

# **The Public Hospitals Authority**

Commonwealth of The Bahamas

*“Working Together for Best Quality Healthcare”*



## **HUMAN RESOURCES TRAINING & DEVELOPMENT POLICIES**

**NOVEMBER 2011**



# Human Resources and Development Policies

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# OVERVIEW

## General Information

The Public Hospitals Authority (PHA) began operations in July 1999, pursuant to an Act of Parliament (1998) as a Public Corporation responsible for the management and development of the three (3) public hospitals in The Bahamas, namely:

- ✚ Princess Margaret Hospital, New Providence
- ✚ Sandilands Rehabilitation Center, New Providence
- ✚ Rand Memorial Hospital, Grand Bahama

Although two (2) of these tertiary hospitals are located in New Providence and one (1) in Grand Bahama, they serve the entire population of the Bahamas. As a result, coordinated governance of multiple access points is therefore essential in order to offer an integrated continuum of health care.

In addition to its statutory mandate for the management of public hospitals, the PHA is charged, under delegated authority of the Minister of Health, with responsibility for the management and development of four (4) other areas of the public sector health services systems, namely:

- ✚ Materials Management Directorate
- ✚ Bahamas National (Pharmaceutical) Drug Agency
- ✚ National Emergency Medical Services; and
- ✚ Grand Bahama Community Health Services (this includes the health care clinics in the area and surrounding Cays)

The PHA is guided by strategic direction and goals defined by the Ministry of Health to achieve an overall national health vision for Healthy People, Effective Healthcare Delivery Systems and Efficient Operations of Services within the Bahamas, and works in conjunction with the Ministry and its agencies to achieve targets for the public sector health services system.

The PHA is governed by a Board of Directors headed by a Chairman. The Chief Executive of the PHA is the Managing Director, who is assisted by a

Senior Executive Committee at the Corporate Office and Executive Management Committee at the three (3) hospitals.

Responsibilities of the Board and its corporate executives include strategic planning, policy formulation, centralized fiscal and human resources management, project/program development and oversight, monitoring and evaluation of corporate performance.

Various subcommittees of the Board, chaired by board members have been established in strategic areas including Finance & Audit, Planning, Human Resources, Legal Affairs, Medical Affairs, Hospital Redevelopment & Byelaws to assist the Board in carrying out its responsibility for operational guidance and review. Collaborative management is further facilitated by a network of functional committees at the institutional level.

Since its inception, the Authority has developed a number of Human Resources Policies which were subsequently approved by the Board. The purpose of this exercise is to compile all these policies into one document to enable easy access.

## CONDITIONS OF EMPLOYMENT

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### Definitions

401 The following definitions will apply for the purpose of this policy:

- **Acustaf** – labour management information system software
- **Medical Board** – a panel of physicians selected to review medical history of an employee to determine, under medical grounds, his suitability for continued employment or otherwise.
- **Pensionable employee** – an employee who would have been confirmed in appointment by the Public Service or the Public Hospitals Authority.

### Objectives

402 The primary objectives of this document are to:

402.1 Outline the conditions of employment for the employee of the Public Hospitals Authority

402.2 Ensure that employees are aware of their rights and obligations.

403 The conditions of employment for the Authority are contained herein, but not limited to this document. They are:

1. Standard hours of work
2. Attendance and work scheduling
3. Private work
4. Overtime
5. Sessional Pay
6. Projects Pay
7. Leave
  - Vacation
  - Leave of Absence
  - Casual Leave

- Sick Leave
  - Compassionate Leave
  - Maternity Leave
  - Paternity Leave
  - General Leave
8. Medical Board
  9. Pensions/Gratuity

#### 404 STANDARD HOURS OF WORK

- 404.1 The normal hours of work is forty (40) hours per week, eight (8) hours per day from 9:00am – 5:00pm, including one (1) hour for lunch each day, Monday to Friday with one (1) fifteen (15) minutes break before lunch at a time approved by the Supervisor. Shift employees who are unable to take a lunch hour will be granted a thirty (30) minutes break.
- 404.2 Actual hours of arrival may be varied to meet departmental requirements, and staff may be required to work on such days and for such hours as are necessary for efficient delivery of public healthcare.
- 404.3 Hours worked per shift may be up to twelve (12) hours, but hours worked must not exceed 160 hours in a four (4) week period except when overtime is required.

#### 405 ATTENDANCE & WORK SCHEDULING

- 405.1 All employees will be required to document the time of arrival and departure as provided by the AcuStaf Labour Management System.
- 405.2 An employee who reports five (5) minutes after scheduled time to commence work will be considered late.
- 405.3 Persistent late arrivals, early departures, unauthorized extended lunch breaks and irregular attendance could form the basis for disciplinary action.

- 405.4 Employees who are unable to enjoy the half-day (4 hours) closure of office on 24<sup>th</sup> and 31<sup>st</sup> December, may utilize the time between 1<sup>st</sup> December and 31<sup>st</sup> January. Failure to use the time during this period will result in forfeiture. Managers are mandated to ensure that staff are rostered to take this time off. This time is not to be accumulated.
- 405.5 Employees who do not utilize the half-day (4 hours) designated “shopping” during the month of December will not be entitled to this at a future date. Supervisors are to ensure that employees are scheduled to accommodate this time off.
- 405.6 For the purpose of voting with the exception of National Elections, an employee will be granted a maximum two (2) hours inclusive of meal breaks for voting purposes in elections called by any of the three Unions associated with the Authority. Such time-off shall be scheduled and approved by the management.

## 406 PRIVATE WORK

- 406.1 The duties of an employee of the Public Hospitals Authority include the usual duties of the post and any other duties which the head of his Department or the Managing Director as the case may be, may reasonably call upon him to perform. The operations provided by the Authority requires continuous twenty-four (24) hour service to the public and in order to cover this, it is necessary for employees to be available to provide the necessary coverage. Therefore, they are prohibited from engaging either directly or indirectly in private professional practice or private employment, other than as permitted by the terms outlined hereafter.
- 406.2 Exceptions may be made to the prohibitions against private professional practice or private employment. These exceptions will be made in special circumstances with prior written approval from the Managing Director. Full details of the private employment must accompany the application with the comments of the Head of Department.

- 406.3 Approval for private employment will be granted:
- i) When it is clear that there will not be any conflict with the duties performed at the Authority.
  - ii) The private duties will not adversely affect the employee's performance at the Authority and is performed outside the employee's office hours.
  - iii) When the hours per week with the Authority, including overtime does not exceed sixty (60) hours per week.
  - iv) For Physicians in accordance with the Medical Byelaws
- 406.4 Generally, permission to engage in independent professional practice or private employment will not be granted:
- i) If the proposed employment, having regard to the employee's position with the Authority, might involve a conflict of loyalties or interest;
  - ii) Employment which tends to adversely affect an employee's efficiency;
  - iii) Employment that is not in keeping with an officer's status and position with the Authority.
  - iv) To Junior Physicians employed after the coming into force of the Medical Byelaws.
- 406.5 Approval for private employment will be given for a period of not more than one (1) year at a time, and continued approval will be subject to periodic review to ensure that the private employment is not affecting the performance of the employee's duties with the Authority.

## **407 OVERTIME PAY**

407.1 Where an employee is required or permitted to work in excess of the standard hours of work, he shall be paid in respect of such work at a rate of wages not less than:

- in the case of overtime work performed on any public holiday or day off, twice his regular rate of wages; that is without working the required forty (40) hours per week.
- in any other case, one and one-half times his regular rate of wages.

407.2 When an employee is rostered on-call and required to report for duty, he will be paid the on-call allowance, as well as overtime at the rate of time and a half for actual time worked, or double time if it is a holiday or his day off or for a minimum of one (1) hour if, when he reports, his service is no longer needed.

### **407.3 Employees Entitled to Overtime Pay**

Employees who hold supervisory or managerial positions are not entitled to overtime pay once they are eligible for casual leave.

407.4 The exception to the general rule is the grant of overtime pay to supervisors and managers in selected specialties due to scarcity. Such officers who are eligible for casual leave, but receive overtime, will forfeit casual leave entitlement. This exception to be reviewed on an annual basis.

407.5 Employees who are eligible, and work overtime will not be allowed “time back”, but will be paid for hours worked overtime.

## **408 LEAVE**

### **408.1 Vacation Leave**

408.1.1 Vacation leave will not normally be granted until after one (1) year of continuous service. However, vacation leave may be granted after completion of six (6) months service. In such cases, the entitlement period of vacation must not exceed the employee’s accrual.

- 408.1.2 One week vacation is a period of five (5) working days excluding Saturdays and Sundays.
- 408.1.3 Vacation leave will be extended by one day for every public holiday that occurs during the vacation.
- 408.1.4 Vacation leave entitlement in respect to physicians and nurses will be granted as follows:
- Employees whose salary is \$27,900 per annum or above – 5 weeks per annum
  - \$18,700 to \$27,899 per annum – 4 weeks per annum
  - \$9,900 to \$18,699 per annum – 3 weeks per annum
  - The vacation leave of a part-time employee shall be calculated on the same fractional basis on his pay with respect to the above.
- 408.1.5 Vacation leave for all other employees will be based on years of service as follows:
- 1 to 5 years continuous service – 3 weeks per annum
  - 6 to 10 years – 3.5 weeks
  - 11 to 15 years – 4 weeks
  - 16 – 19 years – 4.5 weeks
  - 20+ years – 5 weeks
- 408.1.6 With effect from 1<sup>st</sup> July 2009, vacation for all employees will be accrued on the fiscal year, 1<sup>st</sup> July, rather than the calendar year.
- 408.1.7 Vacation leave may be accumulated for a maximum period of three (3) years. Any accumulation beyond this period **must** have the approval of the Managing Director in writing. Failure to do so may result in the forfeiture of that vacation leave.
- 408.1.8 Vacation leave is granted based on the ability of the institution to release the employee at the time of the request. Vacation bookings must be made during the month of July, for nurses during September of the year prior to vacation. In instances where an employee fails to secure booking and approval and takes the vacation, this period will be considered absence without leave

which may lead to disciplinary proceedings in accordance with the Employee Disciplinary Policy.

408.1.9 When an employee who is on leave is called back to duty, he will be allowed to take the leave at a later date. In such case, he not eligible for overtime pay for this period unless he works overtime eg. More than eight (8) hours a day.

408.1.10 When an employee is about to retire, all accumulated vacation leave must be taken prior to retirement. If, as a result of the department's need this is not possible, then he is paid for vacation leave.

408.1.11 When an employee is terminated or dismissed, he will be paid for all accumulated vacation leave.

## **408.2 Leave of Absence**

408.2.1 Leave of absence may be granted on the same scale and in respect of the same period as vacation leave.

408.2.2 The period for leave of absence may be accumulated for not more than six (6) years. The total period for which vacation leave and leave of absence may be granted shall not exceed six (6) months.

408.2.3 Leave of absence will be granted only after the employee would have been employed for one (1) year continuously.

408.2.4 An employee may take leave of absence prior to unpaid leave.

## **408.3 Casual Leave**

408.3.1 Casual leave is a privilege granted to employees who hold supervisory or managerial positions.

408.3.2 Casual leave should not be granted with vacation leave and approval will not be granted more than once (maximum of three days) in any given month.

408.3.3 Casual leave is not accumulated and therefore, cannot be carried over from year to year.

408.3.4 Casual leave must be approved before it is taken. Failure to secure prior approval will result in the employee being away without leave and could be the basis for disciplinary action.

#### **408.4 Sick Leave**

408.4.1 The sick leave week is five (5) working days from Monday to Friday.

408.4.2 An employee who has been employed for at least six (6) months is entitled to one (1) week sick leave with pay.

408.4.3 An employee who has been employed for one (1) year will be entitled to twenty (20) days sick leave with pay. An employee who is prevented by illness from performing his duties must report the matter immediately to this Head of Department and produce a medical certificate within forty-eight (48) hours, if he will be absent for more than two (2) days. Failure to produce the required medical will result in the employee being considered away without leave.

408.4.4 An employee, upon production of a medical certificate may be required to be examined by a physician employed by the Public Hospitals Authority, and may be refused sick leave if the physician is of the opinion that the employee is fit to work.

