



Policy Concerning Wages and Conditions of Employment

The conditions of employment for all Employees are as follows:

- Must be physically able to do the job
 - Must be legally employable for the position
 - Must be able to communicate with the consumer and Cherish staff
 - Must have a complete personnel file that is given to the Payroll Administrator
 - Must meet all licensing requirements for the program in which they work
- If the employee cannot meet the conditions of employment they may not be employed.
- If the employee becomes disqualified by the Minnesota Department of Human Service and no longer able to meet the background check requirements, the employee is no longer eligible for employment with Cherish.
- If the Staff or volunteer transports the consumer they must have a valid driver's license and current automobile insurance and is at the driver's own responsibility and risk. Cherish assumes no responsibility for the vehicle or liability if staff or volunteers choose to transport consumers or others.
- **Employees may not exceed 40 hours per week without prior authorization from Cherish H.R. Dept. MN DHS prohibits a CFSS/PCA Staff from working more than 310 hours per month or more than 16 hours per 24 hour period. Staff must not exceed these MN DHS limits. Exceeding the MN DHS limits are as policy violation and is grounds for termination of employment.**
- **A person receiving ICLS, or Night Supervision can receive up to 12 hours of service per day. A person receiving Individual Home Supports can receive up to 16 hours of service per day. These limits are per MN DHS rule. This is the total hours per day for all staff people per service. Cherish staff may not exceed these DHS daily limits. Exceeding the MN DHS limits are as policy violation and is grounds for termination of employment.**
- The Staff has a 90 day probationary period and can be terminated without cause.
- The Staff is required to know and adhere to Cherish Policies as a condition of employment. Each year staff must review these policies and procedures, and document on the annual training form their understanding of them. There may be a demonstration of understanding quiz that must be submitted if required. If the demonstration quiz requires extensive time and the staff person cannot complete the quiz during regular hours, they should contact the Payroll Administrator as they may qualify for a small stipend to complete it.
- Every staff person must complete all orientation training, background checks and other conditions of employment before they may work unsupervised. Once these conditions are met, the staff person is considered hired by Cherish. MS245D.10subd.5.b

Cherish staff MUST comply with the education and training requirements for the specific program(s) they are employed in. Most training occurs with the Supervisor and the program



participant. If other training is required, staff are to contact the Payroll Administrator to inquire about qualifying for a training stipend. It is the responsibility of the Cherish staff person to remain in compliance and therefore employable.

If staff do not complete their annual training by September 30 of each year their employment will end on that date. They may be eligible for rehire once they have met all conditions of employment.

If staff have questions about what they require to maintain their employment they should contact the Payroll Administration or their Program Coordinator.

Cherish abides by all federal and state department of labor requirements.

Electronic Visit Verification (EVV)

A Federal Law, the 21st Century Cures Act, [Public Law 114–255 \(PDF\)](#), requires PCAs and other direct care staff to USE EVV. EVV DOES NOT track locations throughout a visit. A single location is collected at the start and the end of a visit only. EVV is an attempt to prevent fraud by proving that a staff person was with the program participant for time they are billing. If you are submitting a missed time form, there is no GPS attached, and could be construed as an attempt to commit fraud. Occasionally technical difficulties prevent a clock in or out, this is the time an employee should complete a missed time form.

****notice - EVV is required for every provider in the USA. Missed time sheets do not have the GPS stamp required by MN DHS and the Federal Government. MN DHS tracks billing with missed GPS and may prompt a fraud investigation by SIRS. Missed time sheets should be the exception.***

DHS is still in the “soft launch” period of EVV implementations. DHS policy is that shift adjustments and edits should be limited whenever possible. DHS will provide policy on shift edits. Until a compliance requirement is published, DHS will be monitoring usage and use to ensure providers are prepared before being required to meet compliance thresholds by governing entities including but not limited to MN Department of Labor as it pertains to error correction. DHS is required to report quarterly usage to the federal Centers for Medicare & Medicaid Services (CMS).

Wages: All Cherish employees wages are dependent upon the reimbursement rate set by the state of Minnesota. All Cherish employees are hourly employees. All Cherish employees are paid in accordance with the Cherish wage schedule <http://www.cherished1.co/payroll.html> The Cherish wage scale for all employees is located on the Cherish web page <http://cherished1.co/employment.html>

By signing the Support Staff Orientation & Annual Documentation of Training form (a copy of which is kept in your personnel file) you agree that you have been provided with the Employee wage information required by MS 181. You may request this notice in alternative formats or languages.

