



EMPLOYEE HANDBOOK

The Biomedical Research Institute of New Mexico (BRINM) has prepared this Employee Handbook (“Handbook”) to inform employees of its employment practices, policies, and benefits, along with the conduct expected from management and employees. The policies in this Handbook are guidelines only and are subject to change, at any time and without advance notice, at the sole discretion of BRINM. Employees of BRINM are “at-will,” which means that either BRINM or the employee may terminate the employment relationship at any time, with or without notice, and for any reason or no reason at all. No part of this Handbook is a contract for employment or a guarantee that employment will continue for a certain length of time. A BRINM employee cannot have an oral contract of employment. The only time a BRINM employee may have a contract of employment is if it is in writing and signed by both the employee and the President of BRINM.

Handbook Revision – June 2026

ACKNOWLEDGEMENT OF RECEIPT AND UNDERSTANDING

I hereby acknowledge that I have received a copy of the Biomedical Research Institute of New Mexico (BRINM) Employee Handbook. I have read the Handbook and have had the opportunity to ask questions about the Handbook, and I agree to comply with its provisions. I understand that the information contained in this Handbook is merely a summary of the current policies and procedures and is not intended or to be construed as a contract of employment. I further understand that BRINM reserves the right to revise such policies or procedures at any time, with or without notifying me in advance.

I understand that my employment at BRINM is “at-will,” which means that either BRINM or I may terminate the employment relationship at any time, with or without notice, and for any reason or no reason at all. I understand that no supervisor, manager, or representative of BRINM, other than the President, has any authority to enter any contract for employment for any specified period of time or to make any agreement contrary to the foregoing.

I recognize that it is my responsibility to read, understand, and comply with the policies and procedures outlined in the Employee Handbook.

EMPLOYEE'S SIGNATURE

EMPLOYEE'S NAME (TYPED OR PRINTED)

DATE OF RECEIPT

Return the signed and dated form to the BRINM Administrative Office within seven (7) business days of date of hire.

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INTRODUCTION AND WELCOME

We are pleased that you have decided to join the Biomedical Research Institute of New Mexico (BRINM). We hope our association will be mutually beneficial.

In return for your support, BRINM will endeavor to make your employment as satisfying as possible.

We urge you to never lose sight of the importance of your job to the overall effectiveness of our Institute.

This Handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. It is not an employment contract. Employees should familiarize themselves with the contents of the Handbook as soon as possible, for it will answer many questions about employment with this organization. Feel free to ask questions about anything you don't understand.

We hope that your experience here will be challenging, enjoyable, and rewarding.

Sincerely,

Jennifer Hogan
Executive Director

INTRODUCTORY STATEMENT

This Handbook is designed to acquaint the employee with the Biomedical Research Institute of New Mexico (BRINM) and to provide the employee with information about working conditions, employee benefits, and some of the policies affecting the employment. The employee should read, understand, and comply with all the provisions of the Handbook. It describes many responsibilities of an employee and outlines the programs developed by BRINM to benefit the employees. One of BRINM's objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or question about policies. As BRINM continues to grow, the need may arise to change policies described in this Handbook. BRINM, therefore reserves the right to revise, supplement, or rescind any policies or portion of the Handbook, as it deems appropriate, in its sole and absolute discretion and without advance notice. BRINM will attempt, however, to notify employees of Handbook changes as they are made.

The information contained in this Handbook is merely a summary of present policies and procedures and is not intended or to be construed as a contract of employment nor a legal document. All employment at BRINM is "at-will," which means that either BRINM or the employee may terminate the employment relationship at any time, with or without notice, and for any reason or no reason at all.

No supervisor or representative of BRINM, other than the President, has any authority to enter into any agreement for employment for any specified period, or to make any agreement contrary to the foregoing.

ORGANIZATIONAL DESCRIPTION OF BRINM

BRINM is classified as a public nonprofit organization under the Internal Revenue Code 501(c)(3). It is one of more than 80 similar nonprofit organizations associated with Department of Veterans Affairs (VA) Medical Centers nationwide. Passed in 1988, Public Law 100-322, Section 204 authorizes the establishment at any VA medical center of a nonprofit corporation to provide a flexible mechanism for the receipt and administration of research/education funds other than VA appropriations. The purpose of BRINM is to advance the research and education mission of the VA through the support of research/education-related activities at the New Mexico VA Healthcare System (NMVAHCS).

Sources of funding which BRINM may receive include grants, contracts, or gifts from for-profit companies, charitable foundations, the National Institutes of Health or other Federal agencies, professional societies or other nonprofit entities, and individuals. Because the only statutory purpose of BRINM is to facilitate VA research and education, all funds received must be administered for purposes relating to VA approved research or to further research related education.

The mandated members of the Board of Directors for BRINM are the NMVAHCS Director, the NMVAHCS Chief of Staff, NMVAHCS Associate Chief of Staff for Research and the

NMVAHCS Associate Chief of Staff for Education. In addition, at least two members are required who are not officers or employees of the Federal Government but are familiar with issues involving medical and scientific research.

Currently, BRINM administers funding for different VA-approved research and education projects and employs full-time and part-time individuals. Some of the projects are funded entirely through BRINM and for others, BRINM administers supplemental funding. Although most of the research and education on these projects is conducted at the NMVAHCS, some of the work is carried out as cooperative studies at other locations. Some of the medical disciplines encompassed in these studies are audiology, cardiology, endocrinology, gastroenterology, immunology, neurology, oncology, psychology, and psychiatry.

BRINM has proven invaluable as a means for handling medical research and education funding. This mechanism has enabled investigators to conduct their research in an expeditious manner, free from much of the usual institutional red tape. Because of this, BRINM has become a well-established institution with a growing number of active investigators and research/education projects. As BRINM's activities have evolved, its mission has expanded to provide funding for research and education projects. BRINM is located on the NMVAHCS campus. Jennifer Hogan is the Executive Director. Any employee, who has any questions or would like additional information about BRINM, should call 505-256-5467.

CONFLICTS OF INTEREST

All BRINM employees are subject to federal statutes and regulations applicable to federal employees with respect to conflicts of interest in the performance of official duties. At the time of hire, each employee signs and submits to BRINM a "Standards of Ethical Conduct for Employees of the Executive Branch" statement certifying awareness of, and compliance with, these laws and regulations. Also, at the time of hire, each employee must complete the required training "Conflict of Interest (COI) Training for VA Nonprofits" within seven (7) days of date of hire.

All BRINM employees must avoid situations in which personal interest conflicts with the interests of BRINM or compromise BRINM's reputation or integrity. A conflict of interest, or the appearance of one, occurs when an employee or an employee's immediate family member uses his/her position with BRINM for personal benefit through an investment, association, or business relationship that interferes with the employee's ability to exercise independent judgment on BRINM's behalf. Employees must disclose any unavoidable conflicts of interest to BRINM. BRINM also encourages employees to disclose potential conflicts to BRINM when situations occur that could cause concerns.

Employees may not accept meals or other gifts of more than a nominal value from salespeople, vendors, suppliers, or any other solicitors. A request for an exception to this rule must be submitted to BRINM before acceptance.

ETHICAL CONDUCT POLICY

As a nonprofit organization supporting research and education at the VA Medical Center, BRINM's policy is to uphold the highest legal, ethical, and business standards. Our grantors, other donors, and educational partners support BRINM because they trust BRINM to be a good steward of their resources, and to uphold rigorous standards of conduct. BRINM's reputation for integrity and excellence requires the careful observance of all applicable laws and regulations, as well as a scrupulous regard for the highest standards of conduct and personal integrity.