408.4.5 An employee is entitled to twenty (20) days paid sick leave per annum. Six (6) of these days may be call-in days (not consecutively) without the production of a medical certificate. After two consecutive days however, the employee must produce a medical certificate. Failure to do so will result in the reduction of salary and the employee being considered away without leave, which may result in disciplinary action. The remaining fourteen (14) days and any other sick leave thereafter must be covered by a medical certificate.

- 408.4.6 In calculating periods of sick leave and determining when an employee will resume duty, Saturdays, Sundays and public holidays falling within a period of sick leave will count as days of sick leave, but will not be deducted from the total amount of sick leave eligibility of twenty (20) working days per annum for employees working Monday to Friday. However, those employees who are working shift and Saturday and/or Sunday is their scheduled day of work, the necessary deduction of sick leave will be done.
- 408.4.7 An employee may be entitled to extended sick leave for five (5) months on seven eights pay and a further six (6) months on half pay. Requests for extended sick leave must be accompanied by a medical certificate. Application for extended sick leave may be approved by the institutions for the first three (3) months after which approval must be obtained from the Managing Director.
- 408.4.8 When an employee is on extended sick leave up to 31<sup>st</sup> December and to be carried over to the next year, he will not be entitled to the paid sick leave for that year until he would have resumed duty.
- 408.4.9 Medical certificates for extended sick leave must not exceed twenty-eight (28) days at any one time.
- 408.4.10 An employee must seek medical advice when he is ill or when he is instructed to do so by the Authority. If he fails to do so or to comply with the medical advice, he may render himself liable for disciplinary action.
- 408.4.11 Sick leave is not accumulated and therefore, cannot be carried to the next year.
- 408.4.12 An employee who falls ill while on vacation leave will be eligible for sick leave with effect from the beginning of the certified illness. He will not be allowed to take further vacation leave without prior approval of his Head of Department.
- 408.4.13 Part-time employees are not entitled to sick leave. Any sick leave taken will be unpaid.

408.4.14 The first instance of drug or alcohol related problem, the Authority will treat it as an illness and the normal sick leave will apply. Where rehabilitation or off-island medical treatment is required, normal time off for medical illness will be granted. In all cases the appropriate medical certificate or medical report will be required prior to the granting of any leave.

## **408.5 Compassionate Leave**

408.5.1 Compassionate special leave with pay will be granted to nurses and physicians for a maximum of six (6) days and all other employees for a maximum of eight (8) days per annum on the grounds of urgent personal affairs, such as:

- Accident
- Personal emergencies caused by fire, flood etc.
- Serious illness or death of immediate family member (parents, child, husband, wife siblings, legal guardian, common law spouse, grandparents or grandchild)

408.5.2 If compassionate leave is not sufficient for the employee's purpose, he may be granted vacation leave, if available, if not unpaid leave.

408.5.3 Application for the grant of compassionate leave must be accompanied by a statement of the reason (s) for the request, which will be treated as confidential.

## **408.6 Maternity Leave**

408.6.1 Every female employee after one (1) year service is entitled to maternity leave upon production of:

- A certificate issued by a medical practitioner setting forth the expected date of her confinement; or
- A certificate issued by a medical practitioner or a midwife setting forth the actual date of her confinement.

- 408.6.2 Paid Maternity leave is granted once every three (3) years.
- 408.6.3 The maternity leave eligibility will be twelve (12) weeks. Accumulated vacation leave may be added to maternity leave to a maximum of seventeen (17) weeks away from work for employees who are entitled to five (5) weeks vacation leave a year. The maximum for all other employees will be sixteen (16) weeks.
- 408.6.4 A female employee with five (5) years service or more, may be granted half-pay leave in addition to the maternity leave of twelve (12) weeks in addition to vacation leave. However, the total period away from work should not exceed the maximum as stipulated above.
- 408.6.5 An employee, who, after confinement suffers any illness arising out of such confinement may be granted in addition to the maternity leave to which she is entitled, such additional leave **without pay**, not exceeding six (6) weeks as a medical practitioner recommends.
- 408.6.6 If an employee dies during the period of the maternity leave awarded, the guardian of the child shall be paid salary for any unused maternity leave due the employee.
- 408.6.7 If an employee legally adopts an infant between the age of 0-6 months, she may be entitled to maternity leave upon production of certified documentation of such adoption.
- 408.6.8 Employees who are not entitled to maternity leave may be granted unpaid leave for maternity purposes.
- 408.6.9 The grant of unpaid leave for maternity purposes may be approved by the Hospital Administrator up to a maximum period of eight (8) weeks. Any period beyond this must be approved by Corporate Office.
- 408.6.10 Leave associated with pregnancy during the first twenty-eight (28) weeks of pregnancy, will be considered as gynecological, and

therefore, sick leave rather than maternity leave. Sick leave benefit will be granted upon the production of a proper application supported by a medical certificate.

#### **408.7 Paternity Leave**

408.7.1 After two (2) years of continuous employment with the Authority, paid paternity leave to a maximum of five (5) working days may be granted once every three (3) years to married employees following the birth of a child by his wife. Leave must be taken within the first three (3) months of the birth of the child.

408.7.2 A completed leave form must be submitted giving a minimum of one month's notice together with a medical certificate certifying that the employee's wife is pregnant and giving the estimated date of confinement.

#### **408.8 General Leave**

408.8.1 Special leave for Union officials will be granted in accordance with the Bahamas Public Services Union Industrial Agreement Article 34, and the Bahamas Nurses Union Industrial Agreement Article 14.

408.8.2 An employee may be granted leave in addition to vacation leave for the purpose of taking part in a sporting event of international significance, the length of which will be determined by the required number of days for the actual sporting event and traveling time to and from the venue. Any period beyond seven (7) days must have the approval of Corporate Office.

408.8.3 An employee who has been employed for at least six (6) months is entitled to **family leave without pay** for a period not exceeding one (1) week per annum following:

- The birth of a child; or
- The death or illness of a child, spouse or parent.

- 408.8.4 Every employee requesting family leave must provide evidence of birth, death or illness, as the case may be.
- 408.8.5 An employee who would have been employed for two (2) years or more, may be granted unpaid leave up to a maximum of one (1) year for purposes other than study leave, upon production of the reason(s) for the leave.
- 408.8.6 Except in emergency situation, the grant of any leave will be based on the exigencies of the Authority.
- 408.8.7 A non-Bahamian employed on contract will be eligible for unpaid special leave for a maximum of six (6) months once written confirmation is obtained from the Head of the Department verifying that the leave will not adversely affect the services in the area the employee is deployed.

This leave may be utilized to include:

- Academic/professional studies
- Travel outside the Bahamas to attend to family emergencies

The gratuity of the employee who would have been granted Special Unpaid leave will be reduced accordingly.

## **409 MEDICAL BOARD**

- 409.1 An employee may at any time be required to submit himself for medical examination by a Medical Board.
- 409.2 If it is decided that an employee must present himself for examination at the place and time instructed and fails to do so, he may render himself liable to be treated as absent without permission. He must afterwards comply with the recommendations of the Board which will supersede medical advice already given him by any other medical practitioner.

- 409.3 Request for the convening of a Medical Board must be forwarded to Corporate Office for consideration.
- 409.4 The recommendation for a Medical Board must be accompanied with the completed employee particulars form.
- 409.5 If a medical Board recommends that an employee is unfit to continue employment on the grounds of ill health, he will be granted all vacation leave due or two (2) months leave on full salary, whichever is greater, with effect from the date of which the Medical Board makes the recommendation.
- 409.6 A pensionable employee in the following categories need not appear before a medical board to be retired under Section 16 (1) (e) of the Pensions Act:
- a) Has completed thirty (30) years of continuous service;
  - b) Has reached the age of fifty (55) years or older and has completed at least five (5) years of service.

#### **410 PENSIONS/GRATUITY**

- 410.1 Employees of the Authority will be entitled to pension and gratuity based on the Public Service Pensions Act.
- 410.2 An employee to whom a pension is granted under the Pensions Act may, at his option exercisable on a day not later than the day preceding the employee's retirement, be paid in lieu of such pension, a pension at the rate of three-fourths of such pension together with a gratuity equal to ten (10) times the amount of the reduction so made in the pension. This option may be revoked no later than the day preceding his retirement.
- 410.3 An employee to whom a pension is payable shall be granted in addition to such pension, a gratuity equal to ten (10) times of one quarter of that employee's pensionable emoluments.
- 410.4 An employee, although he would not have completed a period of service which would have entitled him to a pension, but is

compelled to quit the Authority by reason of severe bodily injury, occasioned without his own default in the discharge of his duty, a gratuity not exceeding three (3) months' pay for every two (2) years of service, or pension not exceeding ten-sixtieths of his annual salary will be granted.

410.5 An employee who is constrained by infirmity of mind or body to leave the Authority before completion of the period which would entitle him to a pension, may be entitled to such sum of money by way of gratuity, but so as that no such gratuity shall exceed the amount of one month's pay for each year of service.

410.6 A permanent employee who wishes to resign upon completion of not less than ten (10) years of service and not eligible for pension will be entitled to a gratuity amounting to four (4) percent of his pensionable emoluments

410.7 An employee may retire from the Authority and be entitled to pension:

- If compelled to quit the Authority by reason of severe bodily injury, occasioned without his own default in the discharge of his duty. In this case, the pension will not exceed ten-sixtieths of his annual salary;
- After completion of thirty (30) years service with the Authority (inclusive of years with the Public Service);
- After attaining the age of fifty-five (55) years;
- Attaining the age of sixty-five years.

410.8 Where an employee dies while in the service of the Authority, his legal personal representative may be granted a gratuity not exceeding his annual salary of at the time of his death where he was employed for a period of not less than five (5) years, and where he was employed for a period of less than five (5) years a gratuity of an amount not exceeding one-half of the annual salary at the time of his death.

410.9 Gratuity for employees on contract with the Authority will be paid as outlined in the contract document.

## PROMOTIONS POLICY

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### 500 DEFINITIONS

- 500.1 **Hospital Executive Committee:** The management team of the hospital which comprises the Hospital Administrator, Medical Chief of Staff, Financial Controller and Principal Nursing Officer.
- 500.2 **Human Resources Committee:** A subcommittee of the Public Hospitals Authority Board and comprises three (3) members of the Board, one of whom is the Chairman, the Managing Director as ex-officio, the Deputy Managing Director, Human Resources Director, a member without affiliation with the Authority, the Deputy Director Human Resources (Operations) and the Senior Manager, Human Resources, Princess Margaret Hospital.
- 500.3 **Minimum Post Requirement:** The least requirement for a particular post in terms of qualifications (academic, professional and years of experience).
- 500.4 **Review Committee of the Board:** A subcommittee of the Board comprising two (2) members of the Board and the other member without affiliation with the Authority, the Legal Advisor and the Director of Human Resources.
- 500.5 **Senior Executive Committee:** The management team at the Corporate Office comprising senior executive members (Managing Director, Deputy Managing Director, Directors).
- 500.6 **Temporary part-time employees:** Employees who work less than the standard forty (40) hours per week.

**501 STATEMENT OF POLICY**

- 501.1 The Public Hospitals Authority values the contributions made by employees and seeks to provide opportunities for their career advancement by promoting from within when higher level job vacancies exist, provided employees merit promotion and other conditions for promotion are satisfied.
- 501.2 Promotions will be processed when a position becomes vacant and if there is a need to fill the post. (as a result promotions will be year round).
- 501.3 An employee may apply on his own initiative for an advertised vacancy if he satisfies all requirements.
- 501.4 More than one employee may apply for the same vacancy, if so, interviews shall be conducted by the appropriate Promotions Selection Committee.
- 501.5 All vacancies will be advertised initially internally.
- 501.6 If there are no suitable candidates within the organization, PHA reserves the right to advertise any vacancy.
- 501.7 PHA reserves the right to select the best candidate based on qualification, experience, performance track record and essential competencies. On this basis, the candidate may be an external candidate.
- 501.8 PHA reserves the right, at the end of the selection process, to appoint or not to appoint any candidate for an advertised vacancy.
- 501.9 Employees promoted in advertised posts will not be appointed retroactively.

501.10 An employee may refuse a promotion, but this will not prohibit him from applying for any other vacancies in the future.

501.11 Nothing in this Policy shall supercede provisions of the Medical Byelaws or other existing or future regulations established by the Public Hospitals Authority.

