#11 Hiring Staff

ADULT FAMILY HOME
ADMINISTRATOR STUDENT MANUAL

VERSION 5.2

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Module 11 – Hiring Staff
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Hiring Staff

Introduction

Hiring a new employee is a significant undertaking and responsibility so it's critical that you hire with care and diligence. Poor hiring decisions can lead to significant stress and hardship for you, your new hire, your current staff, your residents, and family members. Having a dishonest, unproductive, unqualified, or unreliable caregiver can damage your reputation, cause you to receive citations, can generate client complaints, and ultimately result in sub-standard care for your residents. In some cases, a serious disagreement with a disgruntled employee can result in a stressful job separation, retaliatory "anonymous" complaints against you, and costly unemployment claims.

Learning Objectives

At the end of this module, you will be able to:

- Discuss the employment process
- Explain how to find, hire, train, manage, and maintain sufficient qualified staff
- Describe how to write a clear and thorough job description, do an interview, hire, and conduct job performance evaluations
- Explain the LTC workers training and background requirements
- Complete a new hire AFH orientation

What Do You Know?

True or False

1. A positive workplace culture improves teamwork
2. You must report all new hires to DSHS within 20 days of hire
3. You must complete a background check within 2 weeks of hiring a new caregiver

Building a Workplace Culture

Workplace culture is the environment you create for your employees, and it plays a vital role in your business' success. A positive workplace culture improves teamwork, raises staff morale, increases productivity and efficiency, and enhances retention of your workforce. Employees have a better understanding of what is expected of them and how they can achieve their professional goals.

All employees need to know about your AFH's mission and vision (See Module 3: Becoming a Small Business). They should clearly understand what makes you and your adult family home unique. They should also understand their role in supporting the achievement of your goals and objectives.

Unless your employees are intentionally trained, coached, and supported in becoming an integral part of your adult family home business, it will be very difficult for them to adopt an active stake in your common success.

- Share your vision to operate a high-quality adult family home and explain what that looks like in specific and tangible terms.
- Explain what you know about long-term care consumers and your own residents.
    - What do they look for?
    - What is most important to them?
    - What worries them?
    - Why did they choose your adult family home?
- Review your business' mission, goals, and philosophy of care.
- Review the kind of personal conduct that supports these achievements.
- Clarify examples of behaviors that are not acceptable and the consequences for engaging in those behaviors.
- Explain that you are committed to hiring and maintaining a staff that will actively work as a team to support and promote these goals.

> *"You can teach new skills to a less experienced staff, but you can't change their character or teach them common sense. Hire for character, train for skills and job success."*

Hiring and Retaining Staff

Finding, hiring, training, and managing long-term care staff is an essential part of operating an adult family home. Employees can "make or break" any business and reflect your vision and practices. Most employers encounter challenges with their employees, and therefore, subject matter knowledge and strong employment practices are essential.

Developing Your Job Description

A job description:

- Is a list of specific tasks, duties, job functions, responsibilities, and performance expectations employers have for a given position.
- Includes information about the required skills, training, licensing/certification, and competencies that are needed to perform the job, whom the employee should report to, conduct expectations, goals, and anticipated outcomes for the employee.
- Must also explain any tasks that may be prohibited based on state regulations or standards of practice. For example, non-medical staff must not administer medication unless properly delegated and must not perform any tasks that are outside their scope of practice.

A comprehensive job description is developed by conducting a thorough job analysis, which includes examining all the tasks and responsibilities that will be reasonably expected by the employer.

It should also include important business details, such as the employer's mission, culture, and any benefits provided to its employees. It should specify to whom the position reports and may include a salary range for that position.

Responsibilities and Duties

Outline the core responsibilities of the position. Make sure your list of responsibilities is detailed and concise. Emphasize the duties that may be unique to your adult family home. For example, if you are hiring a "Resident Manager" the position may require medication auditing; include this detail to ensure candidates understand the requirements and the needed competencies.

Highlight the day-to-day activities of the position. This helps employees understand the work environment and activities they will engage in daily. For example, an *activity sequence* may involve preparing and serving wholesome meals according to a menu, assisting residents with eating, then clearing the table and doing the dishes afterwards, or **provide personal care to** up to six residents according to each resident's care plan. This includes transferring, dressing, personal hygiene, incontinence care, toileting, brushing teeth, and other personal care tasks as instructed by the employer. Staff must provide care consistent with the resident's wishes and as outlined in the resident care plan.

Specify how the position fits into the organization. Indicate what and how the employee must report, and how the employee will function within your adult family home. This helps them see the bigger picture and understand how their role impacts the business.

Qualifications and Skills

Include a list of qualifications, licenses, and hard and soft skills. The job description should specify education, licenses and certifications, technical caregiving skills, and previous job experience required for this job. You may also include "soft skills," like the ability to listen to complaints without becoming defensive, problem solving, adaptability, and personality traits that you seek in a successful caregiver.

Conduct Expectations

Define your expectations for appropriate conduct.
It's important that your employees are professional and respectful in their interactions with you, their co-workers, residents, family members and visitors. For example, employees must not share their personal problems with residents and visitors. If a resident or visitor raises a concern, explain how the employee should handle it.

Address other professional conduct you expect, for example: do not speak in languages the residents don't understand while at work, appropriate phone usage, calling residents by name, promote resident rights, don't criticize, or speak negatively of residents, coworkers, and the employer, and how to handle conflicts with co-workers.

Define personal traits and behaviors you seek. Address attendance and punctuality requirements, honesty, dress code and grooming, following instructions, standards of care, communication, patience, and flexibility.

Many challenges with employees arise when the expectations are unclear to either party. It is your responsibility to clearly express and communicate what you need and expect from your employees through a detailed job description.

Writing an Ad

Placing an advertisement and hiring new staff requires careful thought to ensure you attract the best candidates, make the most of your time and effort, and comply with employment regulations.

Your aim for an employment ad should be to attract a pool of the best and most qualified candidates. Keeping this goal in mind while writing your ad will help you achieve better and more consistent results.

Your advertisement should be well thought out, reasonably short but thorough enough, and compelling. Here is a winning formula to help you attract more qualified responses and build a pool of suitable applicants.

1. **What is the job title?** Make your job title specific. Targeted job titles are more effective than generic ones, so be precise by including key phrases that accurately describe the position's role.

2. **What is the opportunity and the benefits of this job?** For example: a regular schedule, a beautiful work environment, only 6 residents, competitive pay with direct deposit, flexibility...

3. **What is the required schedule?** Include the days and hours for this position. For example: Monday through Friday, 7 am to 3 pm.

4. **What are the required qualifications?** You don't need to include everything, but you should outline the most important "non-negotiable" qualifications the position requires.

5. **What are the duties and responsibilities for this position**? You don't need a full job description, but a summary helps the reader understand what the job entails.

6. **How should the applicant respond?** Give clear instructions on how to apply for the position and any information or documents that should be submitted with the application.

Your job posting should include all the necessary information that a prospective employee would need to have to decide if it is a potential fit for them.

ACTIVITY: Review some "caregiver wanted" Job Ads

Recruitment Strategies

There are several ways to find new employees and caregivers, and some are more effective than others.

Effective hiring methods change overtime; placing a "caregiver wanted" ad in the local newspaper was very effective for many years, but that is no longer the case. It's important to stay in touch with current trends.

It's also important to realize that the best caregivers are stable and loyal, and therefore, they seldom change jobs. To find and retain them, you must know what to look for and be patient and persistent in your search.

Here are seven ways to find potential caregivers for your adult family home.

1. **Personal knowledge of a candidate.** This may be a former co-worker of yours, or someone you know personally and trust who may be an experienced and qualified caregiver.

2. **Referrals from other care providers.** This is the next best thing to knowing the candidate yourself a "word-of-mouth" referral from an adult family home or other care provider.

3. **Referrals from current staff.** Capable and caring caregivers often know other capable and caring caregivers. Ask your current caregivers if they have caregiver-friends who may be looking for work.

4. **Schools who train nursing assistants and long-term-care workers.** There are many Home Care Aides (HCA) and Nursing Assistants Certified (NAC) training schools who are willing to post employment opportunities for their students.

5. **Advertising online.** While local newspapers used to be a good source for finding new employees, they have been replaced with numerous online jobs search/posting websites.
   a. www.indeed.com
   b. www.craigslist.org
   c. www.connecttocarejobs.com
   d. www.worksourcewa.com
   e. www.simplyhired.com
   f. www.ziprecruiter.com
   g. www.mycnajobs.com

6. **Employment agencies**. Another option is to contact an employment agency. Employment agencies act as brokers representing employees looking for work. Ensure the agency represents or specializes in adult family home and long-term-care workers so that the potential candidates will be prequalified to work in long-term care settings. This approach is expensive and not commonly used, but worth considering if the other approaches do not produce results. Your agreement with the agency should include a reimbursement option if the hired candidate doesn't work out within a reasonable trial period.

7. **Temporary staffing agencies**. There are temporary staffing agencies that provide short-term LTC workers. Some of these agencies offer the option to convert a temporary staff into a full-time permanent employee for a referral or placement fee. As above, this option is not common and may be costly so be sure to read their contracts carefully.

Applications

Always have your applicants complete a job application. Every applicant should receive the same application, which will allow you to compare each applicant's credentials and experience more objectively and impartially.

Develop an application that fits your specific needs or look for one online. The AFH Council or the Long-Term Care Foundation may be good resources as well.

1. **Make the format consistent:** Gather the same data in the same format from each prospective employee. It makes comparisons of candidates' credentials easier.

2. **Gather all relevant information** on the employment application, including:
   a. Date of the application
   b. Full name, address, and contact information for the applicant
   c. Credentials and certifications held with expiration dates
   d. Licenses held with expiration dates
   e. Current employment status
   f. Whether they are seeking full-time or part-time employment
   g. Availability start date
   h. Previous employment starts and end date
   i. Names and contact information of previous employers and supervisors. Include a statement that gives you permission to contact their previous employers for employment verification purposes
   j. Duties and responsibilities at current and previous job(s)
   k. Reasons for separation from previous employer
   l. Days and hours the prospective employee are NOT available to work

3. **Application signature:** Obtain the applicant's signature attesting that all statements on the application are true and correct. If you allow applicants to say, "see resume" (which is not advised), the signature statement should say, "*The applicant's signature attests that all statements on the employment application and resume are true.*"

   The applicant's signature should also attest that they have read and understand certain policies and procedures that are spelled out on the employment application. These can include statements that employment is "at-will" rather than contractual, that the employer is an equal opportunity, non-discriminating employer, and that employment may require the applicant to pass a drug test prior to hire.

NOTE: Criminal background checks: let the applicant know that a fingerprint print background check and criminal history is required for employment.

Eligibility to work in the U.S.: Federal law prohibits employers from completing the employment eligibility verification process (I-9) before the employee has accepted an offer of employment. However, applicants should be informed of these requirements by adding the following statement on your employment application: "*In compliance with federal law, all persons hired will be required to verify identity and eligibility to work in the United States and to complete the required employment eligibility verification* ***USCIS Form I-9*** *upon hire*."

Employment Application Review

Spend some time reviewing the application. Are there gaps in their employment history? Review all licenses and certifications, including their expiration dates at the Department of Health, Provider Credential Search website. If the applicant is agreeable, make copies of all certificates presented during the interview.

It's not uncommon to become short-staffed or to need urgent help. As tempting as it may be, it is strongly discouraged and unadvisable to offer a job or hire anyone without having the results of the background check, reference check, and fingerprinting. Do your best to avoid making rushed and premature hiring decisions despite external pressures. Give yourself enough time to review the application, check references, even schedule follow-up interviews to ensure you make a wise hiring decision. (WAC 388-76-10175, WAC 388-76-10176)

Remember that potential employees who are untruthful on their application are not people who have the integrity and values you want in a long-term care worker employee. Hiring new caregivers without performing thorough due diligence can easily backfire and cause more problems than it solves.

The Interview

Phone Screen

When considering potential caregivers, start with a quick 15 to 30-minute phone screen to find out if they meet the basic job description and to determine if there is a mutual fit.

The following phone interview process is recommended by Joseph Spada, AFH Administrator Trainer: This practice helps you use your time more effectively and improve the quality of applicants you interview. A short phone interview is most effective to discover the following:

1. Do they have the required qualifications?
   a. If not, are they willing to obtain those qualifications in a timely manner?
2. Do they have the required work and caregiving experience?
3. Are they currently employed?
   a. Are they available for the specified schedule?
   b. Are they looking for a primary, or a part-time secondary job?
4. What licenses do they possess in Washington state?
5. How far do they live? How do they commute to work?
6. What are their general salary expectations?
7. Are their communication skills adequate?
8. If you are a smoke and drug-free company, would this present a problem for them?

If the answers to the above questions are positive, you should proceed with scheduling an in-person interview.

In-Person Interview

A job interview can be stressful. Set the applicate at ease, smile and be welcoming. This will help them be more comfortable and open about themselves, which can lead to a more authentic view of their personality.

After introductions, tell them what you want to achieve, about how long the interview will take, and that there will be time for questions at the end. Let them know you will be keeping notes to help you remember key points. Keep notes to a minimum and don't let them be a distraction to the interview.

You will want to ask questions that reveal their skills and qualifications, important personality traits and level of enthusiasm for the job. Use your observation skills. What does their body language tell you?

> **NOTE:**
> There are **questions you cannot ask during an interview**. These include questions related to *age, disabilities, pregnancy, marital status, religion, gender identity, sexual preference, race, ancestry, children, arrest record, wage and salary history*. In addition, review the Employment Eligibility guidelines discussed above. Everyone in your organization who might conduct interviews must be aware of these rules.
>
> The U.S. Pre-Employment Inquiries and Citizenship generally *forbids you from asking a person to prove their citizenship status during a job interview or at any time before you offer employment*.

It is recommended that you develop a list of acceptable and thoughtful questions which will also provide you with meaningful insights about the applicant's suitability for the position. A list of sample questions is included in the next activity.

Pro Tips: conducting effective interviews is both an art and a skill. The best interviews are like informative conversations that stay on track with a clear and deliberate line of questioning to help you uncover important and positive "subjective" personality traits that are common to people that we consider "great caregivers."

Here are tips to help you conduct more effective and informative interviews.

- **Ask open-ended questions** – yes or no questions are often dead ends. Ask yes or no questions only when you need a specific answer such as "are you currently working?"
- **Challenge applicants** with real life scenarios such as, "How would you handle a confused resident who is awake at 2 AM and won't go back to sleep?"
- **Clarify vague and broad statements** such as, "I do everything in my current job…" or "I have a lot of experience…"
- **Look for wisdom and maturity**, for example, "*Give me your top 3 tips on how to work well with others…"* or *"…how to resolve conflicts with coworkers*."
- **Listen attentively**. Once you ask a question, stop talking and listen! Try your best to remain in a place of *genuine curiosity* when asking questions.