Cherish will not garnish your wages except by court order to do so. Cherish will deduct union dues only upon notification from the collective bargaining unit.



Benefits:

Cherish offers Safe and Sick Time or PTO depending upon the program that staff are working in. There are forms that must be completed to access these programs on the Payroll page of the Cherish website <http://www.cherished1.co> . The various rules for the Safe And Sick Time and Paid Time Off programs are described on the forms that must be completed. http://cherished1.co/PolicyPDF/34_Safe_and_Sick_Time.pdf

Health Insurance:

Cherish utilizes an extended “look back” period to qualify for shared expense health insurance due to the frequent changes in employment that staff have in this field. You will be sent a letter before November 1 of each year letting you know that you qualify. It is the employee’s responsibility to contact the Cherish office before the end of the calendar year to let us know that you would be interested in shared cost health insurance. The next step is to contact an insurance broker to have them help you to determine the coverage you would like, and what your payment will be. Cherish will pay the employer portion of an invoice. Employees are required to submit proof that they have paid the employee portion. It is also possible to have the employee’s share deducted from their payroll. Health care letters and a link to the area’s insurance brokers are located on the Cherish website <http://cherished1.co/payroll.html>

Unemployment:

It is the staff person’s responsibility to ask for other work at the Cherish office if their hours are reduced. Cherish almost always has hours available for staff looking for more hours. Cherish employees will not be eligible for unemployment insurance if they leave the job without informing the Cherish office. Minnesota Unemployment insurance requires the employee who is unhappy with the job placement to accept a comparable position under most circumstances. Employees must provide a grievance in the cherish office (218)263-9000.

- ALL STAFF in every Cherish program are required to inform Cherish staff at the main office if
 - they are no longer wishing to be employed,
 - if they are having problems with their client(s),
 - if their client does not want them to return to their home,
 - if their client has health issues or becomes hospitalized,
 - of if there are any unusual issues with the client, or in the home.

Worker’s Compensation:

Cherish carries workers' compensation and unemployment insurance. To file a workers' compensation claim the employee must immediately (and in no case longer than 24 hours) report the injury to the Payroll Administrator.

Fraud: Any person who, with intent to defraud, receives workers’ compensation benefits to which the person is not entitled by knowingly misrepresenting, misstating or failing to disclose any material fact is guilty of theft and shall be sentenced pursuant to Minnesota Statutes §609.52, subdivision 3. Contact the Minnesota Department of Commerce’s Fraud Prevention unit about possible workers’ compensation fraud at 1-888-372-8366.



Worker's Compensation Return to Work Program

Cherish LLC supports the practice of bringing injured employees back to work, as soon as they are medically able, to a position in our organization compatible with any physical restrictions they may have. We believe this practice serves the interests of our employees and Cherish.

The prompt return of injured employees to positions within their medical restrictions will minimize the impact of work-related injuries. Coming back to work early helps employees remain functional as they recover while providing our organization with the valuable employees' talents. It also helps control workers' compensation costs.

If you are injured at work, report the injury to the Cherish office immediately (218) 263-9000

– no matter how minor the injury is.

You and your supervisor will call the SFM Work Injury Hotline together to report the injury and get healthcare advice from a nurse. Any questions concerning workers' compensation should be directed to: Kimberly Tyler (218) 263-9000.

If you find yourself needing emergency care, go to the emergency room, then contact Cherish at the earliest possible time. Your supervisor and/or claims coordinator will help arrange for medical treatment following an injury.

Current positions may be modified to fit the medical limitations of injured employees by modifying workstations, altering specific tasks or working reduced hours. If this is not possible, temporary transitional jobs may be made available either in your current position or through a temporary assignment.

Examples of these transitional jobs or tasks include: Assisting other PCAs/Homemakers, filing, shredding, purging drawers and other clerical work, watching safety and other training videos in the office, being an activity aid, being a companion for program participants, cleaning, reading to participants, running errands, etc.

This return to work program is an important part of the Cherish commitment to manage work related injuries in a way that is best for our employees and for Cherish.

Notice to employees -- Under the Minnesota Wage Disclosure Protection law, you have the right to tell any person the amount of your own wages. Your employer cannot retaliate against you for disclosing your own wages. Your remedies under the Wage Disclosure Protection law are to bring a civil action against your employer and/or file a complaint with the Minnesota Department of Labor and Industry at (651) 284-5070 or 1-800-342-5354.

Policy reviewed and authorized by the Cherish owners at a formal Board of Directors meeting



Last policy review: 8/22/2023