-390-7936.**

IX. Acknowledgement & Attestation

I have received a copy of the employee handbook. I understand I am responsible for knowing the information in the handbook and agree to review the policies and other content contained therein. I understand I may ask questions at any time about information in the handbook.

As stated in my employment agreement as a condition of my employment, I agree to follow Four Points Counseling Center's policies and all other content outlined in the employee handbook as updated from time to time. I understand the policies and content of the handbook may change at any time and that after notification of changes, I am responsible for adherence to new policies and expectations.

Employee Name

Employee Signature

Date

Please initial to indicate your understanding and agreement:

_____ As required by the state of Colorado, I have received copies of the COMPS Order and Workplace Health Rights notices, which are included in this handbook.

_____ I understand and agree to abide by the recordings policy as outlined in the employee handbook.

_____ I understand and agree to abide by the Acceptable Use Agreement. I understand the implications of non-compliance.