Interview Observations

During an interview there are many other objective and subjective, verbal, and non-verbal observations that can be made. Some of these observations can be quite revealing about a person's character and personality and include things like:

- Is their handwriting clear, legible, messy?
- Do they smile readily? Are they more outgoing and expressive, or introverted and reserved?
- Are they personable and friendly?
- How is their appearance? Personal hygiene? Fingernails?
- Do they have questions? What are their questions about?
- Is their paperwork and certifications organized?

End the interview on a positive, upbeat note. Allow 10-15 minutes near the end of the interview for them to ask any questions. Walk them to the door and thank them for their time. Give them an idea of when they can expect a decision. Remember, a job interview isn't just about you choosing the right applicant for your AFH, it is also their opportunity to determine if they want to work for you! It is your opportunity to "sell" your AFH and make the open position more attractive.

ACTIVITY: Practice a Job Interview/Observations

Pick a partner to interview using 3-5 questions from questionnaire #1. Once done, trade roles and use 3-5 of the questions from the interview questionnaire #2. If you take notes, do your best to stay connected to the person you're interviewing. Don't let taking notes distract you from active listening.

Interview Questionnaire #1

1. Are you looking for a primary or a secondary job? Why?
2. Why did you leave (or leaving) your current employment?
3. What do you like most – and least – about your present job?
4. Describe your current or previous responsibilities in detail.
5. Describe your relationship with your previous employer.
    a. What do you like most – at least - about your employer?
6. How would you describe your ideal coworker? Your ideal employer?
7. What do you consider to be your greatest strength as a caregiver?
    a. As a coworker?
    b. As an employee?
8. What specialty training have you received as a caregiver?
9. Are you willing to receive additional training to improve your skills, knowledge, and abilities as a caregiver?
10. Are you able and willing to maintain any required certifications up-to-date, or acquire new ones if/when necessary?
11. What have you noticed so far, or know about our AFH that you find appealing?
12. Are you available to work overtime during emergencies, if necessary?
    a. Weekends? Holidays? Nights?
13. Do you have any limitations that would prevent you from fulfilling the duties and responsibilities of this position?
14. Is there anything that might prevent you from reporting for work on time and as scheduled?
    a. What would be a reason for you not to report for work when scheduled?
15. What would be your most important considerations if you were to be offered this job?
    a. For example: compensation, benefits, schedule flexibility, growth opportunities, workload?

Interview Questionnaire #2

1. What made you decide to become a caregiver?
    a. What do you love most about being a caregiver?
    b. What do you find most difficult about being a caregiver?
2. What do you most enjoy about working with the elderly (or include the populations you serve)?
3. In your own view, what makes you a great caregiver?
4. If I were to ask your current employer to describe you, what would they say?
    a. What would they say is your greatest strength?
    b. Why would they say you should improve?
5. What would a resident you care for say about you?
6. What are some of the challenges you face in your current job?
7. In your view, what does it mean to provide quality care?
8. Have you worked with people who have dementia (or insert your AFH specialty)?
    a. What do you think are the greatest challenges in providing care to them?
    b. Have you worked with people who have developmental disabilities (or include the populations you serve)?
    c. What do you think are the greatest challenges in providing care to them?
9. How would you handle a confused resident who is awake at 2:30 AM and refuses to go back to bed?
10. You hear a loud “thump…” you rush to investigate and find a resident laying on the floor; how do you handle the situation? Be specific…
11. What would a care setting who offers “the highest quality care" for persons with dementia look like?
12. What are you most complimented on in your work?
13. What do you consider to be your greatest strength(s)?
14. What do you feel makes you especially qualified for this job?
15. What do you believe you can bring to our AFH and residents?
16. What do you think it takes to be successful as a professional caregiver?
17. What do you like to do for fun when you’re not working?
18. Where do you see yourself in a year from now?
19. If you were me, would you hire you? Why?
20. What else do you think would be important for me to know about you?

Reference Checks

ALWAYS, ALWAYS, ALWAYS check their personal and professional references. Verify the applicant's statements by contacting previous employers and professional references.

- In addition to a statement on the application allowing you to verify the applicant's statements, you may also need a separate **Reference Check Authorization Form** signed by the applicant. Some employers will require such authorization before agreeing to discuss reference verification for an applicant.
- Be cautious if previous employers do not return your calls. In most cases, the previous employer does not want to provide a reference because of a negative reason.
- One way to help previous employers be at ease during a reference check is to start by asking them to simply verify the applicant's statements for accuracy; employment dates, job responsibilities, and specific duties information.

It's important that you take notes and document your reference check in writing and keep it in the applicant's file.

Questions to consider asking a previous employer:

1. What was the job title, responsibilities, start and end dates?
2. How long have you known the individual?
3. What was it like to work with them?
4. What would you consider their biggest strengths and weaknesses?
5. Was there any resident care issues or complaints?
6. Would you rehire them?

Reference Check Authorization Form

Complete one reference check authorization form *for each former employer* listed on the employment application.

Reference Check Authorization Form

I, [applicant's full name], hereby authorize [previous employer's name] to provide, release, and otherwise verify information of my current or previous employment with said employer.

I understand that reference information may include, but not be limited to, verbal and written inquiries or information about my employment performance, professional demeanor, rehire eligibility, dates of employment, and employment history.

My signature below also authorizes you to release and to provide any additional information that may be necessary to process my application for employment with [your AFH company], whether the information is positive or negative.

I release [previous employer's name], from all liability arising from their information about my employment history, my credentials or qualifications, and my suitability for employment with [your AFH business].

Signed and dated: [applicants name, signature, and date.]

Offering Employment

Before sending the official offer letter, email the candidate to set up a time to talk over the phone. During the call, express excitement about inviting them to join your team and present the terms of your offer, including salary, benefits, start date, etc. If the candidate accepts your verbal offer, send an official written letter. Your offer letter should cover everything you talked about during the phone call.

The Offer Letter

The offer letter will **minimize the likelihood of any potential misunderstandings and clarify the specifics of the employment terms**. The applicant should be given the ability to accept or reject your offer in writing; a simple and practical way of doing this is to create a job offer form.

Below are some of the items that should be included in your job offer.

1. Name of the employee and the date this job offer is made
2. Employment start date
3. Exact schedule; days and in-out times the employee will be scheduled to work
4. Expected number of weekly or monthly work hours
5. Pay rate (for the specified work schedule)
6. Other relevant information on required items or contingencies such as; completing the employment eligibility verification form I-9, requesting time off, benefits, criminal background check, employment-at-will information, overtime rules, trial period terms, certifications they agree to maintain up-to-date, and/or any other conditions required to maintain employment.
7. A place for the applicant to accept or reject the offer in writing
8. Signatures

Resources: Employment

- U.S. Equal Employment Opportunity Commission – Making an Employment Decision
- indeed.com:
  - Job Offer Letter Format with Template
  - How to Write the Perfect Job Offer Letter Email
  - Job Offer Letter Samples

Notification of Not Offering Employment

In most cases employers are not legally required to notify applicants that they have not been accepted for a job. However, most seasoned employers and human resources professionals agree that a best practice is to notify all applicants of their status in a timely fashion. Additionally, if your top applicant for the job does not work out, you may decide to contact other applicants.

Explain that after conducting a thorough review of all applicants, you have found an applicant who is ideally suited and matched for the position. Thank them for their time, that it's been a pleasure meeting them, and if you find it appropriate, ask them if they wish to be kept informed of any future employment opportunities with your company.

The Background Check Central Unit (BCCU)

Office hours 8AM-4:30PM, Monday through Friday (except holidays)

- **Email –** bccuinquiry@dshs.wa.gov
  Please allow 1-2 business days for a response.

- **Phone** – 360-902-0299
  Phone support is available 9-11 AM Monday through Friday (there are exceptions depending on availability)

- **Website** – https://www.dshs.wa.gov/ffa/background-check-central-unit
  Our website contains a lot of helpful information for customers including FAQs

- **Listserv-** BCCU sends out process changes, newsletters, and fingerprint site updates through the BCCU Listserv. Information on how to join can be found here.

The Background Check Central Unit (BCCU)

The Background Check Central Unit (BCCU) uses a centralized database to conduct approximately 310,000 background checks annually. This includes approximately 140,000 fingerprint-based checks for the Department of Social and Health Services (DSHS) programs and authorized service providers who serve vulnerable adults, juveniles, and children.

The BCCU determines the type of result notification based on the criteria set by the DSHS program that oversees the background check activities; each program has a different criterion. The results are provided to the authorized service providers and DSHS programs that made the request.

> **NOTE:** DSHS pays for background checks for all LTC Workers.

All adult family home caregivers and resident managers, as well as certain other persons, are required have a criminal background check prior to start working, unless it is a conditional hire. Background checks must be renewed every two years.

> **NOTE**: To make sure you don't miss these renewal dates, use a digital calendar or another system to help remind you of expiration and renewal dates.

Conditional Hiring of Staff Pending Background Check

WAC 388-76-10175 - Background checks—Employment—**Conditional hire**—Pending results of Washington state name and date of birth background check.

An adult family home may conditionally employ a person directly or by contract, pending the result of a Washington state name and date of birth background check, provided the home:

(1) Submits the Washington state name and date of birth background check no later than one business day after conditional employment;

(2) Requires the individual to sign a disclosure statement and the individual denies having a disqualifying criminal conviction or pending charge for a disqualifying crime under chapter 388-113 WAC, or a negative action that is listed in WAC 388-76-10180;

(3) Does not allow the individual to have unsupervised access to any resident;

(4) Ensures direct supervision, as defined in WAC 388-76-10000, of the individual; and

(5) Ensures the individual is competent and receives the necessary training to perform assigned tasks and meets the staff training requirements under chapter 388-112A WAC.

Secure Access Washington

Once you receive a license number, use the Google Chrome internet browser, and go to Secure Access Washington to register your business (if you haven't already) and add the Background Check System (BCS) as a service. You will also need a SAW account to complete your AFH Application (See Module 5 – Submitting Your Application).

Review the Background Check System (BCS) User Manual: Log into BCS Using SecureAccess Washington (SAW). This manual is intended to help you create a *user login in* at SecureAccess Washington (SAW) and get your account set up to access the BCS.

Background Checks

There are two ways for an applicant to submit a background check; online and the paper Background Check Authorization Form.

Submitting a Background Check Online

The online background check authorization is located at https://fortress.wa.gov/dshs/bcs/. The form works best in the Google Chrome web browser.

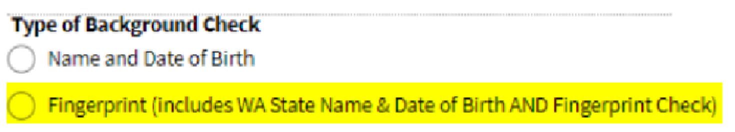
1. If the applicant completed their background check online, they need to provide you with their Confirmation Code located on the online form and their date of birth.
    a. If the applicant emails their code directly to you, please note that the date of birth is not included for security reasons.

2. Enter the *Online Form Confirmation Code* and *Applicant Date of Birth* into the fields on the BCS account homepage.
3. Select Retrieve Applicant Information button
4. This will retrieve the applicant's information from the online form tool and display the applicant's personal information.

Submitting the Background Check Authorization Form

If the applicant provided you with a signed paper copy of their Background Check Authorization Form, you need to carefully enter the information from the signed paper form into BCS. ***Paper forms should only be used when online is not an option.***

1. Review the slides of the [Background Check System – PowerPoint Training] for an overview of the online Background Check Authorization form and applicant experience.
2. Follow the instructions on completing a Name & Date of Birth (NDOB) background check in the BCS.
3. By checking the Fingerprint option, you can submit both the WA State NDOB AND Fingerprint Check.



The Interim Results

When you first receive the NDOB results, this is called the interim result.

1. If it is not disqualifying, you can request to proceed with the fingerprint check.
2. If the results are disqualifying, there is an option for the applicant to withdraw the fingerprint inquiry.
   a. If the applicant chooses to continue, the system will generate the fingerprint appointment form and fingerprint notification form.
   b. The inquiry ID is sent to the fingerprint vendor so the applicant can schedule their appointment.
   c. Once the applicant has scheduled the appointment, the date and time will display in the background check system.

Resources: Background Check

- RCS Background Check Information
  - ALTSA Background Check Unit
    - Background Check Authorization Form
    - Fingerprint Appointment Form Word | PDF
    - Result Letters
    - Character, Competence & Suitability (CCS) Review
    - CCS Form/Instructions
- User Guides and Training Materials
- Online Background Check Authorization form

Notification of Background Check Results

Working with BCCU Notification Letters

You will receive one of these four notifications following a Washington State Name and Date of Birth (NDOB) Background Check and another notification following a fingerprint check.

1. No Record
2. Review Required
3. Disqualify
4. Additional Information Needed

Click here to review the following information for each notification:

- What you will see
- What this means
- **Action you must take**

NOTE: Maintain notification results in the employee's personnel/employment record.

NOTIFICATION EXAMPLE

1. No Record

WHAT YOU WILL SEE: No background information reported.

WHAT THIS MEANS: None of the background check data sources reported criminal or negative action records that disqualify the applicant from having unsupervised access to children or vulnerable adults and there are no background check records to review.

ACTION YOU MUST TAKE: Maintain a copy of the results notification and give a copy of the result notification to the applicant/employee within 10 days of receipt from the Background Check Central Unit (BCCU). Document the results as required.

Character, Competence, and Suitability (CC&S) Review

A CC&S determination is a review process used, when required, to decide whether an individual is permitted unsupervised access to minors or vulnerable adults.

CC&S review and determination is required when:

- An individual has a ***Review Required*** background check result that includes non-disqualifying:
  - Conviction(s),
  - Pending charge(s),
  - Negative action(s);
- There are concerns about an individual related to client(s) health and safety, or other risks to the client(s);
- There is a reasonable, good faith belief that the individual cannot meet the care needs of the client(s);
- A CC&S determination can never be used to allow a provider to work when the individual has Automatically Disqualifying convictions, pending charges, and/or negative actions

The CC&S is often completed as part of the background check process. A CC&S may be completed at other times as well.

To learn more about when a CC&S is required and factors to consider, go to the Background Checks – Character, Competence, and Suitability (CC&S) Review webpage.