## **502 ELIGIBILITY & MERIT FOR PROMOTION**

502.1 Temporary and part-time employees are not eligible for promotion

502.2 Subject to the following conditions, an employee who is not a citizen of the Bahamas may be eligible for promotion:

- i) Must be eligible for promotion
- ii) Has worked for at least three (3) years or has permanent residency status, and
- iii) There are no Bahamian employee (or Bahamian applicant, if the post is advertised externally), who is assessed as suitable for the vacant post in terms of qualifications, experience, performance, record, essential competencies and other requirements of the job.

502.3 Subject to the terms and conditions of eligibility, an employee merits promotion, i.e. is deemed ready for promotion if he:

- i) Satisfies the minimum requirements for promotion to the vacant post, in terms of qualifications, experience, competencies, performance and other conditions under this Policy, the Minimum Post Requirements and Career Development Policy and other related policies.
- ii) Has obtained an overall performance rating of above average in the last three (3) consecutive years.
- iii) Has the potential to effectively carry out the duties and responsibilities of the higher level vacant post for which he is being considered and making a valuable contribution to PHA in achieving its business goals and objectives.

### **503 CONDITIONS FOR PROMOTION**

503.1 The following conditions must be satisfied for promotion:

- i) an approved vacancy exists in a higher job classification
- ii) funds are available from annual budget allocations and/or personnel emoluments savings
- iii) employee will assume higher level responsibilities
- iv) employee merits consideration for promotion
- v) the promotion is not contrary to any other provisions herein or any other policies established by PHA
- vi) satisfactory completion of any period stipulated for testing the suitability of the employee for the post.

### **504 RESULTS OF PROMOTION**

504.1 Promotion occurs when an employee is reassigned to a job in a higher job classification, and results in:

- i) placement in a higher salary grade
- ii) increase in salary, at least two (2) increments
- iii) change in incremental month, unless promotion occurs in the existing incremental month
- iv) job enlargement, i.e. higher level responsibilities
- v) promotion at the level of supervisors and above would be appointed to act in the first instance.

504.2 Promotion may **or** may not result in:

- i) transfer, i.e. reassignment to another unit, department or institution

- ii) supercession, when the employee is promoted i.e. when, as a result of the promotion, he acquires seniority over one or more employee previously senior to him.

## **505 SUPPORTING DOCUMENTS REQUIRED**

### **505.1 Documents Related to Advertised Vacancy:**

- i) Vacancy notice prepared by Human Resources Department and approved by the Hospital Administrator after consultation with service heads.
- ii) Organizational chart of Unit/Department identifying advertised posts.
- iii) Budget statement with evidence of approved post (s).
- iv) Employee's profile

## **506 VACANCY NOTICES**

- 506.1 An approved vacancy notice may be used for existing and future advertisements, unless and until an amendment is made to the content of the job or other pertinent information, when a new approval will be required.
- 506.2 Advertisements of vacancies in the foreign press require the prior approval of the Board.

## **507 PROMOTIONS SELECTION COMMITTEE**

- 507.1 Each institution/Corporate Office & Agencies shall have a Promotion Selection Committee to select candidates for posts as outlined as follows.

**1. The Promotions Selection Committee Institutions/Corporate Office & Agencies Group (1) positions.** The following will comprise this committee:

- Human Resources Manager responsible for HR Unit (Chairman)
- Deputy Hospital Administrator
- Assistant Hospital Administrator/Sr. Assistant Hospital Administrator for specific area
- Others to include the specific discipline representative

This Committee will shortlist all applications as a result of advertisements, interview the candidates and make recommendations at the end of the interviews to the Executive Management Committee (EMC). The EMC will approve or otherwise the recommendation which will then be forwarded through the Human Resources Unit to the Director of Human Resources for promotion letters to be produced and signed.

**Corporate & Agencies**

- Deputy Director Human Resources Training & Development (Operations) – Chairman
- Legal Advisor
- Director Bahamas National Drug Agency (staff in that area)
- Director Materials Management Directorate (staff in that area)
- Field Director National Emergency Medical Services (staff in that area)
- Others to include the specific discipline representative

This Committee will shortlist all applications for advertised posts, interview the applicants and forward recommendations to the Director of Human Resources for promotion letters to be produced and signed.

The advertisements for the posts in Group 1 will be done by the institutions internally for vacancies within that particular institution. If there are no suitable candidates then they will be advertised throughout the Authority.

The above Committees will deal the following posts:

**GROUP 1**

Administrative Assistants 1, 11 &111  
Chief Executive Secretary  
Senior Executive Secretary  
Registry Supervisor  
Assistant Registry Supervisor  
Supervisor Patient Representative  
Senior Patient Representative  
Patient Representative  
Chief Clerk  
Senior Clerk  
Chief Registry Clerk  
Senior Registry Clerk  
Senior Medical Secretary  
Senior Private Secretary  
Private Secretary  
Chief Accounts Clerk  
Senior Accounts Clerk  
Senior Office Assistant  
Statisticians 1, 11 & 111  
Statistical Assistant  
EMT-Basic  
Emergency Services Technicians 1, 11, &111  
Senior E.C.G Technician  
Senior Medial Records Technician  
Anaesthetic Assistants 1 &11  
Early Intervention Assistants 1 &11  
Surgical Technicians 1 & 11  
Senior Dental Assistant  
Car Park Supervisor  
Chief Housekeeper  
Chief Security Officer

Chief Laundry Superintendent  
Chief Transport Officer  
Chief Supplies Processor  
Senior Housekeeper  
Senior Security Officer  
Senior Transport Officer  
Supervisor Janitorial Services  
Supervisor Messenger Services  
Senior Storekeeper  
Surveillance Manager  
Kitchen Supervisor  
Asst. Laundry Superintendent  
General Foreman  
Head Telephonist  
Housekeeper  
Porter Supervisor  
Security Officer  
Senior Supplies Processor  
Storekeeper  
Head Cook  
Head Janitress/Janitor  
Head Laundress/Laundryman  
Head Messenger  
Senior Cook  
Senior Seamstress  
Senior Maid  
Senior Driver  
Security Guard  
Senior Porter  
Telephonist 1  
Senior Car Park Attendant  
Senior Mortuary Attendant  
Sr. Trained Clinical Nurse  
Senior Nursing Auxiliary  
Senior Attendant

Chief Building Superintendent  
Chief Maintenance Superintendent  
Chief Photographer  
Sr. Maintenance Superintendent  
Senior Superintendent  
Superintendent Mortuary Services  
Chief Building Supervisor  
Building Superintendent  
Electrical Superintendent  
Stores Superintendent  
Technical Superintendent  
Workshop Superintendent  
Bio-Medical Maintenance Superintendent  
Maintenance Superintendent  
Emergency Medical Services Vehicle Technician  
Building Supervisor  
Electrical Supervisor  
Maintenance Supervisor  
Senior Draftsman  
Senior Refrigeration Mechanic  
Technical Supervisor  
Workshop Supervisor  
Plumber Supervisor  
Machine Shop Supervisor  
Bio-Medical Maintenance Supervisor  
Steamfitter Supervisor  
Bio-Medical Maintenance Foreman  
Air-Conditioning Foreman  
Carpenter Foreman  
Electrician Foreman  
Mason Foreman  
Mechanic Foreman  
Plumber Foreman  
Painter Foreman  
Welder Foreman

X-Ray Maintenance Foreman  
Sr. Darkroom Technician  
Plumber 1  
Carepenter1  
Electrician 1  
Painter 1  
Mason 1  
Operator 1  
Senior Supplies Officer  
Chief Cashier  
Revenue Supervisor  
Sr. Dietitian  
Sr. Laboratory Technologist  
Sr. Medical Records Officer  
Sr. Occupational Therapist  
Sr. Orthopedic Assistant  
Sr. Pharmacist  
Sr. Physiotherapist  
Sr. Radiographer  
Sr. Recreation Officer  
Kitchen Superintendent  
Chief Medical Photographer  
Food Service Supervisor  
Pharmacist 1  
Senior Dental Technologist  
Senior Medical Photographer  
Technical Services Officers 1, 11 &111  
Sr. Clinical Psychologist  
Sr. Psychiatric Social Worker  
Sr. Rehabilitation Officer  
Bio-Statistician  
Senior Statistician

2. The Promotions Selection Committee Public Hospitals Authority for **Group (2)** will comprise of the following:

- Director of Human Resources Training & Development (Chairman)
- Hospital Administrators (when their staff is being dealt with)
- Others to include the specific discipline representative e.g. (Nurse Advisor for nurses, Medical Advisor for physicians, Principal Nursing Officer, Director of Finance for finance staff, Director of Internal Audit).

This Committee will be responsible for short listing all applications for posts advertised across the Authority, interview the applicants and make the appropriate recommendations to the Managing Director for approval. The promotion letters will be produced and signed by the Director of Human Resources.

The above Committee will deal with the following posts:

## **GROUP 2**

Deputy Hospital Administrator

Health Facility Manager

Deputy Directors (Bahamas National Drug Agency & Materials Management Directorate)

Managers 1, 11 & 111

Health Systems Officers 1 & 11

Sr. Assistant Hospital Administrator

Assistant Hospital Administrator

Project Officers 1, 11, & 111

Administrative Officers 1, 11, & 111

Office Manager

Coordinator Patient Relation Services

Emergency Medical Services Manager

Assistant Manager Emergency Medical Services

Coordinator Neuro-Development Clinic

Financial Controllers 1, 11, & 111

Internal Auditors 1, 11, 111 & 1V  
Finance & Accounting Officers 1, 11, & 111  
Senior Accountant  
Accountant  
Chief Supplies Officer  
Business Office Manager  
Manager and Assistant Manager Environmental Safety Services  
Chief & Deputy Chief Pharmacists  
Director of Radiography  
Director of Dietetics  
Director of Physiotherapy  
Laboratory Manager & Deputy Laboratory Manager  
Chief & Deputy Chief Medical Records Officer  
Chief & Deputy Chief Dietitian  
Chief & Deputy Chief Occupational Therapist  
Chief & Deputy Chief Physiotherapist  
Chief & Deputy Chief Radiographer  
Chief & Deputy Chief Pharmacist  
Laboratory Supervisor  
Chief & Deputy Chief Dental Technologist  
Deputy Chief Recreation Therapist  
Chief Cardio Neuro-Technologist  
Chief ECG Technologist  
Information Technology Manager  
Supervisor Technical Services  
Network Administrator 1, 11, & 111  
Deputy Principal Nursing Officer  
Senior Nursing Officer  
Nursing Officers 1 & 11  
Chief Speech Language Pathologist

3. The Promotions Selection Committee for Board appointees will comprise the following:

- Chairman Human Resources Committee (Chair)
- Board Member (member of the Human Resources Committee)
- Managing Director
- Director of Human Resources
- Others to include specific discipline representative e.g. (Nurse Advisor for nursing, Hospital Administrators for their specific area, Principal Nursing Officer).

This Committee will interview all applicants for posts in **Group 3**. The short listing of applications will be done by a sub group of this Committee including but not limited to the Managing Director, Director of Human Resources and Nurse Advisor for nursing applications. Advertisement for posts in this category will be advertised across the Authority. If there are no suitable candidates, the posts will be advertised externally.

The Committee will interview the selected candidates and make the appropriate recommendation to the Board for its consideration.

Posts in this category are as follows:

### **GROUP 3**

Deputy Managing Director

Chief Hospital Administrator

Medical Advisor

Directors (Finance, Audit, Human Resources, Planning, Shared Services, Projects)

Hospital Administrator

Legal Advisor

Nursing Services Advisor

Project Managers (Engineering, Architecture, Mechanical)

Assistant Legal Advisor

Directors (Bahamas National Drug Agency & Materials Management Directorate)

Deputy Directors (Human Resources Training & Development, Shared Services)

Senior Manager

Field Director National Emergency Medical Services  
Principal Nursing Officer

507.2 Procedure for selection as follows:

1. Vacancies are identified as provided in the Budget.
2. Advertisements are prepared by the institutions for all posts in group (1) as outlined above and forwarded to Corporate Office for information. The advertisement is then circulated in the particular institution. All applications are to be forwarded to the Hospital Administrator.
3. The Promotion Selection Committee will then shortlist the applications to determine those eligible for interview. Eligibility for interview is based on the stipulated qualifications for the post.
4. After the interviews, if there are no suitable candidates, the advertisement is forwarded to Corporate Office to be advertised across the Authority.
5. Once the Selection Committee would have completed the interviews of those selected after the short listing, the recommendation is forwarded to the Executive Management Committee (EMC) with the appropriate supporting documents (interview notes, comments etc.). For Corporate and the Agencies, the recommendation is forwarded to the Director of Human Resources for onward transmission to the Managing Director.
6. The approval of the EMC is forwarded to the Human Resources Unit for preparation to Corporate Office for promotion letters.
7. When there is a vacancy identified in **Group (2)** the institution will forward the draft advertisement to Corporate Office.
8. Corporate Office will advertise the post internally across the Authority.
9. The applications to the advertisement are short listed and the eligible candidates will be interviewed by the appropriate Selection Committee.

