

This is a sample manual. Additions, deletions or changes should be made to reflect the policies and practices in your office. However, the IMPORTANT NOTICE that appears on page 1 and again under the heading ATTESTATION BY EMPLOYEE on page 14 should not be altered or reduced in font size. Any questions should be directed to the General Counsel at the New Jersey Dental Association: (732) 821-9400

SAMPLE

DENTAL OFFICE

EMPLOYEE MANUAL

Revised: January 2019

IMPORTANT NOTICE

THIS MANUAL IS NOT A CONTRACT BETWEEN THE EMPLOYEE AND EMPLOYER. THERE IS NO PROMISE OF ANY KIND BY THE EMPLOYER CONTAINED IN THIS MANUAL. REGARDLESS OF WHAT THE MANUAL SAYS OR PROVIDES, EMPLOYER PROMISES NOTHING AND REMAINS FREE TO CHANGE WAGES, BENEFITS, POLICIES, PROCEDURES, WORKING CONDITIONS AND ANY OTHER TERMS OR CONDITIONS OF EMPLOYMENT WITHOUT HAVING TO CONSULT ANYONE AND WITHOUT ANYONE'S AGREEMENT. EXCEPT AS OTHERWISE PROVIDED BY WRITTEN AGREEMENT OR PROHIBITED BY LAW, EMPLOYER CONTINUES TO HAVE THE ABSOLUTE POWER TO FIRE ANYONE WITH OR WITHOUT GOOD CAUSE AND WITHOUT PRIOR NOTICE.

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DENTAL PRACTICE MISSION STATEMENT

This dental practice exists to provide quality dental care to its patients on a timely and efficient basis.

EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of the dental practice not to discriminate against employees and applicants for employment on the basis of race, color, national origin, sex, age, religion, marital status or the presence of any sensory, physical or mental handicap (provided that such handicap does not hinder job performance) with respect to recruitment, hiring, training, promotion and other terms and conditions of employment. All employment decisions shall be consistent with the principle of equal employment opportunity.

Any employee or applicant who feels that he or she has been discriminated against due to race, color, religion, sex, age, national origin, marital status or sensory, physical or mental handicap should report such incidents to management without fear of reprisal. Confidentiality will be maintained.

ANTI-HARASSMENT POLICY

The dental practice is committed to the principle that all individuals should be treated with dignity and respect. Harassment of an individual on account of race, sex, sexual orientation, disability, age, religion, national origin or for any reason will not be tolerated.

Although harassment for any reason is contrary to office policy, sexual harassment is a problem which deserves particular attention. Sexual harassment includes unwelcome sexual advances, requests for sexual favors and other unwelcome verbal or physical conduct of a sexual nature.

Any employee who witnesses harassment, or who believes that he or she has been harassed should report it immediately to management. All reports will be investigated promptly, fully and completely, and special privacy safeguards will be applied in handling sexual harassment complaints. No reprisals will be taken against an employee for making a complaint. The office will keep confidential documentation of all allegations and investigations, and will take appropriate corrective action, including disciplinary measures against employees and dismissal of patients from the practice, when justified, to remedy all violations of this policy.

SUSPECTED MISCONDUCT AND DISHONESTY

The employer will not tolerate theft or other misappropriation of assets, misstatements and other irregularities in company records, wrongdoing, forgery or other alteration of documents, fraud and other unlawful acts and any similar acts. It is improper to make a false report or to provide false, inaccurate, deceptive or misleading information in any patient record or to any insurer, third party administrator, patient or any other person. Every employee has a responsibility to report suspected misconduct

and dishonesty.

EMPLOYEE STATUS

Except as otherwise provided by written agreement or prohibited by law, employment in this office is “at will”, meaning that either the employee or the employer can terminate the employment relationship at any time, with or without cause and without prior notice.

All employees who regularly work full-time are entitled to benefits generally described in this employee manual, but specifically governed by benefit plan terms. Other benefits as required by law are also provided. The employer reserves the right to alter, change or discontinue such benefits at any time or for any reason.