Resources: CC&S

- Character, Competency, and Suitability Assessment for Residential Care Services (NH, ALF, and AFH) (DSHS 15-456)
- Background Check System (BCS) User Guide: Entity User Functions (April 2021)

Fingerprinting

Complete fingerprinting AFTER your new LTC worker's background check has been completed and you determine they are NOT disqualified. A new LTC worker can be hired and work for a 120-day provisional period while the fingerprint portion of the background check is pending.

388-76-101632 - Background checks—National fingerprint background check.

1. Individuals specified in WAC **388-76-10161 (2)**) who are hired after January 7, 2012, and are not disqualified by the Washington state name and date of birth background check, must complete a national fingerprint background check and follow department procedures.
2. After receiving the results letter of the national fingerprint background check the adult family home must not employ, directly or by contract, a caregiver, entity representative or resident manager who has been convicted of a disqualifying crime or who:
    a. Has a disqualifying conviction or pending charge under **WAC 388-113**; or
    b. Has a disqualifying negative action listed in **WAC 388-76-10180**
3. The provider may accept a copy of a national fingerprint background check result letter and any additional information from the department's background check central unit from an individual who previously completed a national fingerprint background check through the background check central unit, provided the national fingerprint background check was completed after January 7, 2012

NOTE: A national fingerprint background check is valid for an indefinite period. WAC 388-76-10165

You can have your fingerprints done either through the DSHS vendor IDEMIA or through your local law enforcement office. **DSHS pays for all fingerprinting done through IDEMIA**. You will need to pay for the fingerprinting if you use your local law enforcement services.

If you choose to use local law enforcement, keep the following points in mind:

- You are responsible for the costs of printing/reprinting by local law enforcement.
- DSHS does not pay the fees for:
    - Law enforcement to "Complete" the fingerprints.
    - Law enforcement to "Reprint" the fingerprints. Reprinting is required if the prints sent to the Washington State Patrol, or the FBI are rejected for one or more reasons including unreadability.

You will need to contact IDEMIA to schedule an appointment for fingerprinting.

See the Fingerprint Appointment Form (DSHS 27-059) below for the information you will need to schedule an appointment.

If you are rescheduling your appointment due to the WSP or FBI rejecting your fingerprints, you can reschedule online **or** by phone. You must have available the information from the fingerprint appointment form.

> **NOTE:** IDEMIA has locations throughout Washington State. To schedule an appointment through IDEMIA, call 1-888-771-5097 or visit their website at https://www.identogo.com/.

Resources: Fingerprinting

- Fingerprint-Based Background Check Notice (DSHS 27-089)
- Fingerprint Appointment Form (DSHS 27-059)

CRIMINAL HISTORY BACKGROUND CHECK WACS

388-76-10160	Background check—General.
388-76-10161	Background checks—Who is required to have.
388-76-10163	Background checks—Process—Background authorization form.
388-76-101631	Background checks—Washington state name and date of birth background check.
388-76-101632	Background checks—National fingerprint background check.
388-76-10164	Background checks—Results—Duty to inform.
388-76-10165	Background checks—Washington state name and date of birth background check—Valid for two years—National fingerprint background check—Valid indefinitely.
388-76-10166	Background checks—Household members, noncaregiving and unpaid staff—Unsupervised access.
388-76-10170	Background check—Confidentiality—Use restricted—Retention.
388-76-10174	Background check—Disclosure of information—Sharing of background information by health care facilities.
388-76-10175	Background checks—Employment—Conditional hire—Pending results of Washington state name and date of birth background check.
388-76-10176	Background checks—Employment—Provisional hire—Pending results of national fingerprint background check.
388-76-10180	Background check—Employment—Disqualifying information.
388-76-10181	Background checks—Employment—Nondisqualifying information.

Washington State Department of Social & Health Services
Transforming lives

Fingerprint Appointment

Use this form to assist in scheduling a
Department of Social and Health Services fingerprint appointment.

Section 1: To be completed by the Background Check System

1. The agency requesting a fingerprint check must provide the following information:

BCCU Account Number: ______________ BCCU Inquiry ID/OCA Number: ______________

Applicant Name: ______________ Date of Birth: ______________

Address: ______________ Daytime Phone: ______________

Section 2: Information to gather BEFORE scheduling a fingerprint appointment

Be prepared to provide the information from Section 1 AND the information below when scheduling your fingerprint appointment.

1. SOCIAL SECURITY NUMBER (OPTIONAL)	2. BIRTHPLACE (STATE / COUNTRY)	3. DAYTIME PHONE (AREA CODE / NUMBER)
4. SEX ☐ Male ☐ Female	5. HEIGHT (FEET / INCHES)	6. WEIGHT (POUNDS)
7. RACE ☐ Caucasian or other Hispanic culture ☐ African-American / African ☐ Asian or Pacific Islander ☐ American Indian, First Nations, Eskimo, or Alaskan Native ☐ Unknown	8. HAIR COLOR ☐ Black ☐ Purple ☐ Brown ☐ Blue ☐ Gray/part gray ☐ Orange ☐ Red/Auburn ☐ Green ☐ Sandy ☐ Pink ☐ Blonde ☐ White ☐ Completely Bald	9. EYE COLOR ☐ Black ☐ Pink ☐ Blue ☐ Multicolored ☐ Brown ☐ Unknown ☐ Gray ☐ Green ☐ Hazel ☐ Maroon

Section 3: Fill out this section WHILE scheduling your fingerprint appointment

1. Go to www.identogo.com/FP/Washington or call **1-888-771-5097** to schedule your fingerprint appointment.
2. Use this space to write down the date, time and location of your fingerprint appointment:

Date / Weekday: ______________ Time: ______________

Location / Address: ______________

Section 4: Personal Identification (ID)

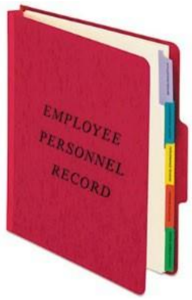
You must bring one of the following NON-EXPIRED Government issued **PICTURE ID** options with you to your fingerprint appointment.

Acceptable forms of government issued **PICTURE ID**:

- US Driver's License, or any Federal, State, or Local Government issued ID (Including a Washington State Learner's Permit)
- Any US Armed Services ID (Army, Air Force, Navy, Marines, etc...)
- US Passport
- Foreign Passport (with photo and signature)
- Federally Recognized Tribal ID

All ID must be current. Expired ID WILL NOT be accepted unless you can prove that you are in the process of renewing it. Expired ID with a photo MUST accompany any temporary ID and the names_MUST match otherwise you may be required to reschedule your appointment.

FINGERPRINT APPOINTMENT
DSHS 27-059 (REV. 06/2018)



Set up Employee Records

Don't forget to set up your new employee's records. See Module 6 – Setting Up Your Home; Required Records, Staff

Day of Hire

The first day of employment is an important one. Try to have coverage for your residents for a few hours to allow you time to finish your onboarding tasks, such as completing all the legal documentation requirements, Orientation and Safety training, your AFH Orientation, and introduce the new employee to your home.

Onboarding Checklist and Timeframes

Onboarding is the process of introducing your employee to you and your AFH and preparing them for the work you are asking them to do. Onboarding helps reduce employee turnover, ensure compliance, and helps to forge lasting connections with your employees.

Onboarding Task Checklist		Timeframe
Legal Requirements		
	Background Check	Prior to first day of employment and then every 2 years
	Fingerprinting Check	After a clear background check Within 120 days of hire
	USCIS Form I-9	Upon Hire
	Form W-4 Internal Revenue Service (IRS)	Within 3 days of hire
	TB Testing	Within 3 days of hire
	New Hire Reporting Program, DSHS/ESD	Within 20 days of hire
	Paid Family and Medical Leave	
	Copy of Social Security Card	(See ESA Section, page 31)
Human Resources (HR) Tasks		
	AFH Employee Handbook, reviewed and signed	First Day of Hire
	Schedule one-on-one meetings	
AFH Facility Orientation - Tour and Introductions		
	Tour of the home, emergency exits, supplies	
	Review of schedule and tasks	
	Resident records review, documenting standards	
	Meet the residents	
	Meet the other staff	

Onboarding Task Checklist		Timeframe
Training (page 33)		
	LTC Worker Orientation (2 hours)	Prior to providing care to residents unless exempt
	Safety (3 hours)	Prior to providing care to residents unless exempt
	CPR/First Aid	Within 30 days of hire if directly supervised by person with valid card **or** before providing care if not directly supervised by a fully qualified caregiver who has a valid first - aid and CPR card or certificate.
	70-hour long term care training	Within 120 days of hire unless exempt
	Nurse Delegation, if required	
	Specialty Training, if required	
	Respirator Training	Before use and annually there after
	Review of required training, and schedule developed for Continuing Education (CE)	

AFH Employee Handbook

An employee handbook should be given to your new employee on their first day of hire. The purpose of an employee handbook is to:

- Introduce employees to your culture, mission, and values
- Help with your employer responsibilities
- Set clear expectations for the workplace
- Set standards for how your home operates
- Outline the policies that are specific to your AFH, such as a cell phone use policy
- Ensure compliance with state and federal laws, such as paid sick leave, overtime, and attendance
- List the position responsibilities

The Long-Term Care Foundation has developed an Employee Handbook that can be downloaded and used as a template for developing your own AFH employee handbook. The template includes topics such as:

- Welcome Letter and Company History
- Discipline Policy – Termination
- Attendance
- Timekeeping
- Paid Sick Leave
- Medical Leave
- Paid family and Medical Leave
- Employee Acknowledgement
- Cell Phone Use Policy

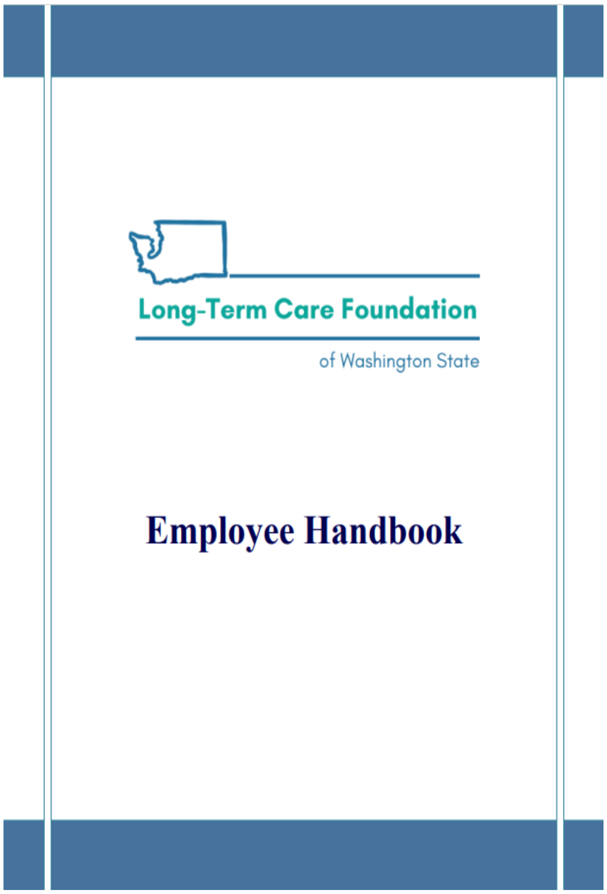


Table of Contents

Resources: Employee Handbook

- *Introducing An Employee Handbook for Adult Family Homes, PowerPoint; Long-Term Care Foundation, Sherice Brown, Workforce Development Specialist*
- *Employee Handbook; Long-Term Care Foundation*
- *Cell Phone Use Policy; Long-Term Care Foundation*

Tuberculosis Testing

You must develop and implement a process to ensure that you, your entity representative, resident manager, caregivers, staff and any students or volunteers have tuberculosis (TB) testing within three days of employment.

See the TB WACS for requirements and the types of testing that are approved. WAC 388-76-10265 through 10310, and the Adult Family Home (AFH) Information Sheet – Tuberculosis Screening.

Staff working for the same provider who operates multiple homes does not need to complete a separate TB test for each home.

Legal Responsibilities

You must complete all your state and federal legal responsibilities when hiring staff, especially if this is your first hire. This includes employment eligibility verification for the individual you wish to hire.

- **Make sure you meet all the** Labor & Industries (L&I) requirements **(See L&I section below)**
  - Workers' compensation account
  - Safety and health requirements
  - "Wage and hour" laws
  - Workplace injuries

> The Small Business Guide by Business.wa.gov can help you learn about payroll and other employee business responsibilities. In particular, the Employees section of the Grow Your Business chapter and the Payroll Your Business chapter are incredibly useful as references for employers.

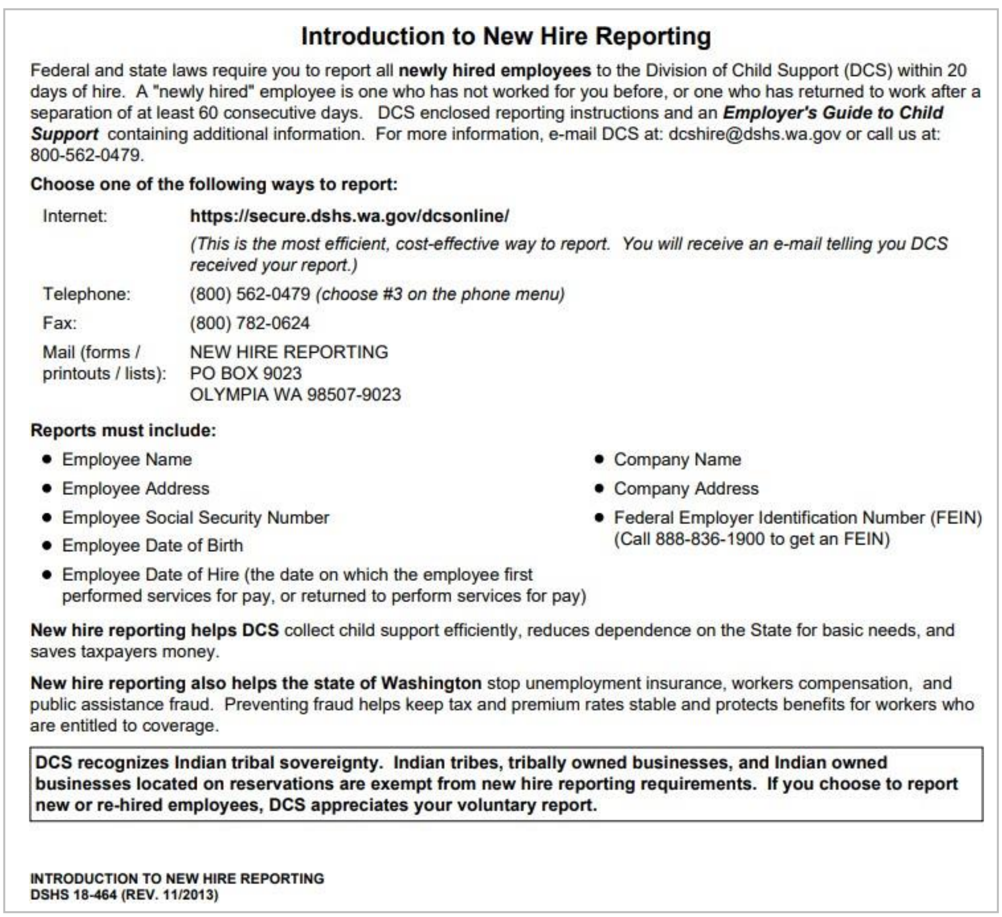
- I-9, Employment Eligibility Verification
  Have your new employee fill out USCIS form I-9. to verify their eligibility to work in the United States. The purpose of the form is to document that each new employee (both citizen and noncitizen) hired after November 6, 1986, is authorized to work in the United States.
  - The Immigration Reform and Control Act (Glossary) requires all employees to provide proof to employers that they can legally work in the U.S.
  - Employers are required to verify the eligibility status of all employees. It is against the law to knowingly hire someone who is not authorized to work in the United States. This verification is done by using the USCIS form I-9.
  - Federal law also prohibits employers from conducting the Form I-9 process before the employee has accepted an offer of employment. However, applicants should be informed of these requirements by adding the following statement on your employment application:
    - "*In compliance with federal law, all persons hired will be required to verify identity and eligibility to work in the United States and to complete the required employment eligibility verification **USCIS Form I-9** upon hire*."
  - Employers should **not** ask for "proof" of work authorization or Citizenship during the interview process or on the employment application.