BRINM will comply with all applicable laws and regulations and expects its directors, officers, and employees to conduct business in accordance with the letter and spirit of all relevant laws; to refrain from any illegal, dishonest, or unethical conduct; to act in a professional, businesslike manner; and to treat others with respect. Directors and officers should not use their positions to obtain unreasonable or excessive services or expertise from BRINM's staff.

In general, the use of good judgment based on high ethical principles will guide directors, officers, and employees as to what is acceptable conduct. However, if a situation arises where it is difficult to determine the proper course of conduct, or where questions arise concerning the propriety of certain conduct by an individual or others, the matter should be brought to the attention of BRINM. Employees should contact their immediate supervisor and, if necessary, BRINM. Board members should raise any such concerns with the Chair or the Secretary/Treasurer of BRINM's Board.

BRINM'S NONDISCLOSURE POLICY

PURPOSE

To require all Biomedical Research Institute of New Mexico (BRINM) employees to maintain the confidentiality of VA, third party, and BRINM confidential information.

SCOPE

This policy applies to all BRINM employees, including those who hold a VA Without Compensation (WOC) appointments.

DEFINITION

Confidential Information is defined as information of any kind, nature, or description concerning any matters affecting or relating to employees' services for BRINM as further described under part 4.0.

POLICY

BRINM employees are required to maintain the confidentiality of information obtained in the performance of their duties. There are three main categories of confidential information that BRINM employees will encounter:

1) *VA Confidential Information.* – VA is subject to various laws regarding confidentiality, including but not limited to the Privacy Act, the Health Insurance Portability and Accountability Act of 1996 (Public Law 104-191), the Freedom of Information Act, and 38 U.S.C. §§5701, 5705, and 7332. VA may only use or disclose Confidential Information consistent with applicable legal authority. Examples of VA Confidential Information include Individually Identifiable Information contained in VA patient files, VA data, VA research and VA employee records including but not limited to licensure and credentialing.

2) *Third Party Confidential Information.* – Confidential Information obtained from federal or nonfederal sponsors and research collaborators in the context of potential and actual collaborative research and/or education. This information includes, but is not limited to, trade secrets, commercial, financial information, protocols and data.

3) *BRINM Confidential Information.* – Confidential information of BRINM, such as budget, personnel, and information pertaining to internal business operations matters.

For New Employees – New employees shall be provided a copy of this policy and shall be required to execute a nondisclosure agreement as part of their orientation process within 15 days of hiring.

For Existing Employees – Existing employees who have not executed a nondisclosure agreement shall be provided a copy of this policy and will be required to execute a nondisclosure.

For VA WOC Employees - BRINM employees who hold a VA Without Compensation appointments are subject to various laws regarding confidentiality, including but not limited to the Privacy Act, Freedom of Information Act, 38 U.S.C. §§5701, 5705, and 7332. VA WOC employees may only use or disclose confidential information consistent with applicable authorities. Requests for disclosure of confidential information will be handled in accordance with 5 U.S.C. §552, E.O. 12600, and 38 C.F.R. 1.554a. VA employees are bound by 18 U.S.C. § 1905, known as the Federal Trade Secrets Act, to not disclose confidential and proprietary information disclosed to them in the conduct of their official duties. Additionally, the Economic Espionage Act of 1996 makes the theft or misappropriation of a trade secret by VA employees a federal crime. 18 U.S.C. §§ 1831-1839.

NDA Record Maintenance – NDAs shall be maintained in the BRINM employee's personnel file.

WORKPLACE BEHAVIOR POLICIES

No Harassment Policy

BRINM absolutely prohibits any form of sexual harassment or other form of harassment based on race, color, national origin, gender, sex, sexual orientation,

gender identity, age, ancestry, religion, disability, marital status, status with regard to public assistance, veteran status, or any other legally-protected status.

BRINM is committed to maintaining a pleasant workplace environment for all employees, which is free from harassment of any kind, including sexual harassment. The core guiding principles of BRINM, by committing all employees to “treat all with dignity and respect” and to be “professional in everything they do,” set the standard of workplace behavior. Although this policy focuses primarily on sexual harassment, it applies equally to all forms of harassment and the procedures and guidelines within this policy apply to all kinds of harassment. Consequences for violations of this policy include immediate termination of employment.

All Harassment Prohibited

BRINM is committed to providing a work environment that is free of harassment and it will not tolerate harassment in any form no matter who the harasser is, including vendors, clients, visitors, or others an employee may come in contact with in performing his or her job functions. Harassment is not limited to only sexual harassment. Harassment at work or in work-related settings also may include harassment based on an individual’s race, color, national origin, gender, sex, sexual orientation, gender identity, age, ancestry, religion, disability, marital status, status with regard to public assistance, veteran status, or any other legally-protected status. Prohibited conduct may also include retaliation against an employee who has made a charge of discrimination, or testified, assisted or participated in an investigation or inquiry into alleged misconduct. It is expected that employees will act professionally in the workplace and treat colleagues with dignity and respect. Sexual or racial jokes, racial, ethnic, national origin, or disability slurs; and other harassing language have no place at BRINM. Appropriate measures shall promptly be taken to correct such conduct, up to and including termination of employment.

Sexual Harassment

BRINM is committed to providing a work environment that is free of sexual harassment. BRINM will not tolerate sexual harassment in any form. Such behavior or tolerance of such behavior on the part of any employee of BRINM is in violation of state and federal law and may result in disciplinary action, up to and including termination of employment.

For purposes of this policy, sexual harassment is defined as unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when:

1. Submission to such conduct is made either implicitly or explicitly a term or condition of an individual’s employment;
2. Submission or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual; or
3. Such conduct has the purpose or effect of unreasonably interfering with the individual’s work performance or creating an intimidating, hostile, or

offensive working environment.

Many forms of offensive behavior constitute sexual harassment. Examples of this type of behavior include, but are not limited to, the following:

1. **Physical conduct** such as hugging, kissing, massaging, touching, pinching, assault, impeding or blocking movements intentionally, and/or hostile physical interference with normal work.
2. **Verbal conduct** such as using foul language, epithets, and/or slurs; commenting about another person's physical appearance; telling sexual jokes or stories; commenting about anyone's sexual activities, fantasies, or history; indirect or direct requests for sexual activity; whistling or other inappropriate noises; instigating gossip and rumors about another person's sex life; and/or unwelcome and repeated requests for dates.
3. **Visual conduct** such as making sexually-oriented gestures with facial or mouth expressions, leering, and/or suggestive body language; displaying in the workplace sexually-oriented or derogatory pictures, cartoons, objects, and calendars; and/or suggestive, obscene or inappropriate written communication of any kind.

Any conduct, whether physical, verbal, or visual, that is of a sexual nature which is unwelcome, unwanted or harmful is sexual harassment and it will not be tolerated by BRINM in the workplace or any BRINM-sponsored event. Any employee violating this harassment policy, whether the harassment is sexual or of another form, will be subject to disciplinary action up to and including termination.

Reporting Harassment

Any employee, who feels he or she is being harassed, or who is aware of any type of harassment prohibited by this policy, must report it immediately to BRINM's Human Resources (HR) Administrator or Executive Director in writing or in person. Whenever an employee reports harassment, a prompt, thorough, objective investigation will be undertaken in as confidential a manner as possible under the circumstances; provided, however, that absolute confidentiality cannot be promised to anyone making a report. If harassment is found to have occurred, prompt and appropriate remedial action will be taken. Any employee found to have violated this policy is subject to disciplinary action, up to and including termination of employment. No employee will be retaliated against for reporting harassment or participating in a related investigation.