- 10.If there are no suitable candidates internally then the post is advertised externally.
- 11.After the Selection Committee would have interviewed and selected the most suitable candidate, the Director of Human Resources forwards the recommendation to the Managing Director with supporting documents.
- 12.The Managing Director approves the promotion and returns to the Director of Human Resources who will have the promotion letter prepared, signs the letter and forwards to the institution. If it is an external candidate, a job offer letter will be forwarded to the successful candidate copied to the relevant institution.

**It is the responsibility of the Human Resources Units in the Institutions to ensure that ALL eligible candidates are made aware of advertisements as they are published and have an opportunity to apply.**

**PLEASE NOTE THAT ALL ADVERTISEMENTS MUST HAVE APPROVED FINANCIAL CLEARANCE PRIOR TO PUBLICATION.**

507.3 The Human Resources Committee shall convene as a Promotions Selection Committee to conduct interviews and make recommendations to the Board when:

- i) two or more employees are vying for an advertised post at the level of Senior Managers and above;
- ii) promotion recommendations/applications are referred by the Managing Director pertaining to members of the Hospital Executive Management Committee or the Senior Executive Committee.

**508 CRITERIA FOR ASSESSING INTERVIEWED CANDIDATES (Promotion internally)**

508.1 For the purpose of promotion, the following criteria will be utilized to assess employees who would have been interviewed for advertised vacancies:

- i) Performance rating on the performance appraisal to constitute 35% of the total mark.
- ii) Report submitted by the immediate supervisor, endorsed by the Head of the Institution/Agency. This will constitute 25%. This report will consider:
  - the employee's contribution to the development of the Unit
  - projects completed that were not directly associated with duties
  - assigned projects completed within schedule
  - initiative (give examples)
  - other related areas
- iii) The interview to constitute the remaining 40% of the marks. A possible 100 points.

## **509 GENERAL RULE FOR SALARIES ON PROMOTION**

- 509.1 Upon promotion, an employee will normally receive at least two (2) increments as a salary increase, unless going to a scale with a higher minimum. If an employee's normal increment falls within three (3) months of the effective promotion date, he shall receive the normal increment, in addition to the approved promotion increments.
- 509.2 When the salary of the promoted post is within a scale with minimum higher than the employee's post, the salary is taken to the minimum of the scale.
- 509.3 Increment upon promotion shall be the incremental value attached to the post to which the employee is being promoted.
- 509.4 In exceptional circumstances, a special recommendation may be made for additional increments upon promotion, with justification to the satisfaction of the Managing Director and the Human Resources Committee.

509.5 If an employee's new salary, as a result of promotion, is not on-point in the salary scale of the new post, an on-point adjustment must be made to the next higher step in the new salary scale.

509.6 The next incremental month shall be the effective month of the promotion.

## **510 APPEAL AGAINST PROMOTION DECISIONS**

510.1 In accordance with the provisions of the Employee Grievance and Appeals Policy, all employees who are aggrieved by any managerial decision, may appeal within thirty (30) days after decision is communicated to him, by letter:

- addressed to the Secretary, Review Committee of the Board, Public Hospitals Authority Corporate Office, Third & West Terraces, Centreville
- delivered by hand to the above address, or by mail to P. O. Box N-8200;
- copied to his immediate Supervisor, Department Head and Human Resources Manager

## **511 CORPORATE OVERSIGHT**

511.1 The Managing Director and Human Resources team at the Corporate Office are responsible for corporate oversight of the entire promotion process.

511.2 The Director of Human Resources is primarily accountable for the accuracy, completeness and documentation of information and computations of all matters pertaining to promotions.

## **EMPLOYEE DISCIPLINE POLICY**

**600**

Employee Discipline is arranged as follows:

**Part I: Policy Statement**, gives a summary of the rights and obligations of employees and the rights and obligations of the Public Hospitals Authority as an employer, in the disciplinary process. The Policy Statement, not only emphasizes the obligation of supervisors and managers to coach and counsel employees, but also indicates the possible consequences when an employee commits an offence.

**Part II: Disciplinary Procedure**: outlines the steps in the disciplinary process, from investigation of an alleged offence to the final decision.

**Part III: Application of Policy**, clarifies various exceptions or modifications in the application of the Policy.

**Part IV: Appeal Procedure**, outlines the appeal process which allows an employee to appeal against a disciplinary decision or penalty.

**Part V: Minor & Major Offences**, gives examples of both minor and major offences.

### **NOTE**

1. **Appendix 1** contains important definitions with which employees should be familiar.
2. **Appendix 2** outlines delegated responsibilities for managing the disciplinary process.
3. References in the Policy to the male gender (he, his, him) apply equally to female members of staff.

## **PART I – POLICY STATEMENT**

### **601: REGULATIONS TO GOVERN PERFORMANCE AND CONDUCT**

- 601.1 The Public Hospitals Authority has established a number of policies, procedures, rules, instructions, protocols, codes, and bye-laws, which are collectively referred to as **regulations**.
- 601.2 Regulations are intended to govern and regulate the Authority’s business affairs and operations, and the performance and conduct of its employees and other persons working within institutions under the Authority’s management.
- 601.3 When it is alleged that an employee has committed an offence, supervisors, managers and other officers authorized to deal with disciplinary matters, must comply with the rules of due process and procedural justice to ensure equitable treatment of employees.
- 601.4 Employees have rights, but they have obligations too; and authorized officers are responsible for ensuring that employees comply with their job-related obligations.

### **602: EMPLOYEE’S RIGHTS**

When it is alleged that an employee has committed an offence, he is entitled to:

- 602.1 Notice of the alleged offence and possible consequences, by oral or written warning and/or show-cause letter.
- 602.2 Reasonable notice of the date, time and place of disciplinary meetings.
- 602.3 Reasonable investigation to determine whether or not there is sufficient evidence that the employee committed the alleged offence.
- 602.4 Disclosure of all the evidence intended to be used, or used against him.

- 602.5 Copies of relevant documents from his personnel file, for himself and his representative, upon his written request.
- 602.6 An opportunity to put his case at disciplinary meetings, and in writing in response to the show-cause letter; and a right to question witnesses, on either side, at disciplinary hearings and appeal hearings.
- 602.7 Representation by his union shop steward or other employee of his choice at disciplinary interviews.  
  
**Note:** if the employee is a workplace union representative, his case must be discussed with a full-time official of the trade union concerned, before any disciplinary action is taken.
- 602.8 Representation by his union executive, lawyer or other third party of his choice, at his own expense, at disciplinary hearing and appeal hearing.
- 602.9 Appropriate and equitable disciplinary process and decision, to ensure that the employee's rights are not violated during the disciplinary process, and that the decision is supported by valid evidence.
- 602.10 Upon termination of employment, entitlements under Section 9 of the Employment Act.
- 602.11 Statutory right, under Sections 34 - 40 of the Employment Act, not to be unfairly dismissed; and to such remedies for unfair dismissal as may be determined by the Industrial Tribunal under the Industrial Relations Act, or under any other law of The Bahamas.
- 602.12 Statutory right of independent arbitration if the employee so wishes, under Section 106(d) of the Industrial Relations Act.
- 602.13 Right of appeal, at the conclusion of the disciplinary process, against the Authority's decision, in accordance with the regulations governing the

application of this Policy, and as may be provided under the laws of The Bahamas.

602.14 If convicted of a criminal offence, the right to make a written representation, giving reasons why he should not be dismissed; but the Authority's decision, after review of his representation, is final.

### **603: EMPLOYEE'S OBLIGATIONS**

603.1 It is essential for every employee to comply with the Authority's regulations.

603.2 Every employee must seek to know and understand the Authority's regulations which govern their performance and conduct, what is required of them to perform their duties and responsibilities to acceptable standards, and the types of offences which are in violation of the Authority's regulations.

603.3 Each employee must seek to know and understand the possible consequences, i.e. the disciplinary actions which may be taken or penalties which may be imposed, when evidence indicates that he has committed an offence.

603.4 When invited to a meeting by an authorized officer (whether or not it is a disciplinary interview or disciplinary hearing), the employee has an obligation to attend; and failure to do will be considered as insubordination, rendering the employee liable to disciplinary action.

603.5 Other obligations are imposed on employees in various circumstances, including the following:

- obligations during suspension - Regulation 612
- obligation to inform the Authority upon conviction or discharge of a criminal offence - Regulation 614.5

- obligation to pay any amount owing to the Authority, upon dismissal - Regulation 608.5

#### **604: EMPLOYER'S RIGHTS**

604.1 As an employer, the Authority may take the following actions against an employee for violations of its regulations, provided such decisions are not contrary to the laws of The Bahamas or the express terms and conditions of the contract of employment:

- (1) Treat any offence as minor or major.
- (2) Require any employee against whom an allegation has been made to attend disciplinary meetings.
- (3) Require any employee, who witnessed the commission of an offence or who may have relevant information, to attend disciplinary meetings.
- (4) Suspend an employee, in specified circumstances.
- (5) Reprimand the employee for committing an offence, without imposing any other penalty, on the condition that the offence is not continued or repeated, and other specified conditions, if deemed appropriate.
- (6) Dismiss an employee, or impose less severe penalty, if an employee admits, or evidence indicates, that he committed an offence.
- (7) Retire an employee in the interest of the Authority as an alternative penalty to dismissal.

604.2 Interrupt or discontinue proceeding for minor offences to commence proceedings for major offence or for retirement in the interest of the Authority.

- 604.3 Interrupt or discontinue proceedings for major offence to commence proceedings for minor offence or retirement in the interest of the Authority.
- 604.4 The Authority, from time to time, may amend its existing regulations or introduce new regulations.

### **605: EMPLOYER'S OBLIGATIONS**

Supervisors, managers and other authorized officers have a shared responsibility for:

- 605.1 Making available to employees copies of this Policy and other policies established by the Authority to govern and regulate employee's performance, conduct and welfare.
- 605.2 Monitoring and assessing employees' performance and conduct to ensure that they comply with the Authority's regulations.
- 605.3 Providing positive assistance and support in helping each employee to improve his performance and conduct.
- 605.4 Ensuring that disciplinary actions taken and penalties imposed for offences are appropriate, fair and equitable.
- 605.5 Ensuring strict compliance with the rules governing the disciplinary process and that recommendations and decisions are based on reasonable belief supported by valid and thoroughly investigated evidence.

## **606: OPPORTUNITIES TO IMPROVE PERFORMANCE AND CONDUCT**

606.1 Authorized officers shall ensure that employees are given ample opportunity to improve their performance or conduct before any disciplinary actions is taken.

606.2 It is the duty of authorized officers to intervene as soon as inefficiencies or defaults are observed, and to take appropriate actions to assist the employee in maintaining good conduct and acceptable standards of performance, in order to avoid disciplinary situations.

606.3 Such actions or positive interventions may include:

- (1) identifying employees' areas of weaknesses;
- (2) advising and counseling them;
- (3) coaching employees and providing on-the-job training;
- (4) implementing performance improvement plans;
- (5) recommending external courses
- (6) giving undocumented oral warning(s).

606.4 In some cases, it might be necessary to recommend:

- (1) reassignment of duties, to better utilize the employee's skills;
- (2) remedial transfer, to an equivalent post within another unit, department or institution, in order to remove the employee from a no-win situation (perhaps not entirely of his own making).