- Have new hires complete and sign Form W-4 to withhold the right amount of income tax from their paycheck.
- DSHS New Hire Reporting - report your new hire to the Washington State Economic Services Administration (ESA), Division of Child Support.

Federal and state laws require you to report all newly hired and rehired employees to the Division of Child Support (DCS) **within 20 days of hire or rehire**, regardless of their age or the numbers of hours worked. A newly hired employee is one who has not worked for you before, one who has returned to work for you after a separation of at least 60 consecutive days, or one who has started working for you under a new Federal Employer Identification Number (FEIN).

ESA prefers you to report **online**, however, you may fax, mail or call in the information. If you chose to fax, you may send W-4 forms, computer print outs, other lists (except I-9 forms) or use their **New Hire Reporting Form** (DSHS form 18-463).

VIDEO: New Hire Reporting for Washington State (4:18)



Introduction to New Hire Reporting

Federal and state laws require you to report all **newly hired employees** to the Division of Child Support (DCS) within 20 days of hire. A "newly hired" employee is one who has not worked for you before, or one who has returned to work after a separation of at least 60 consecutive days. DCS enclosed reporting instructions and an ***Employer's Guide to Child Support*** containing additional information. For more information, e-mail DCS at: dcshire@dshs.wa.gov or call us at: 800-562-0479.

Choose one of the following ways to report:

Internet:	**https://secure.dshs.wa.gov/dcsonline/** *(This is the most efficient, cost-effective way to report. You will receive an e-mail telling you DCS received your report.)*
Telephone:	(800) 562-0479 *(choose #3 on the phone menu)*
Fax:	(800) 782-0624
Mail (forms / printouts / lists):	NEW HIRE REPORTING PO BOX 9023 OLYMPIA WA 98507-9023

Reports must include:

- Employee Name
- Employee Address
- Employee Social Security Number
- Employee Date of Birth
- Employee Date of Hire (the date on which the employee first performed services for pay, or returned to perform services for pay)
- Company Name
- Company Address
- Federal Employer Identification Number (FEIN) (Call 888-836-1900 to get an FEIN)

New hire reporting helps DCS collect child support efficiently, reduces dependence on the State for basic needs, and saves taxpayers money.

New hire reporting also helps the state of Washington stop unemployment insurance, workers compensation, and public assistance fraud. Preventing fraud helps keep tax and premium rates stable and protects benefits for workers who are entitled to coverage.

DCS recognizes Indian tribal sovereignty. Indian tribes, tribally owned businesses, and Indian owned businesses located on reservations are exempt from new hire reporting requirements. If you choose to report new or re-hired employees, DCS appreciates your voluntary report.

INTRODUCTION TO NEW HIRE REPORTING
DSHS 18-464 (REV. 11/2013)

Labor & Industries (L&I)

"The Department of Labor & Industries (L&I) is a diverse state agency dedicated to the safety, health, and security of Washington's 3.3 million workers. We help employers meet safety and health standards, and we inspect workplaces when alerted to hazards."

L&I's main responsibility is to operate the worker's compensation insurance program, oversee workplace safety & health, most labor laws, and workplace rights.

L&I Top Citations

Not following L&I rules can result in thousands of dollars in fines/citations. Below are the top citations cited for AFHs.

- **Accident Prevention Program** - Every employer is REQUIRED to have an active written Accident Prevention Program. Not having an Accident Prevention Program is the **number one citation across all industries in the state**.
- **Safety Meetings** - Every employer is REQUIRED to have monthly safety meetings (or a safety committee if 11 or more employees).
- **Independent Contractors** - Not following the very strict rules in Washington state about who qualifies as an independent contractor. Potential contractors must pass ALL PARTS of a strict six-part independent contractor test or you must pay workers compensation,

  Refer to https://lni.wa.gov/insurance/insurance-requirements/independent-contractors/
- **Volunteers** - A FOR-PROFIT BUSINESSES using **VOLUNTEERS!**
- **Room and Board** - GET AGREEMENTS IN WRITING! If employers are going to offer room and board as part of employment, make sure those agreements are in writing and signed by both parties, especially establishing an agreed upon rent amount and the ability to deduct that rent amount from payroll (if desired).
- **Workers' Compensation Coverage** - Not covering those working for you (that is not on the business license as an owner) with workers' compensation coverage.
- **Overtime Exempt Rules** - Most adult family home employees will not pass the duties test to be overtime exempt.

BEST PRACTICE: Attend L&I's 80-minute webinar that covers all AFH L&I obligations. This is the best way to learn about workers' comp, safety & health obligations, workplace rights, and the resources available to AFHs. The training is called "L&I Essentials for Business Webinar" and can be found in L&I's Workshops & Training Center.

Payroll/Benefits

- Fair Labor Standards Act (FLSA) establishes minimum wage, overtime pay and record keeping
- Establish an efficient way to keep track of actual hours worked, make sure it is consistent with all employees
- Keep track of important payroll dates and deadlines
- Classify employees the correct way:
    - Exempt Employees are salaried and can be exempt from overtime
    - Non-Exempt Employees are paid hourly and are paid out overtime
- If needed, learn about sleepover vs. live-in staff exemptions to the minimum wage requirement

Paid Sick Leave

Paid Sick Leave Minimum Requirements

At a minimum, employees must be provided one hour of paid sick leave for every 40 hours worked. You must provide paid sick leave to all your employees regardless of full-time, part-time, temporary, or seasonal status.

All hours that an employee works, including overtime hours, must be counted towards accrual, regardless of how many hours they work in each week or pay period.

It is highly recommended you have a written paid sick leave policy in your employee handbook. If you choose not to have one, you must still meet the minimum state law requirements.

Click on the link above to learn more about:

- Accruing paid sick leave
- Paying employees' sick leave
- Rate of pay
- Authorized uses of paid sick leave
- Carryover and reinstating paid sick leave

Worker's Compensation

WA state laws require you to have workers' compensation insurance for all your covered workers. A covered worker is anyone that works for you who isn't listed on your business license as an owner or governor.

That includes your regular employees as well as any part-time, casual, temporary, and seasonal workers. This includes family members and minors, like spouses, siblings, kids, or friends that are "just helping out." Remember, if someone isn't listed on your business license as an owner, they're considered an employee you need to carry workers compensation.

A reminder that for-profits businesses CANNOT have volunteers. Anyone working for a for-profit business must be paid as an employee and covered with workers' compensation insurance.

Workers Compensation is insurance. It provides medical treatment and wage replacement for workplace injuries to your employees as well as providing liability protection from litigation for you.

Your Requirements - You must open a workers' comp account when you have any employees, even if they work for a single hour, and you would start that process by updating your business license at Dept.

of Revenue. Once L&I opens your account, you will be required to file premium reports on a quarterly basis, at Lni.wa.gov. You must keep track of the number of hours worked. The premiums you pay will be determined by the number of hours worked. You must file every quarter, even if you don't have any hours to report.

Safety in Your AFH

WISHA is the Washington Industrial Safety and Health Act, Chapter 49.17 RCW, enacted in 1973 by the Washington State Legislature. The purpose of this law is to ensure that Washington's employers provide their workers with safe and healthy workplaces. The Department of Labor & Industries (L&I) administers WISHA through its Division of Occupational Safety and Health (DOSH).Washington is one of 27 states that administers its own workplace safety and health program.

State Workplace Safety Requirements

You have **a lot** of requirements as an employer when it comes to workplace safety & health. You must:

- Provide a safe and healthy workplace with job related training and keep records of all incidents and injuries
- Have an active, written Accident Prevention Program. Why is it in red? Because not having one is the number one citation across all industries in our state. If you don't have one, I've included a link to find a template to get that Accident Prevention Program into place.
- three required posters on job safety and employee rights. Posters are always free for download or delivery from the L&I website. You never have to pay for these posters.

Reminder: You must complete the 3-hour safety training using the DSHS approved curriculum prior to your new employee providing care to any resident (unless they are exempt). The excerpt on the following page is from the: A Guide to Workplace Safety and Health in Washington State (L&I-F416-132-000), page 7.

L&I Consultations

It is highly recommended that you request a consultation with one of L&Is safety consultants They will provide free professional advice on any required changes to your Accident Prevention Program, explanations on safety and health regulations, guidance on creating written policies, identification of any worksite hazards, and safety rules that are specific to your AFH.

The service is free and confidential. During a consultation, you will not be issued any citations or fines for any issues found. You will be given time to make corrections of any imminent risks found.

Types of Consultation

- *Safety & Health*
- *Ergonomics*
- *Risk Management*

Visit L&Is Request Consultation website to submit an Online Consultation Request or call Consultants Near You.

State Workplace Safety Training Materials (L&I)

The Adult Family Home Council (AFHC) in collaboration with the Department of Labor and Industries has developed the AFH Worker Safety Awareness Program. [AFH Worker Safety Awareness Program | Adult Family Home Council](https://adultfamilyhomecouncil.org/afh-worker-safety-awareness-program/) (https://adultfamilyhomecouncil.org/afh-worker-safety-awareness-program/)

Goals of the Program

The AFHC believes that introducing a first-of-its-kind, industry specific, Safety Awareness Training Program will significantly reduce worker injuries in adult family homes. Goals of the program include:

- Create a safe work environment
- Recognize and avoid key safety hazards
- Significantly reduce injuries
- Avoid violations and associated fines from the Department of Labor and Industries
- Maintain compliance with safety rules and regulations

There are a total of 8 training modules. Each module has a workbook and associated checklist. The workbook is your initial deep dive into the material and the corresponding checklist is your ongoing quick reference guide. The topics are:

- Module 1: Standards, Inspections, and Reporting Requirements
- Module 2: Accident Prevention Planning and Safety Meeting Requirements
- Module 3: First Aid and Personal Protective Equipment
- Module 4: Sprains and Strains (Ergonomics)
- Module 5: Bloodborne Pathogens and COVID-19
- Module 6: Hazardous Drugs
- Module 7: Preventing Workplace Violence
- Module 8: Workers Compensation and Labor Laws

Continuing Education (CE) Training and templates for this program have been developed by the AFHC and is available to its members.

Resources: L&I

- Workers' compensation – Record Keeping and Reporting Guides (PUBLICATION F212-222-000 [09-2014])
- A Guide to Workplace Safety and Health in Washington State (L&I-F416-132-000)
- About Labor and Industries (L&I) (wa.gov)
- Required L&I Workplace Posters
- Fact Sheet #21 - Records to be Kept By Employers
- Fact Sheet #22 – Hours Worked
- Fact Sheet #33 – Residential Care Facilities
- Worker's Rights
- Business Essentials brochure
- L&I Workshops and Training Center

Required Workplace Posters

Once you hire staff, you must meet employment requirements for displaying posters. For example: L&I requires, "Your Rights as a Worker in Washington State" be displayed in a readily accessible location and within plain view in each work site where an employee or employees are employed. WAC 296-126-080

- Washington State Workers Rights (PDF)
- L & I Notice to Employees (PDF)
- Unemployment Compensation Eligibility (PDF)
- Paid Family & Medical Leave
- Pregnant Workers' Accommodation Rights (PDF)
- Domestic Violence Resources (PDF)

Workplace Posters:
Required and Recommended

The following posters are available FREE from the issuing State of Washington, federal, or other agency. Contrary to some advertisements you may have received, employers aren't required to purchase posters from private companies. If you feel you have been misled by advertisements claiming posters must be purchased, you may file a complaint with the Washington State Office of the Attorney General at: **www.atg.wa.gov/file-complaint**.

Online access to posters is indicated, when available. Otherwise, call the phone number listed to request that posters be mailed. Employers must post required posters where their employees can read them. If employees work remotely, posters or links to posters should be sent to them. Keep records of what was sent and when.

Disclaimer: While efforts have been made to provide correct information regarding posters and notices, no assurance is offered that the following is accurate and comprehensive at the time reviewed. Use the links below to verify requirements for organization.

Washington State

Department of Labor & Industries (required posters)
www.Lni.wa.gov/RequiredPosters ▪ 1-800-547-8367

- Job Safety and Health Law (F416-081-909)
- Your Rights as a Worker (F700-074-909)
- Notice to Employees — If a Job Injury Occurs (F242-191-909)
  Or
  Notice to Employees — Self-insured Businesses (F207-037-909)
  This poster is for self-insured businesses. All others use F242-191-909.

Printed posters are also available in English and Spanish from your local L&I office.

Employment Security Department (required posters)
www.esd.wa.gov/about-employees/forms-and-publications

- Unemployment Benefits poster (EMS 9874)
- Paid Family and Medical Leave poster
- Domestic Violence Resources (EMS 10427)

Human Rights Commission (recommended poster)
www.hum.wa.gov/publications
1-800-233-3247 (in Washington State) or 360-753-6770

- Washington State Law Prohibits Discrimination in Employment

United States

Equal Employment Opportunity Commission (required poster)
webapps.dol.gov/elaws/posters.html
1-866-487-2365

- Equal Opportunity Employment is the Law
  – *Also covers Americans with Disabilities Act.*

Department of Labor (required posters)
www.dol.gov/general/topics/posters#CA_Materials
1-866-487-2365

Most businesses are required to post the following notices in the workplace.