Workplace Violence Policy

BRINM has a strong commitment to provide, and expects its employees to help provide, a safe, healthy, and secure work environment. Violence, threats of violence, and/or the possession of weapons on the worksite are prohibited and will result in disciplinary action, up to and including termination of employment. BRINM also may take such disciplinary action against any employee who illegally possesses, uses, or sells a weapon on VA

property; is convicted under any criminal statute for the illegal possession of a weapon or for committing a violent act against the person or property of another; refuses to permit inspection for the presence of a weapon; or refuses to participate in an investigation into workplace violence. BRINM prohibits the possession of weapons on BRINM property or at BRINM worksites, including weapons which are in motor vehicles on BRINM property or at BRINM worksites.

For purposes of this policy, the following terms have been defined:

1. Possession - The presence of a weapon on the employee's physical person, in his or her motor vehicle, lunch box, bag, purse, cabinets, office, etc.
2. Threats of Violence – Verbal or physical threats, threatening gestures or statements, or fighting.
3. Weapon – An explosive or a device principally designed, made, or adapted for delivering or shooting an explosive weapon; any firearm; a switchblade knife or any other type of knife; or any other implement designed for infliction of bodily injury which has no common lawful purpose.

An employee who witnesses or is aware of a violation of this policy must report the incident to the BRINM Administrative Office. Employees are also required to report violence, threats of violence, or possession of weapons by non-employees at the worksite to his or her manager or the BRINM Administrative Office.

Employees are required to inform BRINM's HR Administrator if they have obtained a restraining order from the court against any person. A copy of the restraining order must be provided to BRINM's HR Administrator.

Employee Conduct and Work Rules

To assure orderly operations and provide the best possible work environment, BRINM expects employees to follow rules of conduct that will protect the interests and safety of all employees and BRINM. It is not possible to list all forms of behavior that are considered unacceptable in the workplace, but the following are examples of infractions of rules of conduct that may result in disciplinary action, including suspension or termination of employment.

- Theft or inappropriate removal or possession of property
- Falsification of time keeping records
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcoholic or illegal drugs in the workplace, while on duty, or while operating BRINM/VA-owned vehicles or equipment

- Fighting or threatening violence in the workplace
- Negligence or improper conduct leading to damage of BRINM/VA-owned property
- Insubordination or other disrespectful conduct
- Violation of safety or health rules
- Smoking in prohibited areas
- Gambling on BRINM/VA property
- Sexual or other unlawful harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the workplace
- Excessive absenteeism or any absence without approval
- Unauthorized use of telephones, mail system, or other BRINM/VA-owned equipment
- Unauthorized disclosure of confidential information
- Unsatisfactory performance or conduct
- Failure to report injury or accident

All employment at BRINM is “at-will,” which means that either BRINM or the employee may terminate the employment relationship at any time, with or without notice, and for any reason or no reason at all. Consequently, BRINM reserves the discretion to respond to infractions of rules of conduct in a manner it deems is appropriate under the circumstances.

DEFINITIONS

Eligibility Period: During the first ninety (90) days of employment, new employees are entitled only to those benefits or programs that are required by law, such as Workers’ Compensation Insurance and Social Security withholding. New employees are eligible for employer-provided health and dental benefit on the first of the month following the new employees’ date of hire. Upon satisfactory completion of the ninety (90) day eligibility period, employees become eligible for any other BRINM-provided benefits, subject to the terms and conditions of each benefit program. The employee may contact the BRINM HR Administrator for clarification of the benefit programs.

Exempt Status: Employees classified as “exempt” will receive a biweekly salary and are not entitled to overtime compensation. Exempt employees will be expected to work the hours needed to satisfactorily meet their job requirements.

Non-Exempt Status: Employees classified as “non-exempt” will receive an hourly wage and will be entitled to overtime compensation as described in this Handbook.

Employees will be notified of their exempt or non-exempt status at their time of hire.

Full-Time: Employees who are regularly scheduled to work the organization's full-time schedule (forty (40) hours per week) are classified as “full-time.” Generally, they are eligible for BRINM's full benefit package, subject to the terms, conditions, and limitations of each benefit program.

Part-Time: Employees who are regularly scheduled to work less than forty (40) hours per week are classified as “part-time.” Part-time employees may or may not be eligible for BRINM's limited benefit package, subject to the terms, conditions, and limitations of each benefit program.

HIRING

Equal Employment Opportunity/Affirmative Action Policy

In accordance with the requirements of applicable federal and state laws, BRINM has established the following Affirmative Action Policy (AAP):

BRINM offers equal opportunity to all qualified employees and applicants for employment without regard to race, religion, color, gender, sex, national origin, age, sexual orientation, gender identity, disability, marital status, status with regard to public assistance, veteran status, or any other legally-protected status. BRINM will take positive action to ensure fulfillment of this policy in all personnel actions, including hiring, placement, promotion, transfer or demotion, recruitment, employment ads, wage rates or other forms of compensation, and selection for training, layoff, or termination. All such decisions are based on individual merit, qualification and competence, and on promotion of the principle of equal employment opportunity.

This policy is part of BRINM's commitment to comply with the requirements and objectives set forth by Executive Order 11246, Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Americans with Disabilities Act of 1990, the Uniformed Services Employment and Reemployment Rights Act, the Vietnam-Era Veterans Readjustment Assistance Act of 1974, the Rehabilitation Act of 1973 and any other applicable federal, state and local laws, as amended.

BRINM's policies and objectives regarding equal employment opportunity (EEO) and affirmative action programs will be regularly reviewed to determine the progress toward our stated goals. (See additional policies provided elsewhere in this Handbook).

Disability Accommodations

BRINM will seek to reasonably accommodate qualified individuals with a disability. Disability refers to a physical or mental impairment that substantially limits one or more of the major life activities of an individual. A qualified person with a disability means an individual with a disability who, with or without reasonable accommodation, can perform the essential functions of his or her position. Such reasonable accommodations may take the form of making existing facilities readily accessible to or usable by individuals with a disability, restructuring jobs, modifying schedules, acquiring or modifying equipment, adjusting training materials, and the like. Reasonable accommodation will be made unless it creates an undue hardship for BRINM. Any employee with a disability who requires accommodation must speak with the BRINM Administrative Office. The employee has the responsibility to provide adequate information to BRINM as part of the accommodation process and so that BRINM can properly evaluate the request.

Affiliate, Without Compensation IPA Appointment Policy

All BRINM employees must have an appointment. This appointment is issued by the Human Resource Operation Office (HROO). There are three types of appointments, Affiliate, Without Compensation (WOC) and IPA. A WOC or IPA appointed employee:

1. Is directly or indirectly involved or engaged in approved research or education; and
2. Performs such duties under the supervision of VA personnel as may be deemed an employee of the Federal Government in cases where the United States is a defendant (section 1346(b) of title 28, U.S.C.) or for tort claims procedures under the Federal Tort claims Act (28 U.S.C. §§ 2671-2680), or if appropriate, may be deemed a medical care employee of VA for purposes of malpractice or negligence claims defended by the United States (section 7316 of title 38, U.S.C.). The Department of Justice shall determine whether a Non-Profit Corporation (NPC) employee is a Federal Government employee or VA medical care employee for purposes of these statutes.

An Affiliate is a BRINM employee who does not fall within the above-mentioned criteria (i.e. BRINM Administrative Office personnel). Prior to the appointment, all potential BRINM employees must be credentialed. This process is conducted by the HROO

Employment Applications

BRINM relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented by an applicant or employee throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in BRINM's exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

Immigration Law Compliance

BRINM complies with federal immigration laws and is committed to employing only United States citizens and aliens who are authorized to work in the United States.

As a condition of employment, each new employee must properly complete, sign, and date the required U.S. Citizenship and Immigration Services Form I-9 (I-9). Before commencing work, newly rehired employees must also complete the form if they have not previously filed an I-9 with this organization, if their previous I-9 is more than three (3) years old, or if their previous I-9 is no longer valid.