## **607: PENALTIES FOR COMMITTING OFFENCES**

607.1 When an employee commits an offence in violation of a specific regulation or law, or an express term or condition of his employment contract, or acts in any way detrimental to the interests of the Authority,

disciplinary proceedings may result in the imposition of any of the following penalties.

- Reprimand
- Deferment of increment
- Withholding of increment
- Deprivation of Rights and Privilege
- Punitive Suspension
- Reduction in salary
- Demotion
- Retirement in Interest of the Authority
- Dismissal

607.2 The penalty imposed depends on the nature of the offence, i.e. whether it is a **minor one** which the Authority does not consider serious enough to warrant dismissal, except for repeated occurrences; or whether the offence is a **major one** which the Authority deems to be so serious that it warrants dismissal for a single occurrence.

607.3 However, even if an offence warrants dismissal, the Authority may decide, at its sole discretion:

- not to exercise its right to dismiss the employee, but instead,
- to retire him in the interest of the Authority, or
- to impose less severe penalty.

## **608: ENTITLEMENTS UPON DISMISSAL**

### **608.1 General Entitlements**

**All employees**, upon termination of employment, are entitled to:

- (1) Notice of dismissal or pay in lieu of notice, and termination pay in accordance with Section 29 of the Employment Act.
- (2) Payment of accrued salary, if any.

- (3) Payment in lieu of accrued vacation, if any.

**608.2 Employed 6 Months or more, but less than 12 Months**

- (1) One week's notice, or one week's basic pay in lieu of notice.
- (2) One week's basic pay (or part thereof on a pro rata basis) for the said period between six months and twelve months.

**608.3 Employed 12 Months or More**

- (1) Two weeks' notice, or two weeks' basic pay in lieu of notice.
- (2) Two weeks' basic pay (or part thereof on a pro rata basis) for each year up to twenty-four weeks' pay.

**608.4 Supervisors and Managers**

- (1) One month's notice, or one month's basic pay in lieu of notice.
- (2) One month's basic pay (or part thereof on a pro rata basis) for each year up to forty-eight weeks' pay.

**608.5 Deductions From Entitlement**

Any amount owing to the Authority by the employee shall be deducted from any amount to which he is entitled upon termination of employment.

**PART II – DISCIPLINARY PROCESS**

**609 PROCEDURE FOR MINOR OFFENCES**

- 609.1 The supervisor or department head observes inefficiencies or defaults in the performance or conduct of an employee, or receives a

report of a minor offence alleged to have been committed by a named employee.

- 609.2 The supervisor or department head conducts an investigation to ascertain the facts and circumstances.
- 609.3 If the employee admits, or evidence indicates, that the allegation is true, the supervisor meets with the employee to **counsel and coach** him, and to suggest ways in which he may improve or correct his performance.
- 609.4 When the supervisor meets with the employee, he may give **undocumented oral warning(s)** of possible disciplinary consequences, if the employee does not correct his inefficiencies or default.
- 609.5 If the employee fails to respond positively to coaching, counseling and undocumented oral warning(s), the supervisor again meets with him and gives **documented oral warnings**, i.e. the supervisor makes a file note of the warning, under his signature, and places the file note in a master confidential file.
- 609.6 At least two (2) documented oral warnings are required for minor offences; and the employee is asked to sign each file note, in evidence that the meeting took place.
- 609.7 If the employee continues or repeats the same or similar minor offences, despite the final documented oral warning, the department head issues a **written warning**, and the employee is asked to sign a copy of the written warning, in evidence of receipt.
- 609.8 When a written warning is issued, the supervisor develops a **performance improvement plan**, in liaison with the department head and with employee input, outlining in clear and specific terms what the employee must do to improve his performance to acceptable standards.

- 609.9 The written warning also stipulates a **disciplinary probation period** within which the employee must comply with the terms and conditions of the performance improvement plan.
- 609.10 If the employee fails to meet expectations within the specified period, the department head refers the case to the Discipline Committee.
- 609.11 The **Discipline Committee** reviews the case, carries out further investigation, if necessary, and makes one of the following recommendations, based on the evidence:
- (1) exonerate the employee, and issue a **letter of exoneration**, because the evidence is invalid, or concludes that the employee did not commit the offence; or
  - (2) discontinue proceedings, due to insufficient evidence; or
  - (3) discontinue the case, and issue a **letter of warning**; or
  - (4) issue a **show-cause letter** to continue the disciplinary proceedings.
- 609.12 If the Discipline Committee's recommendation for continuation of disciplinary proceedings is approved, the employee receives a **show-cause letter** from:
- Hospital Administrator or official acting on his/her behalf, addressed to hospital officers, excluding Board appointees;
  - Managing Director or official acting on his/her behalf, addressed to employees at corporate office and shared services agencies; and also to Board appointees with the approval of the Board.
- 609.13 The show cause letter, which is prepared in the Human Resources Department, invites the employee to give reasons, in writing, within

fourteen (14) days after receipt or service of the letter, why he should not be dismissed or otherwise penalized for the offence(s).

- 609.14 The **employee's response** to the show-cause letter, if any, is referred to the Discipline Committee for consideration.
- 609.15 The Discipline Committee reviews the employee's response letter, and recommends to the appropriate officer under Regulation 609.12 whether the explanation or reasons given by the employee should be accepted or rejected.
- 609.16 If the employee's response **is accepted**, disciplinary proceedings are discontinued and a decision is made, based on the employee's explanation or reasons, whether or not a letter of exoneration or a letter of warning should be issued.
- 609.17 If issued, the letter of exoneration or warning will be signed by the Medical Staff Coordinator, the Hospital Administrator or the Managing Director, as appropriate, when addressed to employees as indicated under Regulation 609.12.
- 609.18 If the employee's response **is deemed unacceptable**, the case is referred for a decision regarding further disciplinary action to be taken or penalty to be imposed.
- 609.19 Before a final decision is made, a **disciplinary hearing** shall be conducted, if **severe penalty** is being considered.

## **610 PROCEDURE FOR MAJOR OFFENCES**

- 610.1 As in the case of minor offences, an investigation is carried out by **the supervisor and/or the department head** to ascertain the facts and circumstances, when an allegation of a major offence is made against an employee.

- 610.2 If the employee admits that he committed the offence or there is sufficient evidence against him, the department head commences the disciplinary process by referring the case to the **Discipline Committee**, without giving the employee any oral or written warning.
- 610.3 In some cases, however, the department head may decide to issue **one written warning**, at his discretion, depending on the seriousness of the offence, and the disciplinary record of the employee.
- 610.4 If a written warning is issued, a **disciplinary probation period** is fixed and a **performance improvement plan** developed as in the case of minor offences under Regulations 609.8 and 609.9 above.
- 610.5 When an allegation of a major offence is made against an employee, he may be **suspended** in a crisis situation or while an investigation is being carried out.
- 610.6 If suspended, the employee receives a letter of suspension advising the reason and duration. In a crisis situation, however, he may be orally suspended by an authorized officer, but the oral instruction is subsequently confirmed in writing.
- Note:** Refer to Regulation 612 for further information on the circumstances in which an employee may be suspended, officers authorized to suspend employees, and the obligations of an employee during suspension.
- 610.7 As in the case of minor offences, after the preliminary investigation, if the evidence indicates that the allegation is true, the department head refers the case to the **Discipline Committee**.
- 610.8 Thereafter, the procedure for major offences is the same as for minor offences under Regulation 609.11 to Regulation 609.19.

**611 DISCIPLINARY DECISIONS TO BE AUTHORIZED AT VARIOUS LEVELS**

**611.1 DISCIPLINARY DECISIONS BY MEDICAL ADVISORY COMMITTEE (MAC)**

- (1) The Medical Advisory Committee, pursuant to provisions of the Medical Byelaws:
  - (a) May make disciplinary decisions pertaining to clinical offences by **non-active** members of the medical staff.
  - (b) Submits recommendations, pertaining to clinical offences by **active** members of the medical staff, to the Executive Management Committee, after conducting investigation and disciplinary hearings.

*(Note: Non-active members are physicians who have been granted admitting privileges to practice within Public Hospitals Authority hospitals).*

**611.2 DISCIPLINARY DECISIONS BY EXECUTIVE MANAGEMENT COMMITTEE**

- (1) Executive Management Committee (EMC)
  - (a) May accept, reject or vary disciplinary recommendations received, and documents reasons in a confidential file.
  - (b) May make any of the following decisions pertaining to hospital employees, excluding Board appointees:
    - Exoneration

- Change, discontinuation or continuation of disciplinary proceedings
  - Reprimand
  - Deprivation of Privileges
  - Remedial transfer between units/departments
  - Referral to expert counseling
  - Referral to Medical Board
  - Termination of employment of persons hired on temporary basis for periods less than six (6) months, by the institution under delegated power
  - Extension of initial twelve-month probation period for a further period of six (6) months maximum.
- (2) Shall refer the following matters to the Managing Director, together with its report and recommendations:
- All disciplinary matters pertaining to Board appointees
  - Remedial transfers between institutions
  - Pre-dismissal suspension
  - Punitive suspension, with half pay, or without pay
  - Interdiction
  - Demotion
  - Retirement in the interest of the Authority
  - Termination of employment, with the exception of persons hired on temporary basis for periods less than six (6) months, by an institution under delegated power.
- (3) Employees concerned are advised of EMC's decisions by letters from the Hospital Administrator.

### **11.3 DECISIONS BY: MANAGING DIRECTOR**

The Managing Director:

- (1) May accept, reject or vary recommendations received, in consultation with the Director Human Resources and the Legal Advisor, documenting the reasons in a confidential file.
- (2) The Managing Director may make any of the decisions listed under Regulations 611.2 (1) (b) and 611.2 (2) (2) above.
- (3) Employees are advised of such decisions by letters from the Managing Director.

### **611.4 FINAL DECISION BY: BOARD OF DIRECTORS**

The Board:

- (1) Makes decisions pertaining to Board appointees - accepting, rejecting or varying recommendations received from the Human Resources Committee.
- (2) The Board may make any of the decisions listed under Regulations 611.2 (1) (b) and 611.2 (2).
- (3) Employees are advised of such decisions by letters from the Managing Director.

## **612: SUSPENSION**

### **612.1 SUSPENSION WITH FULL PAY**

An employee may be placed on suspension with full pay:

- (1) in a crisis situation;
- (2) when an investigation of an alleged major offence is being carried out to determine whether or not there is sufficient evidence against the employee to justify further disciplinary action;

#### 612.2 **SUSPENSION WITH HALF PAY**

An employee may be suspended with half pay:

- (1) when dismissal proceedings for a major offence are being taken or are about to be taken;
- (2) when confirmation is received that the employee has been charged with a criminal offence by the Court, i.e. when he is interdicted.

**Note:** Refer to Regulation 614.2 for further information on inter-diction for criminal offences.

#### 612.3 **PERIOD OF SUSPENSION**

An employee may be suspended, under Regulations 612.1 and 612.2, for an initial period not exceeding ten (10) days; which may be extended up to thirty (30) days, and longer if necessary.

#### 612.4 **PUNITIVE SUSPENSION**

- (1) In addition to situations mentioned above, an employee may be placed on punitive suspension, at the conclusion of the disciplinary process, as an alternative penalty to dismissal.

- (2) Punitive suspension is a compulsory leave of absence for a period not exceeding six (6) months, without pay or with half pay, at the discretion of the Authority.
- (3) There are two situations in which punitive suspension may be imposed by the Managing Director, or by the Board of Directors in the case of Board appointees:
  - (a) Evidence indicates that an employee has committed an offence which warrants dismissal, but the Authority decides, at its sole discretion, based on mitigating circumstances, not to dismiss him; but instead to impose punitive suspension.
  - (b) An employee is convicted or discharged by the Court of a criminal offence; but the Authority decides, at its sole discretion, having regard to mitigating circumstances presented by the employee in writing to the Managing Director, not to dismiss him, but instead to reinstate him without restoring emoluments withheld during his interdiction, for the entire period or part thereof.

Note: Regulation 614 gives further information on criminal offences.

#### 612.5 **LETTER OF SUSPENSION**

As provided under Regulation 610.6, the employee receives a letter of suspension advising the reason for suspension and the duration.

