



POLICY: Workplace Searches

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Original Implementation Date:		Date Reviewed/ Revised:	3.2016	Area of Responsibility:	Human Resources	Version:	2
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PURPOSE: It is the policy of Sun Health Senior Living that when management deems it necessary to protect the health, safety and welfare of its residents, guests and employees, for authorized persons to search and inspect both the Company's property and the personal items of employees, including vehicles, brought onto the Company's property. Although the searches and inspections will be conducted with the consent of the employee, refusal to cooperate in a search, inspection, or investigation will result in disciplinary action up to and including termination of employment.

POLICY: The Company reserves the right to conduct searches to monitor compliance with rules concerning safety of employees, residents and members including the security of Company and individual property, drugs and alcohol, and possession of other prohibited items. "Prohibited items" includes illegal drugs, alcoholic beverages, prescription drugs or medications not used or possessed in compliance with a current valid prescription, weapons, any items of an obscene, harassing, demeaning, or violent nature, and any property in the possession or control of an employee who does not have authorization from the owner of such property to possess or control the property. "Control" means knowing where a particular item is, having placed an item where it is currently located, or having any influence over its continued placement. In addition to Company premises, the Company may search employees, their work areas, lockers, personal vehicles if driven or parked on Company property, and other personal items such as bags, purses, briefcases, backpacks, lunch boxes, and other containers. In requesting a search, the Company is by no means accusing anyone of theft, some other crime, or any other variety of improper conduct.

There is no general or specific expectation of privacy in the workplace of SHSL, either on the premises of the Company or while on duty. In general, employees should assume that what they do while on duty or on the Company premises is not private. All employees and all of the areas listed above are subject to search at any time; if an employee uses a locker or other storage area at work, including a locking desk drawer or locking cabinet, the Company will either furnish the lock and keep a copy of the key or combination, or else allow the employee to furnish a personal lock, but the employee must give the Company a copy of the key or combination. The areas in question may be searched at any time, with or without the employee being present. As a general rule, with the exception of items relating to personal hygiene or health, no employee should ever bring anything to work or store anything at work that he or she would not be prepared to show and possibly turn over to Company officials and/or law enforcement authorities.

All employees of SHSL are subject to this policy. However, any given search may be restricted to one or more specific individuals, depending upon the situation. Searches may be done on a random basis or based upon reasonable suspicion. "Reasonable suspicion" means circumstances suggesting to a reasonable person that there is a possibility that one or more individuals may be in possession of a prohibited item as defined above. Any search under this policy will be done in a manner protecting employees' privacy, confidentiality, and personal dignity to the greatest extent possible. The Company will respond severely to any unauthorized release of information concerning individual employees or residents

Search Procedures:**Decision to Search**

Under most conditions, the following persons shall be involved in a decision to conduct an announced or unannounced search:

- Executive Director;
- Department Director / Manager (of employee [s] involved); and
- Director / Manager of Human Resources

Conducting the Search

The following persons shall conduct and observe any approved search:

1. During office hours:
 - a. Director, Manager or Supervisor (of employee [s] involved)
 - b. Director / Manager of Human Resources; and
 - c. Neutral member of management
2. During Non-Office Hours: Director, Manager or Supervisor (of employee [s] involved), and two neutral members of management.
3. A minimum of three management personnel are required to conduct an unannounced search. Two of the directors/managers shall conduct the search while the third shall record the inventory. Items found and identifying locations shall be noted.
4. One of the people participating in the search must be of the same gender as the person whose belongings are being searched.

The search shall be conducted in the following manner:

- a. Call the person involved into a private location and inform them that Sun Health Senior Living would like to conduct a search and inspection of his/her personal possessions (including vehicle), in accordance with Company policy, and ask if he/she will cooperate with the search.
- b. The search shall not begin until the person signs a consent form to allow the search.
- c. In the presence of all required facility personnel and the employee, search through the items, locker, work area and/or vehicle. Record an inventory of all items found and secure suspicious items. Suspicious items could be identified as, but not limited to the following; illegal drugs, drug paraphernalia or property that has been identified as belonging to another person. The employee whose belongings have been searched should sign the inventory of items found.

- d. After the search/investigation is completed, conclude the discussion with the person by expressing your appreciation for his/her cooperation or by placing the person on unpaid suspension pending the outcome of the investigation. Set up a specific meeting time for him/her to meet with his/her department director, or designated person.

An employee who refuses to cooperate with a search request from authorized personnel should not be detained for any reason, but be politely informed that any sort of refusal will be grounds for disciplinary action up to and including termination. In addition, the employee should be relieved of duty at that time and placed on unpaid suspension pending a thorough investigation and until a decision is rendered.

Locations Subject to Search:

The following may be searched:

A. Company property: All Company property is eligible for search and shall include lockers or other spaces individually assigned.

B. Personal Property brought onto Company property:

1. Pockets
2. Purses/wallets
3. Backpacks and fanny packs
4. Briefcases
5. Cars/trucks/motorcycles/bicycles
6. Shopping bags/boxes
7. Removable clothing, defined as; hats, jackets, sweaters, vests that are worn over a blouse, shirt or "scrub". Garments that expose any portion of the upper trunk and or under-garments will not be removed.

The person shall be treated with respect at all times and not subjected to undue embarrassment. It is acceptable to ask the person to remove a coat, sweater, lab coat or similar type clothing so that it can be inspected. The person may be asked to turn his/her pockets inside out. The search ***shall not*** include any form of body searching.

Documentation of the Search:

Each Company representative present during the search/investigation must immediately write an independent report of the incident, or at their discretion, a joint statement/summary may be written and signed by all involved in the search including the employee (s) and forwarded to the Executive Director. The following information must be included in the report:

- A. Why was the search conducted?
- B. Who was involved?
- C. Where was the search conducted?
- D. Date and time of search?
- E. What, if anything, was found?
- F. What actions were taken with the person involved?
- G. What items were seized and what action was taken with the item (s)?
- H. What final instructions were given to the employee?

The Executive Director, or in his/her absence, the Director / Manager of Human Resources, shall immediately report to the appropriate authorities any illegal items that are found and document such notification.

RELATED POLICIES: Abuse of Residents

SUN HEALTH SENIOR LIVING

Consent to Search

I, _____ understand that it is against Sun Health Senior Living policy that when management deems it necessary to protect the health, safety and welfare of its residents, guests and employees, for authorized persons to search and inspect both the Company's property and the personal items of employees, including vehicles, brought onto the Company's property. Therefore, I willingly consent to a physical search by Sun Health Senior Living Management personnel to Sun Health Senior Living property that has been assigned to me as well as my own personal property that has been brought onto Sun Health Senior Living property.

I have been provided a copy of the Workplace Searches Policy and Procedure which details what will happen once I have willingly signed this consent. Refusal to cooperate in a search, inspection or investigation will result in disciplinary action up to and including termination.

I further understand if it is determined that my actions have indeed lead to the harm or abuse of a resident or member or other employee, misappropriating or damaging Company property or the personal property of any resident or employee, I will be subject to appropriate discipline. In addition, I may be held liable for full restitution due to the damage of Company, resident or employee property (this may include pressing criminal charges should it be warranted). Full restitution will include all costs to return the misappropriated or damaged property to its original owner and or restoring the property to its original condition.

Note: Damage may include but is not limited to any type of vandalism, graffiti, holes made in walls, etc.

Employee Name (Print)

Employee Signature

Date

Witness Name (Print)

Witness Signature

Date