To determine which specific federal posters your business is required to post, please visit the DOL elaws Poster Advisor (**webapps.dol.gov/elaws/posters.html**).

- Fair Labor Standards Act (FLSA)
  Federal Minimum Wage Poster (WH Pub.1088)
- Employee Polygraph Protection Act (WH Pub.1462)
- Family and Medical Leave Act of 1993 (WH Pub.1420)
- Your Rights Under USERRA — The Uniformed Services Employment and Reemployment Rights Act*

Affordable Care Act (required notice)
www.dol.gov/agencies/ebsa/laws-and-regulations/laws/affordable-care-act/for-employers-and-advisers/coverage-options-notice
1-866-444-3272

** Federal law requires employers to notify employees of their rights under USERRA; employers may meet this requirement by displaying this notice where they customarily place notices for employees*

Please note that generally, whether your organization is nonprofit or for-profit has no bearing on whether you have to post notices.

Info for Employers

What are your responsibilities?

The following list identifies some of the basic responsibilities employers have under the Washington Industrial Safety and Health Act. Additional requirements that address specific hazards and specific industries may also apply. The basic responsibilities are:

- Provide a safe and healthy workplace and comply with applicable rules. Visit **www.Lni.wa.gov/SafetyRules** where you can review and/or print the rules. If you do not have access to the web, call 1-800-423-7233 to request assistance.
- Develop, maintain and implement a written safety and health program that addresses the hazards specific to your business.
- Post the *Job Safety and Health Law* poster (F416-081-909), which explains the rights and responsibilities of employers and workers. You can order a free poster online at **www.Lni.wa.gov/RequiredPosters**. Or, call your local L&I office or 1-800-423-7233.
- Provide training to your employees about job safety and health.
- Involve employees in your safety program by either having a safety committee or holding monthly safety meetings, depending on the size of your business.
- Keep records of all work-related injuries and illnesses that meet the criteria specified by law.
- Report an employee fatality or in-patient hospitalizations including amputations or losses of eye within eight (8) hours of the incident.
- Report a non-hospitalized employee amputation or loss of eye of any employee within twenty-four (24) hours of the incident.
  - **Where to report:** Contact the L&I office nearest you by phone or in person, or call 1-800-423-7233.

What are your rights?

You have the right to require that your employees follow Washington State workplace safety and health rules and your company's policies. You have a right to require your employees to:

- Follow safety practices.
- Use safe work practices in their daily work.
- Use and maintain any personal protective equipment you provide for them.
- Never remove, displace or damage any safeguards, notices or warnings intended to provide a safe workplace.
- Not wear torn or loose clothing while working around machinery.
- Report any near misses or accidents promptly.

You have the right to have a safety program and safety practices with requirements greater than those of the Washington Industrial Safety and Health Act and hold your employees accountable for complying with your program.

Employers have specific rights identified throughout the inspection process. See Pages 4–6, "What an Employer Can Expect from a Workplace Safety and Health Inspection."

Workplace Rights

Not all labor laws are from L&I. Check out the Small Business Guide at Business.wa.gov for a more complete picture of state, local, and federal laws.

Workplace Rights Tips and Highlights

- Tips & service charges are always in addition to the minimum wage. You can’t pay someone below minimum wage just because they receive tips. Be aware of cities with higher minimum wages: Seattle, SeaTac, Tukwila, Renton, Bellingham, Burien, and unincorporated King County.
- Most workers must be paid overtime whenever they work over 40 hours in a work week and that’s regardless of the basis of pay. Being paid on salary isn’t enough. A worker must be exempt from the minimum wage act, which is the only time that OT is not required. There’s a duties test and a minimum salary threshold that rises each year.
- AFH owners may allow a staff member to live in the home as an incentive of employment. If you do this, get the agreement in writing (verbal agreements will not protect you as owners) and ensure that you’ve established the value of the rent for the employee to reside there so that it can be included as compensation or if you wish to use it as a payroll deduction
- For every four hours worked, a paid rest period of at least 10 minutes must be offered. This is something workers cannot waive.
- For every five hours worked, a 30-minute meal break must be offered. It has to be paid if the employee is required to be on duty or remain on call, otherwise it is unpaid. Meal periods can be waived but has to be agreed upon by both the employee and employer in writing.

Some other tips to know - you cannot prohibit employees from disclosing, comparing, or discussing their wages or the wages of other employees.

You also cannot seek the wage or salary history of any job applicants. And, if your business has more than fifteen employees, any job announcements must include the salary range of the position plus describe all other compensation and benefits.

Best Practice: Keep good records for three years, plus the year to date.

Employment Security Department (ESD)

ESD's goal is to help workers and businesses succeed. Their mission is to provide our communities with inclusive workforce solutions that promote economic resilience and prosperity.

Required Workplace Posters

All posters are designed to be printed on-demand on 8 ½ x 11 paper and can be produced in color or black and white. Employers **must** display required posters where their employees can read them. If you don't have access to a printer, you may request posters be mailed to you by calling 855-829-9243. See the Employer Resources Forms and Publications page. The following posters are also available in Spanish.

- Domestic Violence Resources poster
- Paid Family & Medical Leave
- Unemployment Compensation Eligibility (PDF)

Paid Family and Medical Leave Quarterly Reporting Requirements

Paid Family and Medical Leave, the statewide insurance program became available January 2020. As an employer, you are required to notify your employees about the program, calculate and collect premiums, and each quarter: pay premiums and report hours and wages.

Quarterly Reports	
Quarters	**Due Dates**
January – March	April 30
April – June	July 31
July – September	October 31
October – December	January 31

All employers must file a tax-and-wage report every quarter. Otherwise, you must pay a penalty. Reporting requirements are determined by the Washington legislature. It specifies which workers and what information you must report each quarter. See WAC 192-310-010 What reports are required from an employer?

You must file a tax and wage report every quarter, including if you have no payroll in each quarter. See RCW 50.12.070

This report must list each employee by full name, Social Security number, and total hours worked, and wages paid during that quarter.

NOTE: Beginning **July 1, 2013**, employers will collect **WA Cares** premiums from employees the same as for Paid Family and Medical Leave—ESD is updating the Paid Leave reporting system so employers can report for both programs at the same time. Learn more about WA Cares for Employers.

L&I Review: Setting Up Required Employer Accounts

In order to set up workers' compensation insurance, it is necessary to update your WA state business license. If you say YES to hiring employees in your application, workers' compensation and unemployment insurance accounts will be automatically opened. The following steps are required as an employer in the state of WA.

Module 11 – Hiring Staff

Update your WA state business license with the [Department of Revenue/Business Licensing Service] and **indicate you are going to have employee(s).** For customer service, call 360-705-6741.

- Once the application and employee endorsement is processed, L&I (workers' compensation) and Employment Security Department (unemployment insurance) will open up accounts for the business in 2-4 weeks. You will receive a packet in the mail from L&I with your account number, your rates, and contact information for your L&I account manager. You will also receive the required L&I workplace posters to hang in your workplace. If you have employees working remotely, you can email them PDF versions of the posters found here as well as access a list of other required federal and state posters.

- When the time comes, file your workers' compensation insurance quarterly reports online here. The due dates you need to report by are:
  - **April 30 for Quarter 1** (Hours worked from January 1 - March 31)
  - **July 31 for Quarter 2** (Hours worked from April 1 - June 30)
  - **October 31 for Quarter 3** (Hours worked from July 1 - September 30)
  - **January 31 for Quarter 4** (Hours worked from October 1 - December 31)

Your Role and Responsibilities

1. Notify your employees about the benefit
   a. You must display the mandatory poster about Paid Family and Medical Leave poster or use an optional paystub insert
   b. Must provide the Employer requirement to provide notice to employees notice to employees who may be eligible for paid Family and Medical Leave the later of:
      - Five business days after an employee's seventh consecutive day of absence due to family or medical leave, or
      - Five business days after an employer becomes aware that the employee's absence is due to family or medical leave.

2. Calculate and collect premiums (Premiums Calculator)

3. Every quarter: Pay premiums and report hours and wages
   - See if you qualify for financial help – there are grants available for eligible businesses
   - Sign up for helpful tips, updates, and support here

Social Security Cards

- Social Security numbers are required for persons working in the United States

- If an individual has a Social Security card, they must present the card to the employer at the time of hire or shortly thereafter.

- If the individual does not have a Social Security card, Internal Revenue Service rules allow an employer to hire the individual with the clear understanding that the individual will apply for a Social Security number within seven calendar days of starting work for the employer. The individual must give the employer a document showing they have applied for a Social Security card. When the card is received, the individual must give the employer a copy of the card itself. An employer should keep copies of the document(s) in an employee's employment records.

- If the employee does not show his or her Social Security card or application for a card within seven days and the employer continues to employ the worker, the employer does not meet the reporting requirements of WAC 192-310-010. The department will not allow waiver of the incomplete report penalty (see WAC 192-310-030).
- If an employee does not have a Social Security number but does have an Individual Taxpayer Identification Number (ITIN), the ITIN qualifies as a Social Security number. If the employee later obtains a Social Security number, the employer should use the Social Security number when filing the report of employees' wages.

Resources: ESD

- ESD Website
- Employer Resources
- Paid Family and Medical Leave (for small businesses)

Training and Development

WAC 388-76-10146 Qualifications—Training and home care aide certification.

1. The adult family home must ensure staff persons hired before January 7, 2012, meet training requirements in effect on the date hired, including requirements in chapter **388-112A** WAC.
2. The adult family home must ensure all adult family home caregivers, entity representatives, and resident managers hired on or after January 7, 2012, meet the long-term care worker training requirements of chapter **388-112A** WAC, including but not limited to:
   a. Orientation and safety;
   b. Core Basic;
   c. Specialty for dementia, mental illness and/or developmental disabilities when serving residents with any of those primary special needs;
   d. Cardiopulmonary resuscitation and first aid; and
   e. Continuing education.
3. All persons listed in subsection (2) of this section, must obtain the home-care aide certification if required by this section or chapters **246-980** or **388-112A** WAC.
4. Even if an adult family home applicant does not intend to provide direct personal care, the applicant must meet the long-term care worker training and home-care aide certification requirements under chapter **388-112A** WAC to the same extent that the requirements would apply if the applicant was a long-term care worker.
5. Under RCW **18.88B.041** and chapter **246-980** WAC, certain individuals, including registered nurses, licensed practical nurses, certified nursing assistants or persons who are in an approved certified nursing assistant program, are exempt from home-care aide certification and long-term care worker training requirements. This exemption does not apply to continuing education; these individuals working in a long-term care setting, must still comply with continuing education requirements under chapter **388-112A** WAC.
6. The adult family home must ensure that all staff receive the orientation and training necessary to perform their job duties.

Training	AFH Provider or Resident Manager	AFH LTC Worker
First Aid and CPR WAC 388-76-10146	Before providing care to clients	Within 30 days of employment if directly supervised by person with valid card or before providing care if not directly supervised by a fully qualified caregiver who has a valid first - aid and CPR card or certificate.
Orientation (2 hours) WAC 388-112A-0200	Prior to providing care to clients unless exempt from training.	Prior to providing care to clients unless exempt from training.
Safety Training (3 hours) WAC 388-112A-0220	Prior to providing care to clients unless exempt from training.	Prior to providing care to clients unless exempt from training.
Orientation to the Facility WAC 388-76-10146	N/A	The adult family home must ensure that all staff receives the orientation and training necessary to perform their job duties.
70-Hour Long-Term Care Worker Basic Training WAC 388-112A-0080	Provider - prior to licensure of the home unless exempt from training. *Exemption: **WAC 388-112A-0090** **WAC 246-980-0070**	Within 120 days of Hire unless exempt from basic training. *Exemption: **WAC 388-112A-0090** **WAC 246-980-0070**
Specialty Training WAC 388-112A-0490 WAC 388-112A-0495	If AFH serves one or more clients with special needs, the provider (including entity representatives as defined under chapter 388 - 76) and resident manager must complete specialty training and demonstrate competency by passing the DSHS test. If a client develops special needs while living in a home without a specialty designation, the provider, entity representative, and resident manager have 120 days to complete specialty training and demonstrate competency.	If an AFH serves one or more clients with special needs, all LTC workers must receive training regarding the specialty needs of individual clients in the home. (Time frame/120 days) DSHS approved curriculum must be used and LTC workers must take and pass the DSHS test.

Training	AFH Provider or Resident Manager	AFH LTC Worker
Nurse Delegation Core and Special Focus on Diabetes WAC 388-112A-0550	Must be a Nursing Assistant Registered, Nursing Assistant Certified, or a Certified Home Care Aide and complete ND core training before accepting a delegated task.	Must be a Nursing Assistant Registered, Nursing Assistant Certified, or a Certified Home Care Aide and complete ND core training before accepting a delegated task.
Continuing Education (CE) WAC 388-112A-0610	12 hours per year of CE must be completed by birthdate. Learn more about who must take CE and when.	12 hours per year by birthdate. Learn more about who must take CE and when.
Food Handling and Safety WAC 246-217-015	Providers or employees who hold individual food handler permits prior to June 30, 2005, are required to maintain continuing education of .5 hours per year to maintain food handling and safety training. Providers or employees who hold individual food handler permits prior to June 30, 2005, are not required to renew the permit provided the continuing education requirement as stated above is met.	A food handler permit is not required for people who began working after June 30, 2005, and successfully completed basic training, provided they received information or training regarding safe food handling practices from the employer prior to providing food handling or service for clients. Documentation that the information or training was provided to the individual must be kept on file by the provider.
AFH Administrator Training WAC 388-112A-0810 WAC 388-76	All applicants applying for an AFH license and a provider or entity representative (see requirements for provider or entity representatives in WAC 388-76) planning to open a second AFH must also complete this training.	N/A
AFH Orientation Class **Prospective Provider** WAC 388-76-10060	Class must be completed within one year of applying to open an AFH. Class is not required for the Resident Manager.	N/A

It is your responsibility to make sure your LTC workers complete all training according to the required timelines. Here are your options.

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Long-Term Care Worker Training Options

It is your responsibility to make sure your LTC workers get all training in the required timelines. Here are your options.

- **Option 1**: Train your own staff with your own approved instructors. Follow the steps here.
- **Option 2**: Send your staff to DSHS approved Community Instructors or have them come to your facility to provide training. If you use community instructors to teach ALL required LTC worker courses, there are no forms to submit to DSHS. Find a Training Class.
- **Option 3**: A combination of options 1 and 2. Follow the steps here.