#### 612.6 **EMPLOYEE OBLIGATIONS DURING SUSPENSION**

- (1) When an employee is suspended, he has an obligation to:
  - (a) sign a copy of the suspension letter in acknowledgement of receipt;
  - (b) return to work on the stipulated date;
  - (c) provide a mailing address and residential address (including telephone number, if any) where he may be contacted at any time during his suspension;
  - (d) give the Authority prior notice of his intention to travel away from home, within The Bahamas or abroad, during his suspension.
- (2) Failure to comply with the obligations mentioned above, will be considered as insubordination, and disciplinary proceedings may be commenced or continued.

### **613: ABSENCE WITHOUT LEAVE (AWOL)**

#### **613.1 For Periods Less Than Seven (7) Days**

If an employee is absent from duty without permission or reasonable excuse, for periods not exceeding seven (7) days at any one time,

- (1) emoluments will be withheld at the basic rate of pay per day;
- (2) his absences will be treated as a minor offence, **possibly leading to dismissal**, after due process, for frequent or a consistent pattern of occurrences.

#### **613.2 For Periods Exceeding Seven (7) Days**

If an employee is absent from duty without permission or reasonable excuse for a period exceeding seven (7) days, and the employee cannot

be found within a period of fourteen (14) days of the commencement of such absence:

- (1) the department head shall report the matter to the Hospital Administrator dealing with hospital employees, or to the Managing Director in all other cases;
- (2) a show-cause letter shall be issued, requesting the employee to explain his absences within fourteen (14) days of receipt or service of the letter.
- (3) If there is no response to the show cause letter within the fourteen (14) day period or if there is a reply and it is not accepted by the Authority, or if the employee cannot be found within the fourteen-day period:
  - (a) in a case of a temporary employee appointed by the Hospital Administrator under delegated Authority, with less than six month's service, he may be dismissed by the Hospital Administrator;
  - (b) in any other case, the employee may be dismissed by the Managing Director.

## **614: CRIMINAL OFFENCES**

### **614.1 REFERRAL FOR CRIMINAL PROCEEDINGS**

- (1) If an offence is a criminal one, it may be referred for criminal proceedings:
  - (a) when the Police is called to the scene of the crime in a crisis situation; or

- (b) pursuant to decision made, at any stage in the disciplinary procedure, by the Managing Director, or the Board in the case of Board appointees.
- (2) Criminal proceedings against an employee may also be instituted independently by the Police.
- (3) An employee may be placed on crisis or investigatory suspension **with full pay**, pending confirmation from the Court that he has been charged with a criminal offence.

#### 614.2 INTERDICTION

Where it is considered that the interests of the Public Hospitals Authority require that an employee should cease forthwith to exercise the powers and functions of his office, the Managing Director may interdict him from the exercise of those powers and functions, if:-

- (a) disciplinary proceedings for his dismissal are being taken or about to be taken, or;
- (b) criminal proceedings are being instituted against him.

#### 614.3 COURT VERDICT: “NOT GUILTY”

- (1) If the Court verdict is “Not Guilty”, written instructions shall be given to the Human Resources Department, by the Hospital Administrator concerning a hospital employee or the Managing Director concerning a corporate office or shared-services employee, to:
  - (a) reinstate the employee in his job;
  - (b) restore, in full, any emoluments, including non-pensionable allowances, withheld during interdiction;

- (c) ensure that a copy of the Court’s verdict is placed on the employee’s personnel file;
  - (d) ensure that all other information and documents related to the case are transferred from the employee’s personnel file to a master confidential master file for disciplinary matters, together with a copy of the Court’s verdict.
- (2) No future criminal proceedings can be brought against the employee if it raises substantially the same issues as the criminal offence in respect of which he has been acquitted.

**614.4 COURT VERDICT: “GUILTY”**

- (1) If the verdict is “guilty”, the employee will be dismissed or otherwise disciplined, **unless** his representation for reinstatement is favourably considered by the Authority.
- (2) The Hospital Administrator or Managing Director or official acting on his/her behalf, invites the convicted employee to make representation, in writing, within fourteen (14) days after receipt or service of the invitation, giving reasons why he should not be dismissed or disciplined.
- (3) The Court’s verdict and the employee’s representation, if any, are reviewed by the Managing Director, or the Board in the case of a Board appointee; and a decision is made whether or not to reinstate him; and if so, with or without restoration of emoluments withheld, in whole or part, and with or without specified conditions.
- (4) The employee receives a letter from the Managing Director advising him of the decision.

- (5) There is no right of appeal against the Authority's decision, except as may be provided under the law.

#### 614.5 **EMPLOYEE'S OBLIGATION TO DISCLOSE VERDICT OF GUILTY OR DISCHARGED**

- (1) An employee who is found guilty or is discharged of a criminal offence, has an obligation to inform the Authority.
- (2) He must do so within fourteen (14) days after the Court's verdict.
- (3) Failure to inform the Authority may result in forfeiture of the right to make a representation seeking to be reinstated.

### **615 RETIREMENT IN THE INTEREST OF THE AUTHORITY**

#### **615.1 SITUATIONS IN WHICH EMPLOYEE MAY BE RETIRED**

Retirement in the interest of the Authority may be considered:

- (1) as an alternative to dismissal, **at the conclusion of internal disciplinary proceedings under Part 11**, if the Authority is of the opinion that the employee does not deserve to be dismissed and retirement would be a more appropriate penalty;
- (2) at any time, for grounds not suitably covered by any regulation, if the Authority is of the opinion that it is in its interest to retire the employee, **after due process under Regulation 615.2 below**;
- (3) in cases which may not be considered serious enough to warrant dismissal, but might undermine the Authority's ability to

maintain harmony, stability, credibility, or efficiency, after due process under Regulation 615.2 below.

**615.2 PROCEDURE FOR RETIREMENT IN INTEREST OF AUTHORITY**

- (1) A recommendation to retire an employee in the interest of the Authority may be made by the department head to the Executive Management Committee at the hospital concerned, or to the Managing Director in all other cases.
- (2) Upon receipt of the recommendation the Hospital Administrator or the Managing Director shall request reports as to the employee's conduct and performance from both the immediate supervisor and the department head.
- (3) Recommendations received by the Executive Management Committee are submitted to the Managing Director, if the Committee is of the opinion that the recommendations are justified.
- (4) The Managing Director reviews each case, in consultation with the Legal Advisor, and if he is of the opinion that the employee should be retired in the interest of the Authority, submits the recommendation and reports to the Human Resources Committee.
- (5) The Human Resources Committee conducts a hearing to ascertain all the facts and circumstances, before deciding whether or not, in its opinion, the recommendation is justified; and if not, recommends that a show-cause letter be issued.
- (6) The Human Resources Committee considers the employee's response to the show-cause letter; decides whether or not the response is acceptable; and if not, recommends to the Board that the employee be retired in the interest of the Authority.

- (7) The employee will be given adequate notice of termination, as required under the Employment Act, and will be eligible for retirement benefits under the Pensions Act.

**Note:** Proceedings for minor or major offences may be discontinued, at any time, in order to commence proceedings for retirement in the interest of the Authority.

## **616 WITHHOLDING OR DEFERMENT OF EMOLUMENTS**

### **616.1 SITUATIONS IN WHICH EMOLUMENTS ARE WITHHELD OR DEFERRED**

- (1) Emoluments may be withheld or deferred, permanently or temporarily, for a specified period, after due process, in the following situations:
  - (a) 50% of his entitlement is deducted during suspension, pending the conclusion of dismissal proceedings;
  - (b) 50% of his entitlement is deducted during interdiction;
  - (c) all or 50% of his entitlement is deducted during punitive suspension;
  - (d) non-pensionable allowance is withheld, for example, when responsibility allowance is discontinued upon demotion.
  - (e) increment is withheld or deferred for inefficiency;
  - (f) a surcharge (deduction) is applied against an employee's salary to recover financial loss suffered by the Authority as a result of the employee's offence or misconduct;

- (g) salary is deducted for frequent or a persistent pattern of absences without permission or acceptable excuse under Regulation 614 ;
- (h) salary is deducted in any other situation deemed appropriate by the Authority.

## **616.2 RESTORATION OF EMOLUMENTS WITHHELD**

### **(1) Restoration of Emoluments Withheld During Suspension**

- (a) Emoluments withheld, during suspension under Regulation 612.2, shall be restored in full,
  - (i) if it is found that the employee did not commit the offence; or
  - (ii) if, disciplinary proceedings are discontinued due to insufficient evidence against an employee.
- (b) If evidence supports the belief that the employee committed the offence, emoluments withheld may or may not be restored, in part or whole, at the Authority's sole discretion.

### **(2) Restoration of Emoluments withheld during Interdiction**

Refer to Regulation 614.3 and 614.4 (3) for information on restoration of emoluments withheld during interdiction.

### **(3) Restoration of Emoluments Withheld During Punitive Suspension**

Under Regulation 612.4, punitive suspension is a penalty alternative to dismissal, and emoluments withheld **are not**

**restored**, unless the penalty is rescinded as a result of a successful appeal hearing.

**(4) Restoration of Increment Withheld or Deferred**

- (a) Increment withheld or deferred is restored when the employee satisfies the stipulated condition(s).
- (b) Upon restoration of increment which was **deferred**, payment starts with effect from the first day on which the increment was deferred, i.e. restoration **is retroactive**.
- (b) Upon restoration of increment which was **withheld**, payment starts with effect from the day after the end of the period for which it was withheld, i.e. restoration **is not retroactive**.

**(5) Emoluments withheld for Absence Without Leave (AWOL)**

In such situations, emoluments withheld are restored **only** if the decision is reversed upon successful appeal.

**PART III – APPLICATION OF POLICY**

**617: EXCEPTIONS TO GENERAL APPLICATION**

617.1 The Employee Discipline Policy applies to all categories of employees, **except:**

- (1) as otherwise provided by any statutory regulations made pursuant to the Public Hospitals Authority Act or any other relevant law of The Bahamas;
- (2) for modifications detailed below for employees in various categories of jobs.

## **618 APPLICATION OF POLICY TO TEMPORARY EMPLOYEES**

### **618.1 DEFINITION**

For purposes of the Employee Discipline Policy, a temporary employee is:

- (1) a non-pensionable employee hired temporarily on an hourly, daily or weekly basis, i.e. a Casual Employee;
- (2) a non-pensionable employee employed temporarily on a monthly basis.

### **618.2 PERSONS TEMPORARILY EMPLOYED**

#### **- Less than 6 Months**

Subject to the express terms and conditions of the employment contract, such employee:

- (1) May be terminated, for any reason by:
  - (a) Hospital Administrator, if the employee was appointed by the Administrator under delegated authority;
  - (b) Managing Director, in all other cases.
- (2) Entitled to one week's notice, or one week's pay in lieu of notice, and any accrued salary;
- (3) Has no right of appeal against termination; except as may be provided by law.

**618.3 PERSONS TEMPORARILY EMPLOYED**  
**- Six (6) Months or more, but less than 12 Months**

Subject to the express terms and conditions of the employment contract, such employee:

- (1) May be terminated at any time:
  - (a) by Board of Directors, in the case of a Board appointees;
  - (b) by Managing Director, in all other cases.
- (2) Entitled to any accrued salary;
- (3) Entitled to notice of termination or pay in lieu of notice and termination pay as governed by Sections 29 and 30 of the Employment Act.
- (4) Has no right of appeal against termination, except as may be provided by law.

**618.4 PERSONS TEMPORARILY EMPLOYED**

**On a full time basis, continuously, for more than 12 months**

- (1) When disciplinary action is being taken against the employee, the rules of due process and procedural justice shall apply; and he is entitled to:
  - (a) know the reason for termination;
  - (b) notice of termination or pay in lieu of notice and termination pay, as governed by Sections 29 and 30 of the Employment Act.
  - (c) appeal against termination, within thirty (30) days, to the

Review Committee of the Board.

- (2) The Review Committee shall consider the appeal and make a determination; and its decision is final. There is no right of appeal, except as may be provided by law.

## **619 PROBATIONARY EMPLOYEES**

619.1 A probationary employee may be dismissed, after due process, for repeated minor offences or for a major offence at any time during the probation period.

619.2 If the employee fails to maintain an overall above-average performance during the twelve month initial probation, a decision may be made whether or not the probation should be extended for a period not exceeding six months by the:

- (1) Hospital Administrator within the scope of delegated authority; and
- (2) Managing Director in all other cases.