Illness and Injury Policy

Regardless of the nature and severity, all injuries incurred while on the job must be reported to an employee's supervisor or BRINM's HR Administrator or Executive Director at once.

BRINM insures employees against accidental injuries under the Workers' Compensation Act. An initial Medicare provider has been established for injuries requiring more than simple first aid. A separate document, Notice of Accident, in the back of these guidelines provides detailed information.

An employee injured on the job who is sent home will be paid for the remainder of the workday.

An employee who fails to report an injury will be subject to disciplinary action.

Employees who become ill during working hours should request permission from their supervisor to go home or seek outside treatment.

In case of an extended illness, employees should follow the procedures outlined under the sick leave policy found in this Handbook. A physician's medical release may be required before an employee is permitted to return to work.

Workers' Compensation Insurance

BRINM provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment that requires medical, surgical, or hospital treatment. Any employee who sustains a work-related injury or illness should inform his or her supervisor or BRINM Administrative Office immediately. No matter how minor an on-the-job injury may appear, it is important that it be reported immediately. This will enable an eligible employee to qualify for covered benefits as quickly as possible.

As noted above, prompt reporting is the key. Benefits are automatically effective the date of hire, but nothing can happen until your supervisor and BRINM knows about the injury. Insure your rights to benefits by reporting every injury, no matter how slight. Even a cut finger can be disabling if an infection develops. The BRINM Administrative Office will provide you with the forms required to document an on-the-job injury. Please refer to the

information sheet at the back of this Handbook for detailed instructions for injuries occurring on the job.

Computer and Internet Policy

Since research and education projects are conducted on VA-owned computers, all VA rules and regulations must be obeyed. All BRINM employees are required to complete training on computer and internet usage on VA computer equipment annually. Any employee who has any questions about the VA rules and regulations on computer and Internet usage should contact BRINM's HR Administrator.

Solicitation and Distribution of Literature Policy

To prevent disruption of business and to ensure a productive working environment, it is the policy of BRINM to prohibit unauthorized solicitation of individual and/or distribution of materials on its premises by employees or third parties.

"Solicitation" refers to oral persuasion to secure an individual's agreement to join or support an endeavor or to purchase products or services, including cosmetics, jewelry, cookies, candy, gift-wrap, etc.

"Distribution" refers to the dissemination, posting of flyers, brochures, email, and other written materials promoting products, services, or an organization or cause.

Performance Reviews

Performance reviews will be conducted annually. Copies of written performance reviews will be placed in the employee's personnel file in the BRINM Administrative Office. Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. This will provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage, and recognize strengths, and discuss positive, purposeful approaches for meeting goals.

Discipline Policy

An employee who violates an employee conduct and work rule is subject to discipline, up to and including termination of employment. BRINM reserves the right to impose any of the forms of discipline described below in response to any infraction, regardless of how minor. Progressive discipline is not a prerequisite to termination, and employees have no right or reasonable expectation to progressive discipline.

The following sets forth a non-exhaustive list of forms of discipline that BRINM may impose on an employee for violation of a work rule:

- Verbal Warning – The employee may be counseled and issued a verbal warning with a memorandum placed in the employee's personnel file describing the incident and action taken.

- Written Reprimand – The employee may be counseled and given a written reprimand to be placed in the employee's personnel file.
- Probation – The employee may be subjected to a period of heightened scrutiny and subjected to a higher standard of performance and told that a single further offense of any nature may result in immediate termination.
- Suspension – The employee may be placed on suspension without pay for up to three (3) days and told that a single further offense of any nature may result in immediate termination.
- Termination – An employee may be terminated at any time for any reason or no reason at all.

In addition to the employee conduct and work rules and other policies elsewhere in this Handbook, the following sets forth a non-exhaustive list of grounds upon which BRINM may impose discipline, up to and including termination of employment on an employee:

- Excessive absence or tardiness.
- Failure to adequately perform job responsibilities.
- Failure to attend mandatory staff meetings or training sessions.
- Insubordination or failure to follow instructions.
- Conducting personal business during work time.
- Use of abusive or foul language.
- Conduct which disrupts business activities.
- Unauthorized release of confidential information.
- Failure to follow health and safety policies and procedures.
- Deliberate destruction or neglect of BRINM or VA property.
- Theft of BRINM or VA property or property of other employees.
- Deliberate injury to another person.
- Drug or alcohol use on the job.
- Intoxication during working hours or while representing BRINM.
- Unethical conduct.
- Failure to follow any BRINM policy.
- Conduct threatening the well-being of BRINM or any employee.

Training and Education

The assessment of training needs is a natural and essential part of the process of objective setting and appraisal. Such an assessment is the determination of what additional competence is required by each employee to carry out effectively the work for which he/she is accountable, and to successfully reach the objective he/she has set. BRINM's training program also plans for the personal growth and advancement of staff toward meeting the future needs of BRINM.

Most people have come to realize that self-development is usually genuine development and that it requires effort and commitment upon the part of both the supervisor and

employee. There is no better way to build the kind of team relationship needed to realize personal and BRINM goals and to maximize the growth of all concerned.

The supervisor, along with the employee, decides what experiences, changes of assignment, training, etc., are needed and where and how to obtain them. A greater commitment to the training plan will be built by the supervisor and the employee working together.

Access to Personnel Files

Personnel files are the property of BRINM and access to the information they contain is restricted. Generally, only BRINM officials and representatives who have a legitimate reason to review information in a personnel file are allowed to do so. With reasonable advance notice, an employee may review material in his or her own personnel file, but only in the BRINM Administrative Office.

Parking

If an employee drives to work, all vehicles must be registered with the VA Police and the employee must park in one of the lots provided by the NMVAHCS. Illegal parking on streets in the vicinity of the NMVAHCS creates a safety hazard. Vehicles illegally parked may be towed away at the owner's expense.

An employee's supervisor can identify which parking lot is best to use. Employees should park within the allotted spaces, obey all directional signs, and speed limits and extend proper courtesies to other drivers using the parking lots. Any employee parked improperly or in an unauthorized area, may be asked to move his or her vehicle.

Should an employee be involved in an accident while on VA property, the employee must immediately notify the VA Police. Parking facilities are provided for all BRINM/VA employees. Employees must not park in the spaces marked "reserved" Vehicles should always be locked. BRINM/NMVAHCS is not responsible for loss, damage, or theft to any vehicle in the parking areas.

Dress and Appearance

BRINM's reputation is judged partly by its employees' personal conduct and appearance. Employees are expected to dress in a clean and neat manner that is appropriate for their respective job responsibilities. For instance, employees generally may not wear overalls, t-shirts, or sweatshirts worn as outer garments, short or cut-offs, bare feet, bare shoulders, display of inappropriate tattoos or other cosmetic body markings, halters, clothing that exposes the midriff, clothing worn without appropriate undergarments, hot-pants, or mini-skirts.

ATTENDANCE AND PUNCTUALITY

Employees are expected to report for work on time, on a regular basis. Unnecessary absenteeism and tardiness are expensive, disruptive, and place an unfair burden on other employees and the supervisor. Continued unsatisfactory attendance could result in disciplinary action including, but not limited to, suspension or termination. Unsatisfactory attendance also has an adverse effect on any promotional consideration.

If an employee is going to be late or absent for any reason, telephone the supervisor or the BRINM Administrative Office (505) 256-5467 as far in advance as possible, but within two (2) hours of the start of the workday. Explanation for the absence and expected time of return to work is required.

NOTE: It is the employee's responsibility to ensure that proper notification is given. Asking another employee, friend or relative to give this notification is not considered proper, except under emergency conditions.