> You can find free CE at many locations including the AFH Council Chapter Meetings, the Long-Term Care Foundation, and Ready Meds Pharmacy

Resources: Training

- 75-Hour Training and Home Care Aide Certification Overview (Sept 2019)
- Training Requirements for AFHs
- Find a Training Class

DOH 420 -470

Respiratory Protection Program (RPP) – L&I/DOH Requirement

The following information is an overview of the RPP from a DOH handout. ***It is important that you explore the additional resources at the end of this section to fully understand all the details of this requirement.*** *RCS will look for these documents during annual inspections if you have staff that work in your AFH.*

What is a Respiratory Protection Program?

A Respiratory Protection Program (RPP) is a set of rules and regulations enforced by the Washington Department of Labor and Industries (also known as L&I). These rules and regulations are in place to keep workers from becoming sick or injured because of workplace exposures to hazards. One significant hazard comes from viruses that spread through the air when a sick or contagious person coughs, talks or sneezes. Spreading viruses through the air is a respiratory hazard.

Why Does My LTC Setting Need An RPP?

In Healthcare and Long-term care (LTC) settings, N95s are often used to protect workers from respiratory hazards. If you use an N95, then you must have an RPP. Having an RPP will keep your home in compliance with L&I's worker protection regulations and will keep your workers healthy so they can care for your residents and clients.

The Five Steps of the Respiratory Protection Program

These are the five steps you need to create your own RPP. Each step must be in place to comply with L&I and protect your workers and residents.

1. Written Program
   - Program administrator (RPA)
   - Hazard(s)
   - Respirator selection
   - Accommodation
   - Program evaluation
2. Respirator Medical Evaluation
   - Questionnaire
   - Clearance/Certification
   - Frequency
3. Training
   - Storage
   - Use
   - Disposal
   - Emergency
   - Limitations
   - Frequency
4. Fit Testing
   - Initial
   - Annual
   - After any physical change
5. Recordkeeping
   - Medical clearance
   - Training records
   - Fit testing result

Written Program

The written program is your policy and procedure on respiratory protection. Your written program must include all the elements including who is responsible for the program, medical evaluations, training, fit testing, and record keeping. Your workers must know where to find your written program to refer to it if they forget what to do.

Respirator Medical Evaluation

A respirator medical evaluation is a list of questions that determines if it is safe for a worker to use an N95. Medical evaluation questions must be reviewed by a medical professional who gives the employer a paper saying it is safe for the employee to wear an N95 respirator. Answers to the medical evaluation questions must remain confidential. The employer only needs to know if the worker can use an N95, and when workers will need to retake the respirator medical evaluation.

Respirator Training

Everyone who wears an N95 must have training before use. The training explains to your workers why the N95 is important, how to use it, where to store it, along with other requirements. This will provide knowledge on how to stay safe when caring for a resident in isolation or quarantine. Employees must take this training every year.

Fit Testing

Respirator fit testing is a procedure that tests how well an N95 fits a worker's face. A good fit prevents inhaling a respiratory hazard. Any person trained to conduct fit testing can perform the fit test. Employees must wear the same exact style N95 they were fit tested to. Like the training, fit testing is also an annual requirement. If employees gain or lose weight, or if they have had some changes to their face, such as plastic surgery or dental work, then they must be fit tested again, even if it's before the yearly due date.

Recordkeeping

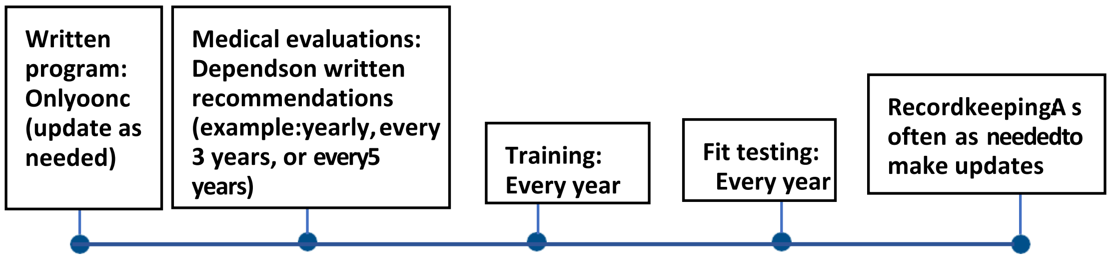
You must keep the following RPP records: An up-to-date written copy of your RPP, current fit test records, training records and medical evaluations.

How Do I Get Started?

Start by contacting the DOH Occupational Health Team at HAIFitTest@doh.wa.gov We help facilities like yours with each step of the RPP by:

- Providing the written program and respirator training templates for you to use
- Enrolling facilities into the3M online medical evaluation program (free for a ***limited time***)
- Offering the medical evaluation in other languages, ask us what languages it is available in
- Providing fit testing with our fit test vendor or with DOH staff
- Providing training on how to conduct your own fit testing

How Often Do I Need To Repeat The Five Steps?



Resources: Respiratory Protection Program

- ***DOH's RPP Website:*** http://www.doh.wa.gov/ltcrpp
- ***Request a L&I Consultation:*** https://lni.wa.gov/safety-health/preventing-injuriesillnesses/request-consultation/
- **Dear Provider Letter** - 023-030
  Provider Responsibilities for Provision of Personal Protective Equipment (PPE), Respiratory Protection Program (RPP), and Changes to Department of Health (DOH) RPP Resources
- ***WAC 296-842-11005 Safety Standards for Respirators:***

AFH Standard Precautions Table

"Standard Precautions are used for all patient care. They're based on a risk assessment and make use of common-sense practices and personal protective equipment use that protect healthcare providers from infection and prevent the spread of infection from patient to patient."
Standard Precautions for All Patient Care (CDC)

Topic	Standard Precautions: Adult Family Homes
Use the standard precautions below for all resident care. Use personal protective equipment (PPE) to protect healthcare providers from infection and prevent the spread of infection from patient to patient. Standard Precautions for All Patient Care | Basics | Infection Control | CDC	
Hand Hygiene	Wash your hands with soap and water for 20 seconds or use alcohol-based hand rub (ABHR) until your hands are dry.
	Use soap and water if you can see dirt or body fluids on your hands. Hand Hygiene Guidance | Hand Hygiene | CDC
	Keep ABHR and soap and water available for residents, staff, and visitors. Staff can assist residents if ABHR is not safe to use on their own.
Respiratory Hygiene/Cough Etiquette	Tell persons to cover their mouth and nose when they cough or sneeze; use tissues and throw them away in a no-touch garbage can. Cover Your Cough Poster| Washington State Department of Health
PPE	PERSONAL PROTECTIVE EQUIPMENT (PPE) are gloves, gowns, facemasks, N95 respirators and eye protection that protect a person from getting another person's body fluids on themselves. SUPPLIES - You need to keep enough PPE supplies in each home for residents, staff, and visitors. A good way to know you have enough PPE is to ask yourself if you have enough gloves, gowns, masks, and respirators for everyone to use if your residents become ill.
	SAFETY - Put on (Don) and remove (Doff) PPE safely to avoid personal contamination. More information can be found here: PPE Donning/Doffing Sign or CDC Donning/doffing sequence
	GLOVES - Use gloves if you touch blood, body fluids, the inside of someone's mouth, open skin sores and contaminated items.
	GOWNS - Wear a gown if your clothes or skin could get blood or body fluids on them.
	MASK AND EYE PROTECTION - Use a mask and eye protection during resident-care activities that could create splashes or sprays of blood and body fluids.
	RESPIRATORS - Use N95 fit tested respirators for viruses that are spread through the air. For some viruses, you must wear a gown, gloves, N95 mask, and eye protection. The resident's healthcare provider or your local health department can tell you when this is necessary.
Resident Care Equipment and Environment	Clean equipment right away if you see blood or body fluids or dirt on resident care equipment.
	If you use glucometers (machine that measures blood sugar) for residents, you should dedicate one glucometer to each individual resident. Personal glucometers cannot be correctly cleaned and disinfected between residents. Personal glucometers can spread blood borne pathogens to other residents.
	Use an EPA-registered disinfectant for cleaning resident equipment and rooms. Selected EPA-Registered Disinfectants | US EPA
	Create a plan for routine care, cleaning, and disinfection of surfaces, especially frequently touched surfaces in resident-care areas. You may need to clean more often if a resident is sick.
	Know how to mix bleach safely. Cleaning and Disinfecting with Bleach | CDC
Laundry	Do not shake dirty laundry. Wash heavily soiled laundry in a separate load.
	Wash and dry items according to manufacturer's instructions, use warmest temperature when possible.
Topic	**Standard Precautions: Adult Family Homes**
Safe Injection Practices	Do not use needles or syringes for more than one resident (this includes prefilled syringes and other devices like insulin pens) Infection Prevention during Blood Glucose Monitoring and Insulin Administration | Injection Safety | CDC
	Use a new needle and syringe for medication containers each time, even when withdrawing more doses for the same resident or client. One and Only Campaign | Injection Safety | CDC
	Prepare injections in a clean area away from sinks and water sources.
Needles and Other Sharps	Do not recap, bend, break, or handle used needles
	Right after the injection, place used needle into a puncture-resistant container.
	Do not overfill any containers holding needles.
Resident Placement	**Single Room** Residents should have a single room when available if the resident has: • an illness that can easily spread to others • lots of body fluids (like diarrhea or an open sore) • a condition that makes it easy for them become ill (immunocompromised) **Shared Room** If a single room is not available, choose a roommate when possible that: • is not immunocompromised • does not have an open sore or catheter • will stay in their own space
Staff Education	Train staff on standard precautions that include hand hygiene, cough etiquette, cleaning resident care equipment and environment, PPE use, laundry, safe sharps, and injection practices, and resident placement.
Outbreak Management	Train staff to know the steps for an infectious disease outbreak that includes reporting, resident placement with like illnesses or symptoms, isolation, use of PPE. CDC Isolation Precautions
	Train staff on how outbreak information will be shared with residents, staff, and visitors.
Respiratory Protection Program (RPP)	Fit test staff annually with N95 respirators, train staff on the importance of respiratory protection and have staff complete a medical clearance to wear an N95 respirator as required. You must have a written RPP and keep fit test, medical clearance and training records in your home. Respiratory Protection Program for Long-Term Care Facilities | Washington State DOH
Resources	• Infection Control Assessment and Response (ICAR) | Washington State Department of Health • Project Firstline | Washington State Department of Health • Four Steps to Food Safety | CDC
This is an educational document, do not use for regulatory purposes. If you have a regulatory question, please reach out to RCSPolicy@dshs.wa.gov or your Residential Care Services Field Manager.	

.cdc.gov/injectionsafety/blood-glucose-monitoring.html

Orientation and Safety (ORSA) Training

There are two types of orientation training: **Facility orientation** training and **LTC worker orientation** training. The five-hour Orientation and Safety Training is required for all new hires who are not exempt. Your AFH specific orientation can be included in the orientation if you teach the class to your staff. Since November 2017, AFH Administrators have been able to provide the LTC worker Orientation and Safety Training.

Once you become licensed, the HCS Training Unit will send you the following email with information about ORSA training and will attach a certificate specific to your AFH. This certificate is not transferable, it is for your AFH only and cannot be altered.

Unless you notify DSHS otherwise, your facility is approved to use the DSHS's curriculum (below). It is your responsibility to present the materials in its entirety along with your facility's policies. **After you present the class, you must ensure that the workers receive their DSHS certificate of completion**.

If another person working in your facility is going to teach ORSA, you must notify DSHS by filing a Training Program Application form (called a TPA). Your facility will then become a "Training Program" and receive an assigned Training Program Number that will go on any further approval letters and certificates.

It is your responsibility to ensure your staff receive this training within the required timeframes. Review the options and instructions: Adult Family Homes/Assisted Living Facilities | DSHS (wa.gov)

Orientation and Safety Training Materials

Safety and Orientation training materials can be downloaded from the DSHS Curriculum and Materials Available | DSHS (wa.gov) website and include all WAC required orientation topics. Materials can be used in their entirety or parts used to supplement existing orientation materials. Training materials are available in English, Chinese, Korean, Russian, Spanish, and Vietnamese.

Becoming a Facility Instructor

- See the DSHS Facility Instructor – Qualification Requirements (DSHS 22-1855 (9/2021)) document for qualification requirements. All instructors must be:
    - Be 21 years of age.
    - Have not had a professional health care or social services license or certification revoked in Washington state.
    - In addition to the general qualifications listed in the document, an instructor must meet the listed qualifications for DSHS approval for the following courses:
        - Orientation and Safety Training
        - Continuing Education
        - Core Basic Training, Population Specific Training, or On-the-job training
        - Dementia Specialty Training
        - Mental Health Specialty Training
        - Developmental Disabilities specialty Training

Resources: Facility Instructor

- Facility Training Program Application and Updates (DSHS 15-555)
- Facility Instructor Application (DSHS 15-554)
- Available DSHS Developed Curriculum and Materials - DSHS developed training materials available for LTC worker training. Please note that the Orientation, Safety Training and Navigating Through Challenging Behaviors training materials are now available in several languages.
- On-the-Job Facility Training Plan Application and Updates (DSHS 15-667)
- 420-486_AFH Standard Precautions Table (wa.gov)

From: ApprovalTPA, Training <TrainingApprovalTPA@dshs.wa.gov>
Sent: Friday, November 15, 2019 2:20 PM
To: ApprovalTPA, Training <TrainingApprovalTPA@dshs.wa.gov>; [redacted]
Subject: Orientation and Safety Training Approval - [redacted]

Hello Facility Licensee,

Effective November 24, 2017, all adult family homes, assisted living facilities and enhanced services facilities are automatically approved as a training program to provide their employees with Long-term Care Worker Orientation and Safety (ORSA) training. This email is your official notice that as your facility's licensee, you are approved to offer this training.

Attached is your:

- **DSHS Licensed Facility ORSA approval letter.** This letter allows you as the new licensee to teach ORSA to facility staff. **Please review and keep this approval letter for your records.**
- Upon completing training, Long Term Care Workers must receive a DSHS training certificate. Attached is an ORSA certificate template for your use. **Please note that you may not modify the template. Please keep this template for your records.**

Locating training materials, and adding additional trainers:

- We are approving your facility to use the free DSHS curriculum to which you will add your facility's policies and procedures. To choose a different orientation and safety curriculum or a different instructor other than yourself, you must complete an application form found at https://www.dshs.wa.gov/altsa/hcs/training/afh-alf and send it to us at **TrainingApprovalTPA@dshs.wa.gov**.
- To view DSHS developed curriculum available for download (including translated versions), Visit our website. To view and order DSHS developed curriculum available in print go to Myfulfillment.wa.gov. You will find that student materials (workbooks) have been translated in six languages.