619.3 If a recommendation is made to dismiss a probationary employee or to extend his initial probation, he shall be issued a show-cause letter inviting him to make a written representation, within fourteen (14) days after receipt of the letter, giving reasons why he should be confirmed instead.

619.4 After due process, a decision shall be made by the Managing Director, or the Board in the case of a Board appointee, whether or not to dismiss the employee after his initial probation period or to extend the initial period.

619.5 If the employee's performance or conduct during the extended probation period is unsatisfactory, a recommendation shall be made for his dismissal.

- 619.6 There is no appeal against a decision not to extend the initial probation period; but the employee may appeal to the Review Committee of the Board against a decision made to dismiss him at the end of the initial or extended probation period.
- 619.7 There is no right of further appeal by a probationary employee, except as may be provided by law.
- 619.8 As already indicated under Regulations 608.2 and 608.3, probationary employees, in accordance with Sections 29 and 30 of the Employment Act, are entitled to:
- (1) One (1) week's notice of termination or one week's pay in lieu of notice, if employed for less than 6 months;
  - (2) Two (2) week's notice of termination or two weeks' pay in lieu of notice, if employed on a probationary basis for 6 to 18 months.
  - (3) Termination pay

## **620 CONTRACT OFFICERS**

- 620.1 If an officer is employed on a contract which provides for termination by notice before the expiration of the stipulated period of service, the Authority may terminate the contract before the expiration date, by giving due notice.
- 620.2 Gratuity payable under the contract, may or may not be withheld.
- 620.3 Except as may be provided by law, there is no right of appeal, unless gratuity payable under the contract is being withheld for reason of "unsatisfactory performance". In such a case, the contract officer may appeal to the Review Committee of the Board.

## **621 PUBLIC OFFICERS**

621.1 Public officers who are employed by the Ministry of Health, but work for the Authority, must comply with the provisions of the Employee Discipline Policy, the Code of Conduct, Performance Standards and all other regulations established or adopted by the Authority, except that:

- (1) all penalty recommendations, duly processed and approved by the Authority will be forwarded to the Ministry of Health, for processing;
- (2) public officers have a right of appeal to the Public Service Commission or the Public Service Board of Appeal.

621.2 If the Authority's recommendation is for punitive suspension, demotion, dismissal, or retirement in the interests of the Authority and the Ministry of Health does not agree with the recommendation, the Managing Director shall refer the case to the Review Committee of the Board who shall make recommendation for Board decision.

621.3 The Authority reserves the right to:

- (1) Suspend a public officer;
- (2) Call the police to the scene when a public officer commits a criminal offence; or refer criminal offences to the Police.

## **PART IV – APPEAL PROCESS**

### **622 RIGHT OF APPEAL**

#### **622.1 APPEAL AGAINST DISCIPLINARY ACTION OR DECISION**

- (1) If an employee is aggrieved by any disciplinary action or penalty, he may appeal to have the decision rescinded.
- (2) Refer to Part III regarding the right of appeal by employees in certain job categories.
  - (a) Nothing in this Policy shall prejudice the employee's right of appeal against unfair dismissal under Sections 34 - 40 of the Employment Act and any other law of The Bahamas. However, employees are **required** to first take advantage of the internal appeal process.
  - (b) The letter to the employee at the conclusion of the disciplinary process, advising him of the Authority's final decision, should also include notice of the employee's right to appeal, the deadline for appealing, and the address to which the appeal application should be sent; but failure to include such information shall not invalidate the decision.

#### **622.2 AUTHORITY TO HEAR APPEALS**

##### **Review Committee of the Board**

This Committee will hear all appeals upon application by employees in respect to:

- (a) Demotions, retirement in the interest of the Authority, dismissal, withholding of increment, deferment of increment, promotion remedial transfers between institutions, punitive suspension with half pay or without pay and any other decision affecting the employee's job status;
- (b) Board appointees, against any disciplinary decision.

### **622.3 APPEAL APPLICATION**

- (1) Appeal application should be made, in writing, within thirty (30) days after receiving written notice of the disciplinary decision, or such longer period as the Authority may allow.
- (2) The application should be sent through the registered post or hand delivered to the address as indicated in the Authority's letter to the employee.
- (3) If a letter of appeal is sent directly to the Managing Director, the Board or a Board Member, it shall be referred to the Secretary of the Human Review Committee, as appropriate.

### **622.4 APPEAL HEARING**

- (1) Appeal hearings should be scheduled within sixty (60) days after receipt of the application and all parties to the appeal and their named representatives must be given at least fourteen (14) days notice of the scheduled date for the appeal hearing.
- (2) At the disciplinary hearing all concerned parties may attend, including the accused employee, witnesses for both sides, the employee's union and/or legal representatives or other third party of his choice; and witnesses may be questioned by either side.

- (3) When hearing appeals, the Review Committee of the Board concerned:
  - (a) is entitled to disclosure of all relevant information, to request sight of relevant files and documents, and to conduct independent investigations;
  - (b) may invite persons from inside or outside the Authority to answer questions and/or give expert advice.
  - (c) may invite the Chairperson of the Medical Advisory Committee of the Board and the Medical Advisor to answer questions and/or give expert advice, when hearing appeals from members of the medical staff.
- (4) If the decision on appeal is to re-instate an employee, the decision must clearly state whether or not any emoluments withheld are to be restored; and if so, whether in whole or part and the effective date or restoration; the terms of probation if the reinstatement is probationary, and any other terms and conditions.
- (5) After the conclusion of the appeals hearing, the decision must be communicated in writing to the appellant within fourteen (14) days.

## **PART V – EXAMPLES OF OFFENCES**

### **623 MINOR OFFENCES**

The following is a list of minor offences. Employees should read the list to know and understand the offences for which they may be dismissed or otherwise penalized for repeated or continuous occurrences. The list is not complete or exclusive.

623.1 inefficiency or incompetence

623.2 insubordination

623.3 unpunctuality, i.e. frequent lateness on arrival to work and/or after the lunch break or other approved or customary breaks

623.4 absences away from work station or early departures, without prior approval

623.5 days absent, but not exceeding seven days at any time, without permission or acceptable excuse

623.6 disturbing the peace in the workplace, for example, rowdiness, verbal abuse, use of profane language (cursing), malicious gossiping to the detriment of another employee

623.7 excessive use of the telephone for non-job-related reason

623.8 inappropriate dress and appearance, contrary to the dress code under the Code of Conduct

623.9 unauthorized use of Authority's stationery, materials and other supplies; computers, printers and other equipment

623.10 unapproved or inappropriate use of Authority's vehicles

623.11 any other specific or general misconduct, which, in the opinion of the Authority, is not sufficiently serious to warrant dismissal

## **624: MAJOR OFFENCES**

The following is a list of major offences which includes fundamental breaches under sections 31 & 32 of the Employment Act. Employees should read the list

to know and understand the major offences for which they may be dismissed for a single occurrence. The list is not complete or exclusive.

- 624.1 Incompetence (Inefficiency)
- 624.2 Failure to keep professional licensure and certification current
- 624.3 Misrepresentation or falsification of qualifications and experience when seeking employment with the Authority
- 624.4 Gross misconduct
- 624.5 Gross negligence
- 624.6 Gross indecency
- 624.7 Unethical or unprofessional conduct
- 624.8 Gross insubordination or insolence, including willful refusal to obey or comply with reasonable instructions, or with code of conduct or standard of performance
- 624.9 Failure to attend, when required to do so by authorized officers, appointments for committee meetings, disciplinary meetings or other meetings scheduled within on-duty hours, without acceptable excuse
- 624.10 Failure to comply with shift, sessional or on-call duty schedules without acceptable excuse
- 624.11 Unapproved leave (AWOL) for more than seven (days) consecutively, including failure to return from approved leave, without acceptable excuse
- 624.12 Unauthorized possession, distribution or sale of alcohol in the workplace or during the course of employment
- 624.13 Unauthorized access to, possession, use, distribution or sale of prescription drugs, controlled substances or other surgical/medical supplies
- 624.14 Possession, distribution or sale of illegal drugs in the workplace or during the course of employment
- 624.15 Substance abuse
- 624.16 Refusal to give consent to testing for substance abuse when instructed to do so by an authorized officer, as a result of reasonable and valid evidence, including:
  - impaired physical or mental acuity
  - erratic behaviour or conduct
  - inconsistency in output and quality of work

- 624.17 Unauthorized or inappropriate use of the Authority’s vehicle, including:
- driving without a valid license
  - driving under the influence of alcohol or illegal drugs
  - reckless driving
- 624.18 Refusal to submit to examination by a Medical Board when instructed to do so by an authorized officer for frequent, or a consistent pattern of , or extended period of illness.
- 624.19 Refusal to submit to examination by independent physician when requested to do so by an authorized officer for purposes of processing a claim for sick leave
- 624.20 Falsifying medical certificates
- 624.21 Obtaining medical certificates or medical loans under false pretences
- 624.22 Violent behaviour, fighting or physical assault
- 624.23 Threat or harassment (verbal, physical or sexual)
- 624.24 Possession or use of dangerous weapons or firearms, or any object actually used to inflict harm, harass or threaten
- 624.25 Any action or conduct which results in a crisis situation
- 624.26 Theft, (i.e. includes unauthorized sale, use or other disposal of the Authority’s assets or funds)
- 624.27 Unauthorized sale of goods by employees on the Authority’s premises or in the course of duty, and all related unauthorized activities
- 624.28 Willful misuse, abuse, destruction of, or damage to the Authority’s property (premises, vehicles, equipment, materials, supplies, services, etc.), or the property of the Authority’s employees, patients or business associates
- 624.29 Failure to obtain proper authorization for purchases and other expenditures
- 624.30 Making false or artificial entries into the accounting records; or falsifying such records in any way
- 624.31 Dishonesty and fraudulent offences
- 624.32 Misrepresentations for purpose of obtaining undue advantages or benefits
- 624.33 Acceptance of bribes and valuable gifts or gratuities in the course of duty, without the Authority’s approval

- 624.34 Any act of corruption, any malicious, negligent or fraudulent act or omission which results in financial loss to the Authority or is otherwise detrimental to the interest of the authority
- 624.35 Any act or omission which brings into disrepute the credibility and trustworthiness of the employee in the performance of his duties and responsibilities
- 624.36 Financial embarrassment, i.e. when an officer (who is an executive manager, department/unit head or who holds other senior, sensitive or influential position of responsibility or trust as indicated in his job description), loses his credibility and trustworthiness, to the detriment of the Authority, as a result his financial transactions, arrangements or status, including bankruptcy, excessive indebtedness and composition of creditors
- 624.37 Unauthorized private work or moonlighting, for pay
- 624.38 Conflict of interest: any activity, business, transaction or association by an employee or his immediate family, which adversely affects the interests of the Authority, or the employee's duty of care, loyalty, judgment, reliability, productivity, efficiency or effectiveness in performing his job duties and responsibilities; but only if such interest or involvement or association has not been disclosed to the Authority; or if disclosed, the employee failed to carry out the Authority's instructions to discontinue such interest, involvement or association
- 624.39 Involvement by an employee (who is an executive manager, department/unit head or who holds other senior, sensitive or influential position of responsibility or trust as indicated in his job description) in any public or political controversy, except when the controversy has resulted through no fault of his own
- 624.40 Involvement by an employee (who is an executive manager, department/unit head or who holds other senior, sensitive or influential position of responsibility or trust as indicated in his job description) in the following political activities:-
- holding office in a political party organization
  - speaking in public on matters of national political controversy; or taking any active part in such matters, particularly if it is one with which the officer is officially concerned.