Any employee who fails to give such notification will be charged with an unexcused absence. If notice is given and the supervisor or BRINM does not think the absence is justified, it will be considered unexcused. The discipline that will be administered for unexcused absences includes, but is not limited to, suspension or termination.

Lunches and Breaks

To provide for rest and relaxation from regular work operations, a fifteen (15) minute rest period may be taken near the middle of each four (4) hour work period during the workday. An employee who works 6 or more consecutive hours will take a lunch period of thirty (30) minutes(unpaid). It is recommended that employees take their breaks and lunchtime away from their designated work area.

Work Schedules

Supervisors will advise all employees of the times their schedules will normally begin and end. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week. Work schedules for part-time employees will be negotiated between employee and supervisor depending on the type of work that is to be done.

Compressed Work Schedules

Supervisors have the authority to establish compressed work schedules for all their full-time BRINM employees, with the employees' agreement. There are two (2) established compressed schedules. Full-time employees on the first optional compressed schedule work eight (8) nine (9)-hour days, and one eight (8)-hour day in a biweekly pay period and then have every other Monday or Friday off. Full-time employees on the second optional compressed schedule work eight (8) ten (10)-hour days in a biweekly pay period and then have every Monday or Friday off. The compressed workweek can be

established with the understanding that the Principal Investigator's (PI) research mission will not be adversely impacted.

Employees are expected to complete all their assigned duties within a biweekly pay period. The PI or his/her authorized representative should carefully monitor all employee work hours and verify the employees' biweekly BRINM time or leave according to policy. BRINM employees are not required to work the compressed workweek.

When a holiday falls on a workday in the employee's compressed workweek, that workday is designated as his/her holiday. When a holiday falls on the Friday that the employee is regularly scheduled to be off, the holiday will be taken on the previous Thursday. When a holiday falls on the Monday that the employee is regularly scheduled to be off, the holiday will be taken on the following Tuesday.

If an employee takes one or more days of vacation or sick leave, it must be recorded as the number of hours they are regularly scheduled to work on each workday.

PAY

Pay Periods

All employees are paid biweekly on every other Friday and the net pay will be direct deposited to the financial institution provided to BRINM. Each voucher will include earnings for all work performed during the two-week payroll period.

Payroll Deductions

By law, BRINM is required to deduct, where applicable, federal withholding taxes, Social Security taxes, Medicare taxes, state withholding taxes, and garnishments from an employee's pay.

Non-Exempt Employee Timekeeping

Hours of Work and Overtime

All non-exempt, hourly employees are paid based on hours worked. When operating requirements or other needs cannot be met during regular working hours, employees will be given the opportunity for overtime work assignments. All overtime work must receive the supervisor's prior authorization with BRINM's concurrence. Overtime assignments will be distributed as equitably as practical to all employees qualified to perform the required work. Overtime compensation is paid to all non-exempt, hourly employees at the following rate(s) and in accordance with federal and state laws: One and one-half times straight rate for all hours over forty (40) in a workweek. As required by law, overtime pay is based on actual hours worked. Time off on any leave of absence or holiday will not be considered hours worked for purposes of performing overtime calculations.

Non-exempt, hourly employees who work overtime without receiving prior authorization from the supervisor and BRINM may be subject to disciplinary action including, but not limited to, suspension or termination.

Time Worked

The following provisions apply to the calculation of non-exempt, hourly employees' hours worked.

Lunch or Dinner Periods - Time off for lunch or dinner is not to be counted as time worked. The non-exempt, hourly employees must be relieved of all duties during this time.

Paid Holidays and Paid Absences – Regularly-observed paid holidays and paid absences are counted as time worked for benefits accrual, but not for purposes of calculating overtime pay.

Break Periods - Authorized fifteen (15) minute rest periods are counted as time worked.

Late Arrivals - Tardiness of less than fifteen (15) minutes is not to be deducted from hours worked. Continued tardiness more than fifteen (15) minutes may be subject to discipline.

Early Arrivals and Late Departures - The Federal Fair Labor Standards Act (FLSA) recognizes a reasonable time for getting to and leaving workstations, which time is considered as hours worked. BRINM has interpreted "reasonable time" as fifteen (15) minutes prior to and following scheduled opening and closing hours. Non-exempt, hourly employees should not arrive at workstations or record their time earlier than fifteen (15) minutes before starting time, and are not to remain on the premises more than fifteen (15) minutes after closing time unless permission has been granted to work overtime.

Work Away from Premises or at Home – A non-exempt, hourly employee shall not be permitted to perform work at home unless approved in advance by the employee's supervisor. If approved, work performed off the premises, job site or at home by an employee must be counted as time worked.

Travel – Non-exempt, hourly employees are encouraged to arrange travel time during regular working hours. Non-exempt, hourly employees on travel will only be paid for travel time that occurs during the employee's regular working hours.

In addition, non-exempt, hourly employees attending seminars or conferences will only be paid for time they are regularly scheduled to work.

Recording Working Time

All non-exempt employees are paid based on hours worked and they are required to enter their hours, daily, into an electronic timecard and/or a manual timecard for each biweekly pay period. The biweekly electronic timecard must be verified by both the employee and supervisor/approver. If BRINM has to remind any employee to enter their

hours daily to the electronic timecard, the employee may subject to disciplinary action, up to and including suspension and/or termination.

Federal and state laws require that BRINM keep records of hours worked by employees. These time records serve as evidence that BRINM is conforming with the laws in its working hours and are the basis on which overtime is paid under the FLSA.

Time records must be complete and accurate. The maintenance of inaccurate records, or the misrepresentation of the amount of actual time worked, in favor of either BRINM or the employees, is a violation of the law. The actual number of hours worked must be recorded during the week in which they are worked.

The FLSA allows employers some latitude in the way working time is recorded. BRINM starting and stopping time may be rounded to the nearest quarter (1/4) of an hour.

Reporting Pay / Minimum Hours

1. Any full-time, non-exempt, hourly employee who reports for work on a regularly scheduled workday, and who is sent home due to lack of work, will be entitled to at least four (4) hours pay at his/her regular rate of pay, unless such employee has been previously notified not to report. This provision shall not apply should it be necessary to suspend work due to conditions beyond the control of BRINM.

2. Any full-time, non-exempt, hourly employee called in to work in an emergency will be paid for a minimum of four (4) hours work.

Exempt Employees

Exempt employees will be compensated at a set salary rate. An employee who is classified as “exempt” will complete an electronic timecard for each biweekly pay period. The biweekly timecard must be verified by both the employee and supervisor/approver. Exempt employees cannot earn overtime.

BENEFITS

Eligible employees are provided with a range of benefits. Benefits eligibility is dependent upon a variety of factors. The BRINM HR Administrator can assist the employee in determining which programs the employee is eligible for. Details of many of these programs can be found elsewhere in this Handbook. If there is a conflict between the terms of the benefits described below and the terms of the benefits described in a particular benefit policy, the particular benefit policy controls. BRINM reserves the right to change or revoke any of the employee benefits offered based on business necessity; provided, however, that no revocation would become effective without employees being given a minimum of one (1) month advance notice of such revocation.

The following benefit programs are available to eligible employees:

Health Insurance
Dental Insurance

Vision Coverage
Life Insurance
Paid Holidays
Paid Vacation and Sick Leave
Retirement Program
Unpaid Leave of Absence

Health, Dental and Life Insurance

BRINM employees who have a regularly scheduled workweek of at least thirty (30) hours may elect to enroll in health insurance coverage. BRINM pays the premium less the current annual charge to the employee for the employee coverage. Premiums for the employee and child(ren) or family coverage are paid one-half (1/2) by BRINM and one-half (1/2) by the employee. All employee payments for health insurance premiums are automatically deducted each pay period. Pre-tax dollars are used for these premiums. The annual "Open Enrollment" period for the health plan is announce in the fall to take effect January 1.