Thank you,

DSHS Training Unit
Aging and Long-Term Support Administration
Washington State Department of Social and Health Services
360-725-2550 / TrainingApprovalTPA@dshs.wa.gov

Transforming Lives

DSHS does not discriminate and provides equal access to its programs and services for all persons without regard to race, color, gender, religion, creed, marital status, national origin, sexual orientation (which includes gender identity and expression), age, veteran's status or presence of any physical, sensory, or mental disability.

Facility Orientation

"Getting Acquainted"– Home Specific Orientation

One of the most common mistakes made by small businesses in the human resources area is believing that a new hire will perform exactly as expected. In addition to learning their way around your AFH, the new employee must be provided information that will improve their chances of contributing immediately and successfully to your AFH.

Most caregiving staff and volunteers are required to complete a "Facility Orientation Training" before having routine interaction with residents. Workers who are exempt from certification as described in RCW 18.88B.041 and volunteers are still required to complete your AFH facility orientation training before they have routine interaction with your residents.

Aside from any legal requirements, this training is one of the most important things you can do to help your new employee get a strong start with your company. This training gives them basic introductory information about your AFH and the populations you serve. It tells them about you and your business. What your mission is, your goals and philosophy of care. Take the time and necessary effort to train and orient your new employee to ensure they are competent and have a strong understanding of the job requirements. You also model how to conduct themselves around families, residents, coworkers, and visitors.

Additionally, it's very important that your training include direct observations and return demonstrations of any skills you teach your new hire. You must confirm they can perform the care and services that are required of them at the appropriate level of competence – do not assume or take their word for it.

NOTE: Orientation training may include the use of videotapes, audiotapes, and other media if the person overseeing the orientation is available to answer questions or concerns for the person(s) receiving the orientation. Be sure to complete the required documentation as outlined in WAC 388-112A-0240. **The Department of Social and Health Services (DSHS) does not need to approve your orientation program, materials, or you as a trainer, and no testing is required.**

Your AFH Personnel Policies. A common mistake made by many adult family home providers, especially new employers, is to assume that a new hire already knows what you expect of them and understands the job description in your adult family home.

In addition to a thorough orientation of all new hires to your adult family home, you must provide explicit and detailed information about your company, the job requirements, and other important information to help ensure your new staff will succeed and add value to your business.

Although the new employee will have learned a good bit about your home's personnel policies during the hiring process, they should now be provided an employee handbook that explains the more important policies.

These policies should include the hiring process just completed, a definition of salaried and hourly personnel (and their differences), salary administration, incentive bonus plan, retirement plan (if any), pay grade structure, time reporting, working hours, overtime pay, shift premium, pay for attending funerals and jury duty, and performance appraisals.

Employee benefits should be explained, including vacation time, health and dental insurance, disability compensation and other benefits.

If you don't use the Employee Handbook from the Long-Term Care Foundation, or create your own, your employment policies should at minimum, include the following items:

- A definition of salaried and hourly employment (and their differences)
- Definition of your workweek, work hours, overtime pay, shift premium, etc.
- Information on Employment-at-Will
- How to request time off
- Paid Sick Leave or Paid Time Off policy
- Timing and management of pay and salary, including direct deposits if available
- Any incentive or bonus plan, retirement plan, pay grade structure
- Employee benefits including vacations, health and dental insurance, and any other employment benefits you may offer
- If you offer a 401(k) plan or SIMPLE IRA, the details should be explained so the new employee understands how these benefits work, and when/how they can begin to participate
- Timesheet requirement
- Jury Duty
- Performance appraisals

All these items, and others that you may think of, are important to the employee and should be presented at the time of employment.

Do not rush through your home's orientation. It is critical that your staff understand how your run your home. Some providers spend 16 hours on their orientation.

Facility orientation must include introductory information in the following areas:

- **A tour of your home**, job description, where to find supplies
- **Residents** - The characteristics and special needs of the population you serve
- **Communication skills** and information, including:
    - Methods for supporting effective communication among the resident/guardian, staff, and family members
    - Use of verbal and nonverbal communication
    - Review of written communications and documentation required for the job, including the resident's service plan

  - Expectations about communication with other home staff
  - Your preferred contact method for communicating about problems and concerns
- **Resident rights**, including:
  - The resident's right to confidentiality concerning their personal information
  - The resident's right to participate in making decisions about their care and to refuse care
  - Staff's duty to protect and promote the rights of each resident and assist the resident to exercise those rights
  - How staff should report concerns they may have about a resident's care decision and whom they should report these concerns to
  - Staff's duty to report any suspected abuse, abandonment, neglect, or exploitation of a resident
  - Advocates that are available to help residents (such as long-term care ombudsmen and organizations)
  - Complaint lines, hot lines, and resident grievance procedures such as, but not limited to:
    - The DSHS complaint hotline at 1- 800-562-6078
    - The Washington state long-term care ombudsman program
    - The Washington state department of health and local public health departments
    - The local police
    - Facility grievance procedure
- **Universal precautions and infection control,** including:
  - Proper hand washing techniques
  - Protection from exposure to blood and other body fluids
  - Appropriate disposal of contaminated/hazardous articles
  - Reporting exposure to contaminated articles, blood, or other body fluids
  - What staff should do if they are ill
- **Safety**
  - Show where the fire exits, evacuation routes, and fire extinguishers are;
  - Emergency communication (including phone system if one exists)
  - Ensure you understand how to properly transfer to prevent injury to the resident and yourself
  - Ways to handle resident injuries and falls or other accidents
  - Potential risks to residents or staff (for instance, aggressive resident behaviors and how to handle them)
  - The location of home policies and procedures
  - Self-care, work pace, get adequate rest and nutrition before coming to work
  - How to address code, not code, and POLST status for each resident
- **Emergencies**
  - Where emergency packs/go bags/kits for emergency evacuations are located
  - When to call 911
  - Where emergency phone numbers are located
  - How to handle a medical emergency

YOUR AFH NAME
AFH ADDRESS, Tel & Fax Number

--- Example ---

Medical Emergency Policy

How We Handle Medical Emergencies

We must notify 911 in the event of a resident's medical emergency, regardless of any advance directives, or EMS NO CPR form. **For Residents receiving Hospice Care**, *and if the emergency is related to the resident's hospice diagnosis,* we may contact the hospice provider first.

1. **Evaluate the scene and the Resident**
   a. Assess the scene for safety
   b. Assess the resident using first aid skills
   c. Do not attempt to move the resident before evaluating injuries
2. **Determine the Resident's status**
   a. **If life-threatening** (Life-threatening conditions include; No pulse or breathing; Loss of consciousness; Chest pain; Breathing difficulty; Severe or uncontrollable bleeding; Diabetic coma or insulin shock).
      i. **CALL 911** immediately and follow instructions.
      ii. Then call the Provider [Your Name] at [Your Number],
      iii. Then call the Resident's POA
      iv. If you cannot reach any of the above, call 911.
   b. When EMS arrives
      i. Provide EMS personnel the Resident's POLST Form, Living Will or Advance Directives document if available
      ii. A copy of the Resident's medication list and medical diagnosis
      iii. The Resident's Information Sheet
3. **If NOT life-threatening**
   a. Call [Your Name] at [Your Number] or supervisor at [supervisor number]
   b. Call the Resident's physician
   c. Call the Resident's POA.
4. **Return to care for the resident** according to standard first aid protocols, or as instructed by EMS, the nurse in charge, or the physician.
   a. Assist the Resident into a position of comfort
   b. Do a full head-to-toe evaluation of the resident
   c. Take vitals and record them in the Resident's record
   d. Monitor the Resident's vital signs twice daily for 72 hours and report any unusual changes such as a lower level of consciousness.

Facility Orientation Training Documentation

Although no competency testing is required for this facility orientation, you must document that the facility orientation training was completed. Your documentation can be issued in the form of a certificate of completion for example. At minimum, your documentation or certificate of completion must include:

1. The title of the training, i.e., "Adult Family Home Facility Orientation Training"
2. The new hire's name and employment start date
3. The date(s) that the facility orientation took place, what was covered, and the total number of hours of the training
4. The signature of the instructor providing the facility orientation

Give your new hire a copy of this training documentation and maintain the original in their employee file, indefinitely.

Long-Term Care Worker Orientation

Individuals required to complete the seventy-hour long-term care worker basic training must complete long-term care worker orientation, which is two hours of training regarding the long-term care worker's role and applicable terms of employment as described in WAC 388-112A-0210.

- All long-term care workers who are not exempt from certification (as described in RCW 18.88B.041 hired on or after January 7, 2012), must complete two hours of long-term care worker orientation training before providing care to residents
- Long-term care worker orientation training must be provided by qualified instructors
- The department must approve long-term care worker orientation curricula and instructors
- There is no test for long-term care worker orientation

Long-term care worker orientation training must include introductory information in the following areas:

- The care setting and the characteristics and special needs of the population served
- Basic job responsibilities and performance expectations
- The care plan or negotiated service agreement, including what it is and how to use it
- The care team
- Process, policies, and procedures for observation, documentation, and reporting
- Resident rights protected by law, including the right to confidentiality and the right to participate in care decisions or to refuse care and how the long-term care worker will protect and promote these rights
- Mandatory reporter law and worker responsibilities as required under chapter 74.34 RCW
- Communication methods and techniques that may be used while working with a resident or guardian and other care team members

One hour of completed classroom instruction or other form of training (such as a video or online course) in long-term care orientation training equals one hour of training. The training entity must establish a way for the long-term care worker to ask the instructor questions.

Safety Training

Safety training is part of the long-term care worker requirements. It is a three-hour training that must meet the requirements of WAC 388-112A-0230 and include basic safety precautions, emergency procedures, and infection control.

All long-term care workers who are not exempt from certification as described in RCW 18.88B.041 hired after January 7, 2012, must complete three hours of safety training. This safety training must be provided by qualified instructors that meet the requirements in WAC 388-112A-1260.

The department must approve safety training curricula and instructors. There is no test for safety training.

In AFHs, safe food handling information **must** be provided to all staff, prior to handling food for residents.

Safety training must consist of introductory information in the following areas:

- Safety planning and accident prevention, including but not limited to:
    - Proper body mechanics
    - Fall prevention
    - Fire safety
    - In-home hazards
    - Long-term care worker safety
    - Emergency and disaster preparedness
- Standard precautions and infection control, including but not limited to:
    - Proper hand washing
    - When to wear gloves and how to correctly put them on and take them off
    - Basic methods to stop the spread of infection
    - Protection from exposure to blood and other body fluids
    - Appropriate disposal of contaminated and hazardous articles
    - Reporting exposure to contaminated articles
    - What to do when the worker or the resident is sick or injured, including who to report this to
- Basic emergency procedures, including but not limited to:
    - Evacuation preparedness
    - When and where to call for help in an emergency
    - What to do when a resident is falling or falls
    - Location of any advance directives if available
    - Basic fire emergency procedures

One hour of completed classroom instruction or other form of training (such as video or online course) equals one hour of training. The training entity must establish a way for the long-term care worker to ask the instructor questions.

Resources: Training

- Dear Provider Letter 023-014 – Food Handler Requirements for Adult Family Homes

Orientation and Safety Training WACs

388-112A-0200	What is orientation training, who should complete it, and when should it be completed?
388-112A-0210	What content must be included in facility and long-term care worker orientation?
388-112A-0220	What is safety training, who must complete it, and when should it be completed?
388-112A-0230	What content must be included in safety training?
388-112A-0240	What documentation is required for facility orientation training?

Staff Development

Employee development is important for professional and personal growth. It helps attract and keep great employees. Examples are:

- Mentoring program
- Employee engagement
- Offer resources
- In-hours training
- Making information easily accessible

On-the-Job Training

On the job training allows an approved instructor in either an Adult Family Home or Assisted Living facility to monitor an employee's performance in completing necessary skills while working with residents on the job.

On-the-job training is a method of training where the long-term care worker successfully demonstrates, as part of the seventy-hour long-term care worker core basic training, the core competencies required, in personal care and infection control skills while working with residents in real settings, instead of in a practice training setting.

- The department must approve the instructor/s and the number of on-the-job skills hours included in the seventy-hour long-term care worker basic training upon initial application and when changes to the approved plan are made.
- Facilities must verify on a department approved Skills Procedure Checklist each long-term care worker's successful completion of the demonstrated skills.

On-the-Job Training Resources:

- WAC 388-112A-0330 - What is on-the-job training?
- On-The-Job Skills Training in facilities for Home Care aide Certification
- LTC Worker Basic and On-the Job Training Frequently Asked Questions
- **Skills Practice Procedure Checklist for Home Care Aides DSHS Approved (Home and Community Services) 16-245** (English) Other languages include: Amharic, Arabic, Cambodian, Chinese, Korean, Laotian, Russian, Samoan, Somali, Spanish, Tagalog, Ukrainian, and Vietnamese

Managing and Measuring Performance

Performance Reviews

A performance appraisal, or job performance evaluation is an important tool to review and discuss your employees' performance. Performance appraisals are carried out by way of scheduled meetings between you as the employer and an employee to review, evaluate, and record the employee's performance and achievements, and decide on future objectives.

Performance reviews can be used to justify pay increases, bonuses, or terminations. They can also be used to document if an employee is not performing according to their job description and your expectations, it is important to document this lack of performance in writing.

Reviews can be conducted at any time, but most employers use a set schedule, such as 30 days, 90 days, 6 months, and then bi-annual or annually. Don't skip this process with your staff. Reviews:

- Can be a way to reward employee performance; give certificates of appreciation and recognition.
- Identify areas to improve and sets the foundation for a performance improvement plan (next steps and follow-up) to address any issues.
- Identify areas of potential that can be developed further.
- Allow employees to self-reflect; discuss any concerns they have or growth opportunities they would like to pursue.

Key Points

- Schedule performance reviews with the employees in advance.
- Remind them that the performance evaluation is based on their job description; provide them with a copy if needed.
- Answer any questions they may have about their job description, responsibilities, and the performance evaluation process.
- Give your new employee a blank copy of the performance evaluation form prior to the meeting so they know exactly what they will be evaluated on and can be prepared.
- Bring two copies of the performance appraisal form to the performance review, one for you and one for them.

Appraisal Form

Your performance appraisal form should include the following information;

- The employee's name and date of hire

- The date the performance evaluation is conducted

- The evaluation interval period; is this a 90-day, 6-month, or 12-month evaluation?

- The appraisal form should be built using a complete list of the tasks and responsibilities from the employee's job description.