Regular full-time employees are those who are employed 52 weeks a year and work a minimum of 35 hours per week. Part time employees working less than an average of 20 hours per week, per year, are ineligible for holiday, vacation or sick day wages, or any other benefits.

CONTACTS WITH PATIENTS AND THE PUBLIC

This office expects every employee to display good judgment, diplomacy and courtesy when dealing with patients and the public and to adhere to the highest standards of personal and professional ethics.

With that in mind, every person must be offered every courtesy when contacting the office, whether in person, by mail or by telephone. Employees should handle all contacts efficiently and promptly. It is especially important that telephone calls be returned without delay and, whenever possible, on the same day. Arrogance or rudeness from a staff member will not be tolerated.

Telephone calls should always be responded to courteously and with the thought of helping the caller. This means that even when having to decline help, being unable to help or when dealing with rude individuals, courtesy from the dental office staff must be the rule. All our salaries are paid for by the people who we hope will continue to use our services. Try to help a caller if you are able. Do not pass him/her off to someone else because you are “too busy” or “don’t want to be bothered”.

Respect patient confidentiality and privacy and determine our authority to provide any patient information before complying with the request.

When answering a question that requires research or other conversation, put the caller on “HOLD”. Do not lay the phone down on a desk while you do research. Embarrassing situations can arise when the caller overhears something unprofessional while waiting for you to return to the phone.

Remember that your voice conveys your attitude which our patients can hear.

Proper business decorum is always expected, but it is especially appropriate when patients are present. Each employee should always be aware of such situations and make certain proper business department is followed.

EMERGENCY PROTOCOL

In the event of a dental emergency, all employees are expected to follow the written emergency protocol established by the office.

CONFIDENTIAL INFORMATION

Careful custody and handling of patient information and documents or materials containing confidential information or trade secrets is of great importance. Each employee is responsible for safeguarding against theft, loss, unauthorized use, or disclosure of this information. Therefore, all employees must take whatever steps are necessary to assure that all documents and information is handled, stored, transmitted, or destroyed in a manner that will preserve confidentiality and eliminate loss or misuse.

All patient protected health information, including financial information, should be kept strictly confidential and not discussed with or disclosed to any person who, or entity which, is not an authorized representative of the patient.

PRESCRIPTION PADS

The law requires that prescription pads be kept in a secure place out of the sight of patients and other visitors to the office. Pads should never be left in a location where blank prescription forms can be easily stolen.

TELEPHONE USAGE

Employees occasionally may have to make personal calls during work hours. They should be limited in quantity and duration. All long-distance personal calls must be charged to a home telephone number or credit card.

LANGUAGE

Throughout the dental office, conversations or comments may be overheard by patients in the reception area or in an operatory. Every employee should assume this and speak accordingly. Boisterous talking, arguing, complaining, profanity, or loud laughing are an unprofessional way to conduct business and must be avoided. Always portray a businesslike demeanor in the dental office.

APPEARANCE

Employees must wear uniforms or protective clothing whenever specified by the employer. In addition, while the employer's attitude toward acceptable clothing for office wear is to accept casual business clothing, there are some items that are not appropriate for dental office wear. These items include:

- T-shirts with vulgar or suggestive language
- Casual shorts such as cut-offs or stretch shorts
- Extremely sheer clothing
- Tank tops with no other body covering
- Any outlandish or overly revealing attire

It is impossible to list every item that might be unacceptable, so if there is a question about a particular clothing item, see the office manager or dentist for approval. Management may send an employee home, if necessary, to change into something appropriate for dental office work.

RECEIVING GUESTS AND VISITORS

The reception area must be staffed at all times during all office hours. No persons other than employees are permitted behind the reception desk. Patients should be greeted promptly and courteously by the person sitting at the reception desk.

Vendors of products, collectors for charity, etc., are not permitted to solicit in the dental office.