BRINM employees who have a regularly scheduled workweek of at least thirty (30) hours may elect to enroll in dental insurance coverage. BRINM pays one-half (1/2) of the premiums for all types of coverage. The employee pays the remainder of the premium. All employee payments for dental premiums are automatically deducted each pay period. Pre-tax dollars are used for these premiums. The annual "Open Enrollment" period for the dental plan is announce in the fall to take effect January 1.

Term life insurance coverage is offered along with the health coverage. The benefit amount is twenty thousand dollars (\$20,000.00). It is available to all employees who have a regularly scheduled workweek of at least thirty (30) hours and the premiums are paid entirely by BRINM. This life insurance plan requires that all eligible employees either participate in the plan or sign a waiver form acknowledging that the employee was offered the benefit.

Health, dental, and life insurance will begin on the first day of the month following the date of hire and application approval by the respective insurance company. Information and application forms may be obtained by contacting the BRINM HR Administrator.

Outstanding premiums for monthly health and/or dental insurance will be deducted from an employee's final paycheck. Employees who cease their employment with BRINM and who were participating in the health or dental plan have the option to convert their coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA). Forms for continued coverage under COBRA will be provided to a departing employee through the company that facilitates COBRA. For more information about COBRA, contact the BRINM HR Administrator.

Retirement Program

All BRINM employees are eligible to participate in the retirement program. Upon enrollment in the plan, voluntary contributions will be automatically deducted from each paycheck. Contributions can be pre-tax dollars or Roth. BRINM matches the employee's

contribution dollar for dollar up to a maximum of five percent (5.0%) of an employee's biweekly earnings for those employees enrolled in the retirement program. Information may be obtained by contacting BRINM's HR Administrator.

Employee Assistance Program

BRINM recognizes that employees may wish to seek professional assistance in overcoming problems with such issues as drugs, alcohol, work and family pressures. BRINM offers information on a VA-sponsored Employee Assistance Program (EAP) to all employees. Please contact the HR Administrator for further information.

LEAVE

Full-time and part-time employees can earn paid vacation allowance and sick leave from the date of hire. The vacation becomes available after the ninety (90)-day eligibility period has been completed. The sick hours become available once accrued. Part-time employees who work less than twenty (20) hours per week are not entitled to earn vacation allowance or sick leave.

Vacation Leave

Full-time employees who have been employed for less than three (3) years can earn up to four (4) hours of paid vacation allowance and up to four (4) hours of paid sick leave in every two-week pay period. Full-time employees who have been employed for more than three (3) years but less than fifteen (15) years can earn up to six (6) hours paid vacation allowance and up to four (4) hours of paid sick leave in every two-week pay period. Full-time employees with fifteen (15) or more years of employment can earn up to eight (8) hours paid vacation allowance and up to four (4) hours of paid sick leave in every two-week pay period.

Part-time employees who work more than twenty (20) hours per week and have been employed for less than three (3) years earn paid vacation allowance at the rate of five percent (5%) of the average number of hours worked every two-week pay period. Part-time employees who have been employed for more than three (3) years but less than fifteen (15) years earn paid vacation allowance at the rate of seven and a half percent (7.5%) of the average number of hours worked every two-week pay period. Part-time employees who have been employed for fifteen (15) years or more earn paid vacation allowance of ten percent (10%) of the average number of hours worked every two-week pay period. Sick leave is earned at the rate of five percent (5%) of the average number of hours worked every two-week pay period up to a maximum of four (4) hours every two-week pay period.

Employees who were VA employees immediately prior to commencing employment with BRINM without a break of service will accrue vacation and sick leave at the same rate that they were earning as a VA employee.

The maximum amount of vacation leave that any employee can be carry forward from one calendar year to the next is two hundred and forty (240) hours. The vacation hours

will be assessed and determined at the end of the of the calendar year. There is no limit on the amount of sick leave hours that can be accumulated. All vacation and sick leave used will be recorded each pay period on electronic timecards and approved by a supervisor before the BRINM Administrative Office processes payroll. Vacation and sick leave cannot exceed the number of hours regularly scheduled for that workday.

When employment with BRINM is terminated, any unused vacation time will be paid to the employee. Before payment is made, the BRINM Administrative Office will verify the amount of unused vacation hours. Sick leave is strictly considered a benefit; therefore, when employees leave the organization they are not entitled to payment for the hours of unused sick leave. If an employee is re-instated with BRINM within four (4) months of termination, sick leave will be restored, and vacation will be earned immediately at the same rate as if employment had been continuous.

Use of Accrued Vacation Time

The use of vacation time should be negotiated between the employee and his/her supervisor. Employees are urged to provide as much notice as possible when requesting vacation time off so that appropriate scheduling adjustments can be made in advance.

Sick Leave

An employee who is incapacitated for duty should request approval from his/her supervisor within two (2) hours of normal starting time. If the employee cannot call personally, he/she should have a responsible person report the illness or incapacitating injury as early as practicable. Generally, this would be at the beginning of the scheduled workday but no later than two (2) hours thereafter. If the absence is for more than one (1) day, the employee is required to keep in touch with his/her supervisor so arrangements may be made to handle the employee's work assignments during the period of absence. Failure to follow the above instructions, without sufficient justification, may result in the absence being charged as leave without pay.

Sick leave can also be requested from a supervisor for medical, dental, or optometry appointments, and performance of surgical procedures for either the employee or a dependent member of his/her immediate family. An employee may also use sick leave for recuperation from surgery, illness, accident, etc. as deemed necessary by his/her physician.

Medical certification, signed by a physician, may be requested by a supervisor and or the BRINM HR Administrator to verify evidence of the need for sick leave during the period of absence. Failure to furnish a timely medical certification will be cause for disapproval of sick leave.

When illness occurs during a period of vacation, sick leave may be substituted if reported promptly to the supervisor and if the request can be supported by a medical certificate or other acceptable evidence.

Vacation and sick hours cannot generally be used in conjunction on the same day. In extreme circumstances, vacation and sick may be used on the same day. Approval for extreme circumstances must be approved by BRINM's HR Administrator or Executive Director. If approval is not received, the time will be considered unexcused. Use of vacation and sick on the same day without approval from BRINM's HR Administrator or Executive Director will be cause for disciplinary action including, but not limited to, suspension or termination.

Leave Without Pay

In accordance with the guidelines set forth in this policy, BRINM may provide leave without pay to employees who wish to take time off from work duties to fulfill personal obligations. All employees who have completed the ninety (90)-day eligibility period may apply for leave without pay. Leave without pay may be granted for a period of up to fifteen (15) workdays. If this initial period of absence proves insufficient, consideration will be given to a written request for a single extension of no more than fifteen (15) workdays. Requests for leave without pay will be evaluated based on a number of factors, including anticipated operational requirements and staffing considerations during the proposed period of absence.

To the extent possible, employees returning from leave without pay will be returned to their former position or will be offered the first available comparable position for which they are qualified. If an employee fails to report to work at the expiration of the approved leave period, BRINM will consider this as a voluntary resignation.

Military Leave

BRINM affords such reemployment rights as are required by the laws of the United States and New Mexico. Military leaves of absence will be granted for employees to coincide with all National Defense Programs in the following manner:

1. Employees entering active military service for a single enlistment period will be granted a general military leave of absence. BRINM may reinstate employees returning from military leave to the jobs and benefits they would have attained had they not been absent due to military service, or equivalent positions.
2. Employees who are members of a National Guard or Military Reserve unit who must participate in annual summer training will be paid the amount by which military base pay is short of their salary for three (3) weeks per year. Training leaves will not normally exceed three (3) weeks per year, plus travel time.