- The appraisal form should contain a rating system.
    - For example, for each item being evaluated the employee's performance may be:
        - 1 - Unacceptable
        - 2 - Needs Improvement
        - 3 - Average
        - 4 - Above-Average
        - 5 - Outstanding
    - You can define each of the above rating metrics, for example, "1) unacceptable" can be defined as, "the employee is unable to complete this task satisfactorily."

- Allow space for comments under each item being evaluated.

- Include a section for general comments, and another section to document improvement action plans you've agreed upon with the employee.

- Include signature lines for the employer and the employee.
    - The employee's signature does not need to indicate that the employee agrees or disagrees with the appraisal review, only that the appraisal took place.
    - A signature statement example can be as follow, "*My signature indicates neither agreement or disagreement with this performance appraisal, but it does indicate that the performance appraisal took place and that I have reviewed it with my employer. I understand that I may provide a separate personal statement to be included as an attachment to this appraisal.*"

Design and Conduct Legally Valid Performance Appraisals

There are no laws entitled employee performance evaluation laws, however, there are laws that do apply to the employee performance evaluation process, such as federal and state anti-discrimination laws. These laws include Title VII of the Civil Rights Act of 1964, the Equal Pay Act, and the Americans with Disabilities Act.

Follow these practical guidelines while conducting a performance evaluation:

- **Be objective rather than subjective**. Therefore, it is important that your evaluations are based on the employee's job description.
    - The performance evaluation should not be based on your opinion on how the employee is performing.
    - If the job description states, "…ensure that all medications are locked at all times," there should be a line-item criterion on the evaluation such as, "the employee consistently ensures that medications are locked."

- **Standardized for all employees**
    - All employees who have the same job description should be evaluated on the same criteria, using the same performance evaluation form.
- **A process to support and track performance improvements**
    - A performance scale from “unacceptable” to “excellent” is common. Another example would be a numerical scale from 1 to 5, where 1 is unacceptable and 5 is above average.
- **Not biased** against any race, color, sex, sexual orientation, religion, or nationality.
- **Performed by a person who has adequate first-hand knowledge of the employee**, the employee’s performance, and their job description.
- **A recourse or process if the employee disagrees** with their performance appraisal. Such process should be described in your employment or personnel policies.

Conducting the Performance Appraisal

Use a standardized process when conducting reviews, reviews should be transparent and objective. This way all your staff will be held to the same standards. Discuss behaviors, not personalities. Encourage participation and be supportive. Come to terms on actions where possible. Keep your reviews future focused, it should be a two-way conversation.

State that the meeting's goals are to evaluate their performance, to gather feedback they may have, and to define any potential areas of improvement.

- Assess the employee’s performance against clearly established and objective performance expectations based on the employee’s job description and duties.
- Provide feedback about the employee’s performance and progress, including positive reinforcement for tasks done well.
- Suggest areas for improvement and provide access to resources, training, or mentoring to support such improvements and progress.
- Encourage honest feedback from the employee — do they feel supported? Is there specific training they need? What do they feel would help them achieve better performance?
- Encourage the employee to share their thoughts for consideration on how the job description could be modified to improve the resident’s quality of life, achieve better care outcomes, or improve and facilitate the smooth operation of the adult family home.
- Openly discuss any areas of disagreement, but don’t allow a disagreement to derail the purpose of the meeting. Avoid becoming defensive and try to anchor the conversation or potential disagreements on facts rather than opinions.
    - Remember that disagreements are more likely when subjective judgments and opinions are shared. Remain objective and factual.
- Avoid using terms such as "always" or "never."
- Do your best to end the meeting on a positive note.

- Performance appraisals can provide a strong morale boost for good employees and can also provide great motivation for employees to improve their performance.
- The employee can add comments on their appraisal by attaching their written comments.
- You should sign the appraisal form and asks the employee to sign it as well.
- The appraisal form and any action plans can be reviewed every few weeks or months during shorter one-on-one meetings with the employee.
- Be sure you address any issues as they occur, nothing should be a surprise to the employee during the evaluation.
- Reward your employees for their positive performance and contributions. You can give certificates of recognition and thank you cards. You can also tie their performance to salary increases, just to name a few.

REMINDER: Although formal performance evaluations may be carried out on a regularly scheduled basis, it is a good practice to encourage open dialogue about the employee's performance throughout the year. Addressing issues as they arise prevent problems from building up and escalating.

Document Performance Appraisals

- Ensure you have sufficient direct contact and observations of the employee so that you can make factual observations of their performance rather than make judgment calls.
- Record major accomplishments, strengths, and weaknesses, and suggest relevant training or development opportunities to improve performance.
- To help avoid disagreements, report, and comment on factual observations of behaviors and actions during the appraisal process and avoid hearsay or judgment calls.
- Always address employee behaviors, not their character or personality.
- Never comment on the employee's race, sexual orientation, religion, or personal family status.
- It's not uncommon for some employees to blame their poor performance on other employees; "I don't do the laundry because Jane never does laundry!"
    - It's important that you clarify that you are both here to evaluate the employee's performance, and not the performance or behaviors of any other employee.
    - Be sure to address only the behaviors of this employee, rather than behaviors of other employees.

All reviews should be in writing. Reviews are confidential and stored in the employee's file.

Add agreed-to commentary on the form. Note that if the employee wants to add attach written input to the final form, they should be able to do so. You sign the form and ask the employee to sign it. The form and its action plans are reviewed every few months, usually during one-on-one meetings with the employee.

Discipline Policy

Your discipline policy should be clearly outlined in your employee handbook. Consistency and clear expectations are important when addressing performance issues. All conversation around work performance should be documented.

You may need to take disciplinary action due to employee violation of policy or procedure, work performance, harassment or violence, illegal behavior, attendance issues, or discrimination.

Progressive discipline refers to an increasing level of corrective action if an employee fails to meet requirements for improvement. Discussing work performance should always be face-to-face and not over the phone, email, or text. You may also want to develop and implement a performance improvement plan for an employee.

- **Verbal Warning** – A verbal warning may be appropriate for minor infractions or where performance needs only minimal improvement to be satisfactory.
- **Written Warning** – A written warning may be used with a more serious infraction or when it appears a verbal warning(s) did not produce a sufficient behavioral change. Your written notice should be clear and objective; what are the facts.
- **Suspension** – A suspension may be used after one or more written warnings were given with no improvement of employee performance.
- **Termination** – A termination after progressive discipline has not produced the desired behavioral changes. It is critical you have documented all actions you have taken and the results before terminating an employee.

Example of a disciplinary action or written notice

Employee: Lucy Bell
Violation: Tardiness
Date: 8/16/2021
Position: CNA

Summary of events
Lucy was 3 hours late to work, didn't properly notify her supervisor that she was going to be coming in late to work.

Employee Statement

Next steps or action taken

Employee's name/signature and date

Long-Term Care Foundation
of Washington State

Be prepared, don't let frustration get in the way. Keep your employee handbook handy so you and the employee can refer to it.

Remember: Document all details of any disciplinary conversations and make sure your process is consistent for all your employees.

Termination

Before you take steps to terminate an employee, ensure you have a written record of the event that led to termination, including dates. Make sure you have clearly communicated your expectations to the employee, referring to the handbook as needed. Coach them to ensure they understand and can demonstrate your expectations. Did you develop and implement a performance improvement plan? What was the outcome of the plan? Did you provide any written warnings?

Washington is an "At Will" employment state. Employers may fire any employee at any time, for any or no reason, if they are not violating employee protection laws. See L&I Termination & Retaliation site. Protections include:

- Minimum Wage Act
- Injured worker's claims
- Safety complaints
- Discrimination in the workplace
- Protected Leave
- Equal Pay and Opportunities Act

L&I adds that an employee may request the reason for discharge by sending a written request to the AFH for a signed written statement of the reason for discharge and the effective date. See WAC 296-126-050(3) for details.

Retaliation

WAC 296-126-070

Per L&I, an employer cannot take adverse actions against an employee who exercises a protected right, files, or intends to file a complaint, or who has discussed potential violations of their rights. Prohibited adverse actions may include:

- Terminating, suspending, demoting, or denying a promotion.
- Reducing hours or altering the employee's work schedule.
- Reducing the employee's rate of pay.
- Threatening to take, or taking action, based upon the immigration status of an employee or an employee's family member.
- Subjecting the employee to discipline, including write-ups, verbal warnings, points, etc.

Employee Record Retention

WAC 296-126-050

You are required to keep, for at least three years, a record of the name, address, and occupation of each employee, dates of employment, rate, or rates of pay, amount paid each pay period to each employee and the hours worked. An employee can request, at a reasonable time, to view their employee file.

Resources & Links

*The **Managing and Measuring Performance** section includes information from a presentation by Shereice Brown, shereice@ltcfwa.org, Workforce Development Manager for the Long-Term Care Foundation. You can find the full presentation here.*

LTC Worker Training Requirements

- WAC 388-112A outlines the required training and timeframes for adult family home staff
- DSHS approves the training programs and instructors for Washington State
- Department of Health (DOH) manages the testing and oversight of the HCA credential
- Adult family home staff are required to receive their basic training (unless exempt) and all other required training from DSHS-approved training programs and instructors
- For multiple adult family home providers, WAC 388-112A-1100 allows you to teach in your homes using the certificate from the home you had approved

If you need to confirm that the courses and/or instructors have been approved by DSHS, check out instructors/classes at: Find a Training Class (wa.gov) or contact the HCS Training Unit at 360-725-2550 or by email at TrainingApprovalTPA@dshs.wa.gov .

L&I Reminders

- Report all new employees (including part-time and temporary) to the Department of Social & Health Services (DSHS) New Hire Reporting Program within twenty days of hire. Reporting new hires helps the Division of Child Support collect support more efficiently.

- Create an Accident Prevention Program (required – even for remote workers). If you need help creating this, we have sample programs here or you can request a FREE, confidential consultation to get you started on the right foot.

- Provide all employees required notice of Paid Sick Leave benefits, and consider creating optional sick leave policies.

- Learn more about filing quarterly reports, reporting worker hours, and keeping other required employment records on the L&I Recordkeeping Requirements page.

- Sign up for a FREE *L&I Essentials for Business* webinar to understand your role, your many requirements, and what L&I does – these are offered each month as live, online webinars.

- Get questions related to other state agencies answered, such as the Department of Revenue and Employment Security, by contacting their Small Business Liaisons.

- Subscribe to our quarterly L&I Small Business Newsletter for important updates affecting small businesses and resources available to help.

Resources: Additional Training

- Training Requirements for Adult Family Homes | DSHS (wa.gov)
- Certified Home Care Aide Checklist (wa.gov)
- Exempt Workers from HCA 70-hour training (WAC 388-76-0090)
- Provider Credential Search: Search (wa.gov)
- L&I Business Essentials brochure
- Free advising services offered statewide by the Washington Small Business Development Center, can be reached online or at 833-492-7232, and SCORE. There are also many local business support organizations you can access through the Washington Microenterprise Association

- For a variety of hiring resources including unlimited job posting and labor market information, visit WorkSourceWA
- L&I Small Business Office resources can be found at Lni.wa.gov/SmallBusiness
  - **Phone:** (800) 987-0145 | (360) 902-4730
  - **Email:** SmallBusiness@Lni.wa.gov

DSHS courses approved for CE credits

- https://www.dshs.wa.gov/altsa/training/dshs-curriculum-available
- If you are using an online CE vendor, verify that their training is DSHS-approved in Washington State for the LTC worker. DSHS does not approve self-study continuing education.

NOTE: If your adult family home has any DSHS specialty designations, staff are required to receive additional training according to WAC 388-112A-0400 through 0495.

Summary Review

During this Module, you learned:

- The employment process
- How to find, hire, train, manage, and maintain sufficient qualified staff
- The skills to write a clear and thorough job description, interview, hire, and conduct job performance evaluations
- About the LTC workers training and background requirements
- The importance of a new hire AFH orientation

Test Your Knowledge

True or False

1. The best way to find employees is with a newspaper ad.
2. You need to apply for approval to provide Orientation and Safety training to new staff.
3. You should wait until the employees scheduled evaluation to discuss any problems that come up.

Get Ready for Your Next Class

- Read assigned modules
- Study for Quiz #4 (Modules 10-12)

Thanks to **Andrew Bryan, Small Business Liaison for contribution and review of L&I Content**
WA State Department of Labor & Industries, **Phone:** (800) 987-0145 | (360) 902-4730
Email: SmallBusiness@Lni.wa.gov, **Web:** Lni.wa.gov/SmallBusiness

Acronyms Used in this Module

Acronym	Description
ALF	Assisted Living Facility
BCCU	Background Check Central Unit
BCS	Background Check System
CCS or CC&S	Character, Competence, and Suitability
CE	Continuing Education
CPR	Cardiopulmonary Resuscitation
DOSH	Division of Occupational Safety and Health
ESD	Employment Security Department
FBI	Federal Bureau of Investigation
FLSA	Fair Labor Standards Act
HCA	Home Care Aides
HCS	Home and Community Services
HR	Human Resources
ID	Identification
ITIN	Individual Taxpayer Identification
L&I/LNI	Labor and Industries
LTC	Long Term Care
LTCW	Long-Term Care Worker
NAC	Nursing Assistant Certified
NDOB	Name Date of Birth
NH	Nursing Home
ORSA	Orientation and Safety
RAP	Record of Arrests and Prosecutions (RAP Sheet)
RCW	Revised Code of Washington
SAW	SecureAccess Washington
SSA	Social Security Administration
TB	Tuberculosis
USCIS	U.S. Citizenship and Immigration Services
WAC	Washington Administrative Code
WSP	Washington State Patrol

Revision Table

Date	Volume	Changes	Page(s)
1/2025	V5.2	• Repaired links and other minor changes • Removed link for old fact sheet for Telecommunication Equipment Distribution Program • Updated link for Telecommunication Relay Service Program – Pointed to web site rather than old fact sheet • Fixed link for Health Equity Considerations and Racial and Ethnic Minority Groups • Fixed CDC link under HIV/AIDS • Fixed Hospice link to find care • Fixed link for the SHDD • Removed link: LIFE ElderCare | Serving aging adults in Fremont, Newark and Union City, California • Moved LEI Video from LGBTQ Resources to Video Resources and added a description. • Removed the following broken links and replaced with updated fact sheet web page • Updated Why Person-First Language Doesn't Always Put the Person First link • Repaired Person-Centered Video Resource video links • Removed duplicate important to video • Removed Helen Sanderson Associates link • Removed: This form is also available in many different languages. Broken link • Removed: Fingerprint-based Background Checks – Information and Instructions -unable to locate site, broken link • Removed incorrect RCW reference to about sleepover vs. live-in staff exemptions to the minimum wage requirement • Added Summary Review from slide	