HOURS OF BUSINESS

The dental office's general hours of business are ___ a.m. to ___ p.m. Monday through Friday, and ___ a.m. to ___ p.m. Saturday. Individual work assignments vary.

PERFORMANCE OF WORK

An employee is expected to perform all assigned tasks which the employee is qualified, competent and legally authorized to perform. This extends to the full range of tasks pertinent to the employee's position. It also includes the proper maintenance of patient charts and records and avoiding patient neglect. All registrations, certifications, permits, continuing education or other governmental authorizations must be kept current. Employees must comply with all statutes and regulations (including, but not limited to, OSHA and HIPAA) applicable to this office.

ATTENDANCE

All staff members are responsible for good attendance and punctuality. This means reporting to work on each scheduled workday unless illness or other unavoidable circumstances make it impossible to do so, or unless prior permission to be absent has been given by management.

If you expect to be more than ten minutes late, call the office. If you will be absent from your position for the entire day, call the office as early as possible so alternate staffing may be arranged. Contact the office manager or the dentist if you feel you need to leave during the day for illness, injury or some other compelling reason.

Chronic lateness or poor attendance can result in job action. These reasons may be a consideration in the employer's decision about whether to continue the employment relationship.

CHILDREN AT WORK

Due to the potential liability to the office from possible injuries, employees may not have children stay with them during working hours. Employees should arrange for daycare and transportation needs for their children. If child care arrangements cause a conflict, employees should use sick or vacation leave to take care of these problems.

WORK SCHEDULE

The work schedule of the dental office is organized upon (a) the demand and flow of the work, and (b) the patient appointment calendar. For example, if the dentist is away from the office for seminars, vacation or illness or other such reason, or when the appointment calendar is light, the work schedule may be revised to match the need for services in each job category. Consequently, even full-time employees are not guaranteed any minimum number of work hours. Compensation is based on hours worked rather than a regular weekly salary. An effort is made to schedule work with reasonable advance notice, but sudden changes and emergencies do arise.

LUNCH

Unless otherwise provided, employees are allowed one hour for lunch. The lunch break taken is not part of compensated work time. Lunch and other breaks may be staggered as are some starting and quitting times, in order to cover all the hours we are open. Under federal law, employees are entitled a 15-minute break for every four hours worked.

ABSENCE DURING BUSINESS HOURS

Staff members must keep the employer advised where they can be reached when they leave the office during business hours.

OVERTIME

Occasionally, employees are called upon or need to work more than 40 hours in one week (Sunday through Saturday). All overtime work must be discussed and approved with management before working. Often there are valid reasons for overtime. Discussion with management may result in other ways to accomplish the tasks.

Employees who are considered non-exempt under the provisions of the Fair Labor Standards Act (FLSA) will be compensated at the regular pay rate for up to 40 hours worked in a workweek. Any hours worked by a non-exempt employee over 40 will be paid at 1½ times the employee's regular rate of pay. Holidays, vacations and other forms of paid leave are treated as hours worked for purposes of computing authorized overtime.

An overtime sheet completed and approved by the person in charge of personnel must be completed and submitted to the employer.

Employees who are considered exempt under the FLSA are not entitled to payment for overtime. Executive and administrative staff members are expected to work the hours necessary to accomplish their assigned duties. Due to the nature of professional services, it is recognized that this may mean evening and weekend activities in excess of regular hours. In recognition of this, executive and administrative staff generally are offered other benefits and are not charged for personal time out of the office.

INCLEMENT WEATHER CONDITIONS

Weather conditions which prevent employees from reporting to work are something over which the employer has no control, therefore the following will prevail:

1. Only those who report to work during inclement weather conditions will be paid. The pay will be equal to the actual hours worked. Anyone who does not report to work will not be paid.
2. If employees are instructed not to come to work or are sent home, they will be paid for all hours they were scheduled to work.
3. If an employee requests to go home early during inclement weather conditions and the request is granted, he or she will be paid only for the hours worked.
4. If the employer is closed because of inclement weather conditions, all employees will be paid for the hours they were scheduled to work.
5. Employees who do not report to work or who leave work early, as described in 1 and 3 above, may have their absence charged to either vacation time or personal leave.