No employee will be retaliated against for military service or for asserting any rights under federal or state laws requiring the reemployment of military service members.

Bereavement Leave

BRINM grants employees three (3) days of paid bereavement leave when a death occurs in an employee's immediate family. Thereafter, the employee may request leave without pay or may use vacation leave.

For purposes of this policy, "immediate family" includes: spouse, parent, daughter, son, brother, sister, mother-in-law, father-in-law, daughter-in-law, son-in-law, grandparent, grandchild, a person legally acting in one of the above capacities, or another relative living in the employee's residence.

Jury Duty Leave

Leave of absence for jury duty will be granted to full-time and part-time employees. Upon presentation of proof of such duty, BRINM will pay the employee their full scheduled wage and/or salary for that period. BRINM will require the employee to reimburse any compensation earned from jury duty to BRINM.

An employee on jury duty will be expected to work as much of the regularly-scheduled shift as the jury duty schedule permits to the extent that combined time on jury duty and at work does not exceed eight (8) hours on a given day.

Voting Leave

All employees are encouraged to visit their polling place before or after their scheduled workday or utilize early voting. Employees whose regularly-scheduled work day begins within two (2) hours after election polls open and ends less than three (3) hours before the polls close are allowed up to two (2) hours of paid leave in order to vote. BRINM reserves the right to set the time for leave to vote.

HOLIDAY POLICY

BRINM grants paid holiday time off to all eligible employees on the holidays listed below.

New Year's Day (January 1)
Martin Luther King, Jr. Day (third Monday in January)
Presidents' Day (third Monday in February)
Memorial Day (last Monday in May)
Juneteenth (June 19)
Independence Day (July 4)
Labor Day (first Monday in September)
Columbus Day (second Monday in October)
Veterans' Day (November 11)
Thanksgiving Day (fourth Thursday in November)
Christmas Day (December 25)

BRINM grants paid holiday time off to all employees who are regularly scheduled to work at least ten (10) hours per week and have completed at least one full workday. Eligible employees receive holiday pay based on their straight-time rates of pay (as of the date of the holiday) for the number of hours regularly scheduled to work that day. For part-time employees working inconsistent hours, but who have worked at least ten (10) hours in the workweek that contains the holiday, holiday pay is calculated based on an average of hours worked in the previous six (6) weeks.

To be eligible for holiday pay under this policy, employees must not be on leave without pay. An employee scheduled to perform work on a designated holiday that does not report and is not excused forfeits the holiday pay.

Holidays are observed as established by the federal government. If the holiday falls on a Saturday, the proceeding Friday is observed. If it falls on Sunday, the following Monday is observed.

If an eligible non-exempt, hourly employee, with prior approval, works on a recognized holiday, he or she receives holiday pay wages at one and one-half times his or her straight-time rate for the hours worked on the holiday.

OPEN DOOR POLICY

Non-Disciplinary Grievance Policy

A non-disciplinary grievance is any problem of an employee or a group of employees resulting from work requirements under which work is performed.

BRINM's goal is to find equitable solutions at the lowest possible level. These procedures are kept as informal as possible and any grievance under this policy is kept as confidential as possible. This is to ensure equality and fair play for all concerned.

All grievances go first to an employee's immediate supervisor for resolution. If the employee's immediate supervisor is involved in the grievance, then the BRINM Human Resources administration should be contacted.

If the problem cannot be solved at this first level, the employee may seek assistance from the BRINM Administrative Office. Records must be kept of all grievances (exception: minor grievances settled with immediate supervisor). Copies of all records are sent to the BRINM Administrative Office.

Procedure for Personal Requests and Non-Disciplinary Grievances

The following procedure is enables employees to get prompt action on a personal request or grievance.

Step 1. The employee should take the matter up with his or her immediate supervisor and try to work out a satisfactory settlement.

Step 2. If a satisfactory settlement is not reached in Step 1, the BRINM Administrative Office assists in resolving the grievance.

Step 3. If a satisfactory settlement is not reached in Step 2 within two (2) working days, a further written report and update by the immediate supervisor is made, after which the case will be appealed to the BRINM Administrative Office. The President of the Board of Directors reviews the written reports and hears any additional information offered by either party, after which an attempt is made to work out a satisfactory settlement. Every effort is made to complete this step within a reasonable period.

Communication Policy

BRINM/VA electronic and telephone communication systems are solely for job-related purposes. All communications and stored information transmitted, received or contained in these systems are the property of VA or BRINM. This policy applies to the use of company phone equipment as well as cellular phones. Use of these systems and equipment may be monitored from time to time.

Personal phone calls during working hours distract employees from their job duties and may be disruptive to coworkers. Employees should therefore limit making or receiving personal calls during working hours to those required only in emergency situations. Personal calls should be made during lunch periods or authorized breaks. If it is necessary to make or receive a call during working hours, keep it as brief as possible.

Employees should inform friends and family members of this policy and will be held accountable for the actions of friends or family. Employees contacted by creditors or collection agencies should immediately inform the caller of this policy, end the call and follow-up with the agency in writing advising them not to call at work.

Suggestions

BRINM maintains an open mind regarding the improvement of its operating procedures and encourages its employees to make suggestions to this end. Suggestions are appreciated on such subjects as safety and ways to save labor, money, energy, time and materials. All suggestions should be submitted in writing. BRINM administration will be happy to discuss any suggestions with the originator.

Complaints should be directed first to the employee's supervisor. If the complaint is not sufficiently dealt with by the supervisor, the employee should submit the complaint, in writing, to the BRINM Administrative Office. (See Non-Disciplinary Grievance Policy.)

SAFETY AND HEALTH POLICIES

Safety and Health Policy and Rules

Each employee must obey safety standards and exercise caution in all work activities. Employees who violate safety standards, cause hazardous or dangerous situations, or fail to report or remedy such situations, where appropriate, may be subject to disciplinary action, up to and including termination of employment.

It is the responsibility of all employees to observe each of the safety standards below:

1. Report all injuries or illnesses immediately following their occurrence.
2. Use equipment for its appropriate purpose.
3. Adjust, alter, and repair equipment only when authorized.
4. Do not use defective equipment.
5. Put all equipment away when not in use.
6. Keep the work area and all VA/BRINM facilities neat and clean.
7. Keep all aisles and exits clear.
8. Do not try to lift any item that is too heavy or bulky to be handled alone.
9. Obtain and follow full instructions for performing unfamiliar tasks.
10. Obey all rules, signs, and instructions posted in the work area.
11. Do not engage in horseplay and avoid running in the workplace.
12. Report any potential safety hazards immediately to management.

All accidents that result in injury must be reported to a supervisor, regardless of how insignificant the injury may appear. Such reports are necessary to comply with laws and initiate insurance and workers' compensation procedures.

BRINM tries to provide and maintain certain standards of safety, sanitation, and health in accordance with federal, state, and city laws, regulations and ordinances that comply with the safety procedures established at the New Mexico VA Healthcare System. Employees are required to attend new employee safety orientation classes conducted at the New Mexico VA Healthcare System. All BRINM employees will follow the policies and procedures set forth by the NMVAHCS.

Drug and Alcohol Use

Drug and alcohol use is highly detrimental to the safety and productivity of employees in the workplace. No employee may be under the influence of any illicit drug, alcohol or the abusive use of prescription drugs while in the workplace, while on duty, or while operating a vehicle or equipment owned or leased by BRINM or VA.

Possessing, distributing, transferring, purchasing, selling, using, or being under the influence of alcoholic beverages, illegal drugs or the abusive use of prescription drugs while on BRINM or VA property, while attending business-related activities, while on duty, or while operating a vehicle or machine leased or owned by BRINM or VA may also lead to disciplinary action, but is not limited to, suspension or termination.

Physician-prescribed medications are permitted, provided they are not abused and do not adversely affect job performance or the safety of the employee or other individuals in the workplace.

BRINM may test potential or existing employees in “Testing Designated Positions” (TDP), as listed below, for drugs and/or alcohol in the following circumstances and the following are the types of testing that can be conducted:

- Applicant
- Random
- Post incident
- Reasonable Suspicion

APPLICANT TESTING – Applicant testing applies to any individual tentatively selected for employment in a TDP, any individual within BRINM who has tentatively been identified for placement in TDP, and any individual on a temporary appointment who has been tentatively selected for an extended appointment in a TDP. Applicant testing must be undertaken no later than forty-eight (48) hours after notice to the applicant. A notice will be included in all vacancy announcements for TDP informing applicants they are subject to urinalysis to screen for illegal drug use prior to appointment and subject to random testing thereafter. Applicants who refuse to be tested will be denied employment with BRINM.

RANDOM TESTING – All employees occupying a TDP will have a Drug Testing (DT) code entered into their employment record. The TDPs in BRINM have been identified as:

- Pharmacists
- Nurses
- Chemists
- Laboratory Technicians
- Computer Assistants
- Software Developers
- Pharmaceutical Project Managers
- Production Controllers
- Warehouse Specialists
- Manufacturing Specialists
- Managers

Initially, TDP employees will be given individual specific notices thirty (30) days before testing commences. Each employee will be required to sign an acknowledgement stating he/she has received and read the notice that states that the employee’s position has been designated for random drug testing. Employees in TDPs will be randomly selected monthly by BRINM or designee. BRINM will designate an employee who will be responsible for obtaining monthly lists of employees selected for random testing. Employees will be notified to report for specimen collection and collection must occur on the same day of notification. The employee will be advised that he/she is not suspected of taking drugs and that his/her name was selected randomly.

Deferral of Testing – An employee for random drug testing may obtain a deferral of testing under the following limited conditions:

- The employee is in a leave status (sick, annual, administrative, or leave without pay).
- The employee is in official travel status away from the test site or is about to embark on official travel scheduled prior to testing notification.

Only BRINM or designee may approve a deferral. An employee whose random test is deferred will be subject to an unannounced test within sixty (60) days.

POST-INCIDENT TESTING – Any employee involved in an accident which results in property damage or personal injury beyond simple first aid and his/her actions are reasonably suspected of having cause or contributed to the accident must submit to an immediate alcohol and/or drug test. At the time of the accident, if the employee appears to be under the influence of alcohol or drugs, the employee will be suspended pending test results.

REASONABLE SUSPICION TESTING – Any employee who is suspected of being under the influence of alcohol and/or drugs may be required to submit to testing. Also, whenever BRINM receives reliable information from a third party that an employee is under the influence of alcohol and/or drugs, the employee will be immediately required to submit to testing. At the time of the test, if the employee appears to be under the influence of alcohol or drugs, the employee will be suspended, without pay, pending test results. Any employee who refuses to be tested will be presumed in violation of the drug policy and subject to disciplinary action, up to and including termination.

A “successful” test indicates the applicant, or employee does not have the presence of screened-for substances in his/her system and the specimen passed all of the testing laboratory’s controls for specimen integrity. An employee with a successful test will be reinstated to his/her position and reimbursed for his/her scheduled hours of work while on suspension. (A “successful” test will not necessarily preclude disciplinary action, up to and including termination, for violations of any BRINM policy.) A “positive” test indicates the employee either has the presence of the screened-for substances in his/her system and/or the specimen failed the testing laboratory’s controls for specimen integrity. An employee with a positive test result may be disciplined, up to and including termination. Within forty-eight (48) hours of a positive test result, an employee may explain in writing the circumstances of the result. If applicable, the employee also may provide BRINM with a doctor’s note certifying prescriptions for certain controlled substances. BRINM will retain full discretion and authority to determine whether an explanation is adequate and/or whether the employee will be retested. Within seventy-two (72) hours of a positive test result, an employee may request retesting of his/her specimen initially taken. The specimen will be retested at the expense of the employee. If the challenge reveals an error in the test result and the substance abuse test was successful, the employee may submit the successful test to BRINM. An employee with a successful retest will be reinstated to his/her position, reimbursed for his/her scheduled hours of work while on suspension, and reimbursed the expense of the retest.

BRINM recognizes that employees may wish to seek professional assistance in overcoming drug or alcohol problems. Employees should contact the BRINM HR Administrator for more information about the benefits available under the employee medical benefit plan, and the VA-sponsored EAP.

Employees who voluntarily admit to having drug or alcohol problems that have not resulted in disciplinary action may be eligible for unpaid time off to participate in a rehabilitation program. Such a leave will be granted if the employee abstains from the use of the problem substance while on leave, abides by all organization policies, rules, and prohibitions relating to conduct in the workplace, and if the organization suffers no "undue hardship" as a consequence of granting the leave.

Gambling

BRINM takes a position that gambling among its employees can lead to bad morale, hard feelings and financial hardships. Therefore, gambling is prohibited on BRINM/VA premises or between employees. This includes but is not limited to card playing, dice, lotteries, betting on horses or any other wagering.

Smoking Policy

As required by state law and local ordinance, and in keeping with BRINM's intent to provide a safe and healthy work environment, smoking is prohibited throughout the workplace. This policy applies equally to all employees, patients, and visitors. Any employee found smoking in an unauthorized area will be subject to disciplinary action. Smoking is permitted only outside the building in the properly designated area. Breaks for smoking in authorized areas will be limited to the times described under the "Lunch and Breaks" provision of this Handbook.

BRINM/VA PROPERTY

Care of BRINM/VA Property

Employees are expected to exercise due care in the use of BRINM/VA property and to utilize such property only for authorized purposes. Negligence in the care and use of BRINM/VA property may be considered cause for suspension and/or dismissal.

Unauthorized removal of BRINM/VA property from the premises, or its conversion to personal use, is prohibited and is cause for suspension and/or dismissal.

Personal Property

BRINM assumes no responsibility for loss or damage to the personal property of an employee which has been brought into the workplace.

TERMINATION/RESIGNATION AND LAY-OFF POLICY

In the event an employee resigns, BRINM asks employees to provide advance notice of a minimum of two (2) weeks if possible. An employee's failure to provide two weeks' advance notice may result in the employee being deemed as ineligible for rehire.

Return of BRINM/VA Property/Equipment

BRINM or VA property issued to the employee must be returned to BRINM or the VA upon termination or upon request by the supervisors or designated representative. If the property is not returned, BRINM may deduct the value of any property/equipment from the final pay.

End of Benefits

Terminating employees may keep their health and dental coverage through the end of the month only if the employees agree in writing to have BRINM deduct their portion of the premium from their final paycheck. If BRINM does not receive the written request, the health and dental coverage will be cancelled to correspond to the last day of employment. All other benefits will cease on the day of termination.

Final Pay for Dismissed Employees

A final direct deposit will be processed to a dismissed employee at the next payroll processing date. The net pay will be deposited to the financial institution on file.

Unemployment Insurance

Unemployment insurance is available to employees who are unemployed through no fault of their own, able to work, available to work, actively seeking employment, and meet the eligibility requirements. Employees should contact the New Mexico Department of Workforce Solutions office for information about eligibility and benefits.

Final Pay for Voluntarily Resigning Employees

The final direct deposit for a voluntarily resigning employee will be processed at the next scheduled pay period. The net pay will be deposited to the financial institution on file.