COMPENSATION

Compensation is treated confidentially by management and should be treated in that manner by all employees. Employee compensation will be established based upon budgetary considerations taking into account job performance, attitude and contribution to the office. Salary reviews normally occur once each year during the last calendar quarter. Salary adjustments are based upon merit. Nevertheless, the employer reserves and retains the right, in its sole and absolute discretion, for any reason or for no reason, to increase or decrease compensation at any time and in such amount as it shall determine.

PAYDAY

Employees receive their pay checks bi-weekly (every other week) and checks will be distributed on Friday. For salary purposes, pay periods end on Friday. If a vacation falls during a pay period, the employee who distributes checks will make a reasonable

effort to ensure payment before the vacation begins.

Social security, federal and state income taxes, temporary disability and unemployment insurance are automatically deducted from gross salary in a pay check. Any employee who wants additional payroll deductions or has any questions should speak with the employee responsible for personnel. An employee can discuss any unresolved issues with the dentist.

EMPLOYEE BENEFITS

The following benefits are provided to all full-time employees:

[Describe pertinent benefits, if any]

This is a brief summary of the benefits and does not constitute a contract, express or implied. Except as otherwise required by law, the employer reserves the right, in the employer's sole and absolute discretion, to change or discontinue benefits at any time for any reason.

HOLIDAYS

This office observes the following paid holidays:

President's Day
Memorial Day
Fourth of July
Labor Day
Thanksgiving Day
Christmas Day

If any paid holiday falls on a Saturday or Sunday, the day off will be at the discretion of the employer, with the intent to keep the office open and functioning efficiently. If a paid holiday occurs during a day used by an employee for paid time off, that day will not be counted against paid time off.

PAID TIME OFF POLICY

Paid time off includes, but is not limited to, vacation time, personal time, sick leave and such other time as may be required by law. It does not include paid holidays, which are treated separately in this Manual.

Since service must continue uninterrupted in the dental practice, whenever possible, the office will attempt to accommodate dates to suit employee's requests. Paid time off must be used in one-half (1/2) day increments. In addition, an employee who takes unearned paid time off and leaves employment before completing a corresponding

amount of working time will be required to immediately pay to the employer the amount of money owed.

Full Time Employees

Except as required by law, full-time employees earn one week of paid time off after the first year and two weeks of paid time off after completion of the second year and each subsequent year. The word “after” will be taken to mean at the completion of the described period, not during the period mentioned. Paid time off will be based on a calendar year. Unless approved by the office or required by law, no employee may use paid time off until a minimum of 6 full calendar months of employment has been completed. Further, except as provided by law, paid time off must be used during the year (12 months) after it is earned and may not be held over to another year. If a paid holiday results in the dental office being closed and it falls within the period in which an employee takes paid time off, a full time employee may add a paid time off day.

Temporary or Part Time Employees

Except as required by law or otherwise stated in this Manual, temporary or part-time employees receive paid sick leave but no other paid time off. An employee who terminates employment or whose employment is terminated will be paid for earned but unused paid time off.

All Employees

Anything in this section on paid time off and/or in this Manual to the contrary notwithstanding, if there is a conflict between any provision in this Manual and any right(s) granted to employees under federal, state or local law, then this Manual will be superseded and applicable federal, state and/or local law will prevail. By way of example, the terms and provisions of the New Jersey law governing earned sick leave, N.J.S.A. 34:11D-1 et seq. and any implementing regulations are incorporated by reference and will be fully applicable to all employees as if fully stated herein.

UNPAID LEAVE OF ABSENCE

Except as otherwise required or provided by law, unpaid leave of up to 12 weeks may be allowed, in the discretion of the employer, for employees because of childbirth or placement of an adopted or foster child, their own serious health condition, or because they need to care for a member of their immediate family with a serious health condition. The office will attempt to reasonably accommodate requests for unpaid leave.

The employee must give reasonable advance notice of a requested leave if possible. Also, the employer reserves the right to deny leave if permitted by law.

As permitted by law, the employer reserves the right to require a certification by a licensed physician or other documentation in support of any leave.

Employees may be asked to report periodically their status and intentions on

returning to work. If leave exceeds 12 work weeks in a one-year period, it must be approved by the employer with a case-by-case determination. There is no guarantee of continued employment.

COURT LEAVE

If a full-time employee is subpoenaed or otherwise receives a valid notice to appear for petit jury duty, as a witness in court, administrative proceeding, or deposition, the employee shall be paid regular salary for one business day. A full-time employee will not be compensated for time spent serving on a grand jury.

FUNERAL ARRANGEMENTS AND ATTENDANCE

At the discretion and upon the approval of the employer, an employee may receive up to three days [with] [without] pay if time is lost from work making funeral arrangements and/or attending a funeral.

EMPLOYEE RECORDS

Employee personnel files contain important information. Among other items, they list salary, sick and vacation days and leave history. Employees are responsible for informing the employer, in writing, of any change of home address, telephone number, marital status, number of dependents, change in beneficiaries related to insurance, hospitalization, withholding taxes, etc. Problems, including but not limited to those with taxes and employee benefits, can arise when information is not accurate.

Employee records are confidential. Only the employee, his or her representative designated in writing, the employer, its Legal Counsel, the employee who maintains personnel records and others who the employer determines have a need to know have access to them. Although the employer will keep such records confidential, there is a chance they may be seen by an unauthorized person. In such an instance, the employer cannot and will not be responsible.

If the employer receives a subpoena or discovery request in litigation that calls for the production or copying, in whole or in part, of a personnel file, it will notify the employee of the subpoena or request to enable the employee to present any objections he or she may have to the Court. The employer will comply with a subpoena or court order requiring the production or release of any records.

GRIEVANCES

It is the desire of the employer to maintain positive relations with all employees by constantly seeking to provide mutual understanding and respect through fair and considerate dealings. In the event an employee has a grievance against the office, another employee or an office policy, the matter should first be taken to the employee's immediate supervisor, if feasible. If the grievance involves the immediate supervisor's personal conduct or, if after consultation the matter has not satisfactorily been resolved, then the employee should take the grievance directly to the dentist.

VOLUNTARY TERMINATION

Unless shortened by the employer, any exempt employee who decides to terminate employment is expected to provide at least one month's notice. Non-exempt employees are expected to provide at least two full weeks' notice. This is a common courtesy in the business community and necessary to allow for a replacement without disrupting the continuity of the position. Once submitted, resignations are considered final.

An employee's last day of work actually on the job is construed to be the last day of active employment and considered the official termination date, even though payment of salary/wages may extend beyond that date. Upon termination, any and all wages due will be mailed to the employee or made available for pickup on the regular payday for which such earnings would normally be paid, unless sooner paid to the employee at the discretion of the employer.

SEVERANCE PAY

Severance pay, in addition to earned vacation pay, may be provided to employees whose employment was terminated by the employer. The amount of severance pay, if any, will be determined by the employer after taking into account the employee's length of service and other facts deemed relevant by the employer. As a general rule, two weeks severance pay will be given to employees with at least one year's service. However, there is no promise or agreement, express or implied, to provide severance pay. No severance payment will be made when an employee quits without providing required notice, or when an employee is discharged for misconduct, serious breach of business practice or failure to cooperate with policy, or for any reason in the discretion of the employer.

NO SOLICITATION OR DISTRIBUTION

Employees are not permitted to engage in any solicitation or distribution of literature during their working time. Literature may not be distributed in working areas at any time. Working employees should not be interrupted for any solicitation or distribution by employees who themselves are not on working time. In addition, non-employees will not be permitted to solicit employees in the office at any time unless expressly permitted by the employer.

SERVICE AGREEMENTS

The execution of service agreements, contracts, etc. shall be signed only by the employer or the employer's designee.

OFFICE SECURITY

The employer cannot be held responsible for the safety of your personal belongings. Therefore, all employees are strongly urged to keep handbags, money, keys and other valuables in locked drawers. Any staff member who must work late or on

weekends should be certain to keep all outside office doors locked. The last person to leave the building should be sure to leave on only the proper lights and to engage all security devices.

ALCOHOLIC BEVERAGES AND DRUGS

The abuse of lawful drugs, the use of unlawful drugs or alcoholic beverages, or the possession, buying or selling of unlawful drugs or alcoholic beverages at any time on office premises is strictly prohibited, except, however, on rare occasions, wine, beer or liquor may be served during a social function with the permission of the dentist. Being under the influence of alcoholic beverages or illegal substances when working, reporting for work or at any other time is prohibited and will lead to the termination of employment.

CLOSING THE OFFICE

When the dental office is closed at the end of the business day, employees are responsible for shutting off machines in their area or shutting off machines that they notice are on in other areas. Windows should be closed, doors locked and lights turned out by the last employees leaving each night.

USE OF COMPUTERS

The employer provides computers for those employees whose work requires them. As with all other office equipment, the computer is to be used to assist employees in doing their jobs for the office. While it is recognized that employees may occasionally need to use computers for personal matters during work hours, such use should be limited and not interfere with work. In addition, computers should never be used for improper or illicit purposes. All computer files are subject to review by the employer at any time, without notice.

HOUSEKEEPING

The lunchroom/kitchen area exists for the use and benefit of employees, and will continue to be used as long as it is kept clean and neat. Employees are responsible for seeing that their utensils are placed in the dishwasher or otherwise cleaned, and that food, bottles, cups, etc. are cleaned from the lunchroom/kitchen after use.

Employees are responsible for maintaining a clean, uncluttered work space. Coffee, tea and other appropriate drinks may be consumed in offices, but all disposable bottles, can and cups should be properly discarded at the end of the day. All employees must observe the laws governing recycling.

NON-SMOKING FACILITY

All areas of the dental office are designated non-smoking areas. Any smoking by employees must be done outside the building.

GENERAL MATTERS

An effort is made to keep the Employment Manual current. However, as with all businesses, rules and policies are frequently adopted from time to time which may not yet be reflected in this collection of policies. Such rules, when adopted, are fully applicable to the employment relationship.

When an employee identifies a policy which is contradicted by later rules or is clearly outdated, it should be brought to the attention of the employer so that the collection of policies can be kept current.

The employer reserves the right, in its sole and absolute discretion and without prior notice, to change any office policy or practice.

ATTESTATION BY EMPLOYEE

A copy of this Dental Office Employee Manual was given to me for my review. I had the opportunity to take it home, to read it at my leisure and to consult with any persons of my choice. In addition, any questions that I had were answered to my satisfaction by the employer. I understand that my employment is subject to the following provision clearly set forth in this Dental Office Employee Manual:

THIS MANUAL IS NOT A CONTRACT BETWEEN THE EMPLOYEE AND THE EMPLOYER. THERE IS NO PROMISE OF ANY KIND BY THE EMPLOYER CONTAINED IN THIS MANUAL. REGARDLESS OF WHAT THE MANUAL SAYS OR PROVIDES, THE EMPLOYER PROMISES NOTHING AND REMAINS FREE TO CHANGE WAGES, BENEFITS, POLICIES, PROCEDURES, WORKING CONDITIONS AND ANY OTHER TERMS OR CONDITIONS OF EMPLOYMENT WITHOUT HAVING TO CONSULT ANYONE AND WITHOUT ANYONE'S AGREEMENT. EXCEPT AS OTHERWISE PROVIDED BY WRITTEN AGREEMENT, THE EMPLOYER CONTINUES TO HAVE THE ABSOLUTE POWER TO FIRE ANYONE WITH OR WITHOUT GOOD CAUSE AND WITHOUT PRIOR NOTICE.

(Signature of Employee)

Dated: _____