- expressing views on such matters in letters to the press, or in books, articles, leaflets or by broadcasting, on television or on the Internet
  - canvassing or distributing pamphlets, etc. on behalf of a political candidate or party
- 624.41 Acceptance by an employee (who is an executive manager, department/unit head or who holds other senior, sensitive or influential position of responsibility or trust as indicated in his job description) of a position as an executive officer of a union recognized as the bargaining agent for employees
- 624.42 Giving expert evidence in civil cases in Court on matters related to one's official duties without the Authority's prior approval, except when subpoenaed by the Court
- 624.43 Breach of confidentiality, i.e. unauthorized disclosure, distribution or publication of confidential patient, employee or business information to persons without a legitimate right to know
- 624.44 Unauthorized access, retrieval, duplication, falsification, disposal, destruction of the Authority's records
- 624.45 Editing for publication or publishing orally or in writing or causing to be published, via any form of public media, without prior permission of the Authority, opinions or information on political matters, or administrative or policy matters relating to one's official duties, or matters relating to public health services, if such matters result in public or political controversy
- 624.46 Withholding information when there is an obligation to disclose, imposed by law or by the Authority's regulations
- 624.47 Using or allowing another to use the Authority's seals or official stamps without proper authorization to do so
- 624.48 Any other specific or general misconduct or criminal offence which in the opinion of the Authority warrants dismissal on the first occurrence.

**APPENDIX I DEFINITIONS**

- (1) **Absent Without Leave (AWOL):** Absence from duty, without permission or reasonable excuse, including days when the employee fails to report to work, or to return when due from approved leave of absence, and days treated as absences without leave under the sick leave policy;
- (2) **Appeal Hearing:** A meeting convened by an authorized Sub-Committee of the Board or the independent Public Hospitals Authority Appeals Board for the specified purpose of hearing an appeal by an aggrieved employee against disciplinary and other decisions of the Authority.
- (3) **Authorized Officers/Committees:** Supervisors, managers, department heads, unit/area heads, executive management committees and sub-committees of the Board authorized to take disciplinary actions and/or to make disciplinary recommendations and/or decisions, within the scope of their delegated authority.
- (4) **Crisis situation:** A crisis situation exists when an employee has committed or is committing a major offence, causing serious bodily harm to person and/or serious physical damage to property; or causing serious disturbance or disruption of the peace, order, discipline, or conduct of business; or causing danger or detriment to the interest of the Authority.
- (5) **Crisis Suspension:** A mandatory leave of absence imposed on an employee, in a crisis situation, with full pay
- (6) **Deferral of Increment:** To discontinue or reduce normal increment, temporarily for a specified period, as a penalty for inefficiency or failure to obtain a specified qualification, with a right of restoration when specified conditions have been satisfied. When increment is restored, payment is back- dated to the first day of the period for which it was deferred, i.e. restoration is retroactive.

- (7) **Department/Unit Head:** An Officer in charge of a Department, Unit(s) or Agency **with delegated authority** for managing the disciplinary process pertaining to employees under his direct and/or indirect supervision, with power to initiate or endorse disciplinary recommendations to be submitted for executive review and decision, in compliance with due process.
- (8) **Deprivation of Privileges:** Withdrawal of a special concession, advantage or benefit granted to an employee.
- (9) **Disciplinary Meeting:** Any meeting (including disciplinary interview and disciplinary hearing) held by an authorized officer with an employee alleged to have committed an offence for the following purposes:
- giving the employee an opportunity to put his case;
  - discussing with or questioning the employee concerned, and any witnesses or employee representatives present, about the alleged offence, as part of the investigation process.
- (10) **Disciplinary Hearing:** This is a disciplinary meeting held jointly for all parties concerned (including witnesses and employee representative), **after the issue of the show-cause letter** to review the entire case against and for the employee, when a decision has been taken not to accept the employee's response to the show-cause letter, or he has failed to respond, or he has admitted that he committed the offence, and severe penalty is being contemplated.
- (11) **Disciplinary Interview:** This is a disciplinary meeting held, at any stage in the proceedings, with the employee against whom an allegation has been made, and separately with each witness and other persons with relevant information.
- (12) **Disciplinary Probation:** A fixed period, for three (3) months minimum and six (6) months maximum, within which an employee is expected to improve or correct his performance or conduct.

- (13) **Disciplinary Process:** includes the various procedural steps taken to complete a disciplinary matter, from the investigation of an alleged offence to the decision whether or not to impose a penalty.
- (14) **Dismissal:** Termination of employment as a disciplinary penalty for offences.
- (15) **Documented Oral Warning:** An oral notice given to an employee by an authorized officer, warning that if he continues or repeats the same or similar minor offence, further disciplinary action will be taken. The warning is recorded in a Discipline Log Book, but does not become a part of the employee's record until and unless a written warning is issued for the same or similar offence.
- (16) **Emoluments:** includes salary, wage, increment, fee, bonus, commission, allowances, but not pensionable allowance and pension entitlements.
- (17) **Inefficiency:** Incompetent, ineffective, unsatisfactory or unacceptable performance.
  - (a) **Incompetent Performance:** Failure to demonstrate the level of knowledge, skills, abilities and attributes required to make optimum use of resources; failure to perform at acceptable standards.
  - (b) **Ineffective Performance:** Failure to achieve expected results or outcomes.
  - (c) **Unacceptable/Unsatisfactory Performance:** Performance that does not measure up to acceptable standards of quality and productivity; or does not achieve expected results or outcomes.
- (18) **Interdiction:** A mandatory leave of absence, imposed on an employee, with half pay, as a penalty, upon receipt of documentary confirmation from the Court that the employee has been charged with a criminal offence.

- (19) **Interest of the Authority:** When an employee commits a specific or general misconduct, his action, omission, performance or conduct is said to be to the disadvantage of, or contrary, prejudicial, detrimental or repugnant to the interest of the Authority.

**‘Interest’ includes:**

- (a) Authority’s assets, business affairs and operations, its credibility and public image ;
  - (b) Authority’s work environment;
  - (c) Employee welfare, rights, safety, morale, discipline, performance and inter-relations;
  - (d) Welfare, safety and rights of patients and the public, within the scope of the Authority’s responsibilities as a public healthcare provider;
  - (e) Interest of Government, as it pertains to the provision of, or responsibility for, national healthcare;
  - (f) Other interest/right attaching to the Authority as a legal entity, by virtue of its business operations or its fiduciary relationships and responsibilities.
- (20) **Insubordination:** Willful refusal to comply with the Authority’s regulations, instructions, code of conduct or standards of performance.
- (21) **Manager/Supervisor:** An officer with day-to-day responsibility for planning, directing and controlling the work of employees reporting directly to him, coaching and counseling them, providing on-the-job training and monitoring and assessing their performance and conduct against established standards; but whose responsibilities for disciplinary matters do not extend beyond the issue of undocumented or documented oral warnings, and recommendations to the Department/Unit Head that written warnings or other disciplinary actions should be taken.

**(22) Misconduct:**

Misconduct may be specific or general.

**(a) Specific Misconduct includes:**

- (i) any act or omission, conduct or behavior which is contrary to, or in violation, breach, default, contravention or infringement of any specific regulation established or adopted by the Authority
- (ii) any act or omission, conduct or behavior which is in breach of any term or condition of employment or which is detrimental, prejudicial or repugnant to the interests of the Authority, including fundamental breaches under sections 31 and 32 of the Employment Act
- (iii) any illegal, improper or unethical medical or clinical practice
- (iv) any act of insubordination, as defined under item 19 above
- (v) inefficiency or incompetence, as defined under item 16 above
- (vi) any act, conduct or behavior that is a criminal offence under the Penal Code or other law of The Bahamas.

**(b) General Misconduct:**

A general misconduct occurs when the act, omission, conduct or behaviour is not covered by any specific regulation, law or express term or condition of an employment contract; but is deemed by the Authority to be contrary, prejudicial, detrimental or repugnant to the interest of the Authority.

(23) **Offences**

An offence is a violation of a specific regulation or term or condition of the contract of employment or Bahamian law, or any act or conduct that is detrimental or repugnant to the interest of the Authority; and therefore has the same meaning as Misconduct, defined above. There are three types of offences, major, minor and criminal.

- (a) **Major Offence:** Misconduct, which is considered by the Authority to be serious enough to warrant dismissal for a single occurrence, i.e. “Gross Misconduct” under Section 107(b) of the Industrial Relations Act.
  - (b) **Minor Offence:** Misconduct which the Authority does not consider serious enough to warrant dismissal, except for continuous or repeated occurrences.
  - (c) **Criminal Offence:** Misconduct, which is a crime under the Penal Code or other law of The Bahamas.
- (24) **Performance Improvement Plan:** A plan negotiated with the employee as part of the positive intervention strategy, outlining what the employee must do to improve or correct his performance or misconduct; and the consequences of failure to meet expectations within the stipulated period of time.
- (25) **Positive Intervention:** Actions taken to assist an employee in maintaining good conduct and acceptable standards of performance, or improving or correcting inefficiencies or defaults in his performance or conduct, to avoid a worsening disciplinary situation.
- (26) **Public Hospitals Authority Appeals Board:** An independent body, comprising members of the public, of good standing in the community, appointed by the Board, to hear appeals from employees aggrieved by disciplinary and other decisions of the Authority.

- (27) **Punitive Suspension:** A mandatory leave of absence imposed on an employee, without pay, or with half pay, for a maximum period of six (6) months:
- at the conclusion of internal disciplinary proceedings;
  - as an alternative penalty to dismissal for committing an offence (upon his own admission, or based on evidence); and
  - the Authority decides not to dismiss the employee, but instead to penalized him by suspending him and permanently withholding all or part of his emoluments for a stipulated period, not exceeding six (6) months.
- (28) **Regulation:** Any policy, procedure, rule, instruction, protocol, standard, code or bye-law:
- established by the Authority to regulate or govern its operations and the performance and conduct of its employees or persons working within institutions under its management; or
  - established by accredited professional bodies and adopted by the Authority;
  - imposed by law.
- (29) **Remedial Transfer:** Relocation to another unit, department, or institution, to an equivalent post, with the same salary, with or without a reprimand - to remove an employee from a no-win situation and give him an opportunity to improve or correct his performance or conduct in a new environment.
- (30) **Reprimand:** A stern censure or notice, in writing, warning the employee that continued or repeated offence or misconduct shall result in more severe penalty, with or without disciplinary probation or other stipulated conditions.

- (31) **Retirement in the Interest of the Authority:** Retirement before the due date, in the interest of the Authority, imposed as an alternative penalty to dismissal for the commission of offence(s).
- (32) **Severe Penalty:** Punitive suspension, demotion, retirement in interest of the Authority, dismissal, or other penalty impacting the employee's job status or job security.
- (33) **Service of Notice** of disciplinary actions, proceedings and penalties may be delivered to the employee orally, or written notice may be hand-delivered to him or left at his work station or at his last known place of residence; or sent by pre-paid registered post to that address.
- (34) **Show-Cause Letter:** A letter written to an employee inviting him to give reasons, in writing, within fourteen days after hand delivery or by registered mail, why he should not be dismissed or otherwise penalized.
- (35) **Supervisor:** (Same meaning given in No. 21 above for Manager).
- (36) **Suspension:** A mandatory leave of absence from work imposed on the employee for a major offence, for a stipulated period or until further notice; during which time, he shall desist from exercising any job-related authority or carrying out responsibility or function as an employee of the Authority.
- (37) **Withholding of Increment.** Payment of increment is stopped for a specified period for inefficiency or failure to obtain specified qualification. When increment is restored, payment starts with effect from the day after the end of the period for which it was withheld, i.e. restoration **is not retroactive.**
- (38) **Written Warning:** A warning, intended for the employee's personnel records, that gives details of an offence allegedly committed by the employee, and seriously cautions the employee that a continuation or repetition of a similar offence will result in further disciplinary action.

**APPENDIX 2: RESPONSIBILITY MATRIX**

**Note:**

- i. With regard to **clinical offences** by medical staff, this summary of delegated responsibility must be read in conjunction with the Medical Byelaws, and nothing herein is intended to supercede provisions of the Medical Byelaws. **Non-clinical offences** fall within the scope of the Discipline Policy.
- ii. The Medical Byelaws does not make a distinction between minor and major clinical offences. However, with regard to offences treated as major offences warranting severe penalties, the decision-making authority for imposing penalties as required under the Discipline Policy shall apply to active members of the medical staff.

**ACTIONS/DECISIONS & AUTHORIZED OFFICERS**

#	REGULATION	OFFENCE	ACTION/DECISION	AUTHORIZED OFFICER
1	609.1 610.1	<b>Minor</b> & <b>Major</b>	<b>OBSERVATION/ALLEGATION OF MISCONDUCT/ OFFENCE</b>  <b>Note:</b> clinical offences by medical staff	Supervisors Managers and/or Dept. Heads  Anyone may make a complaint, in writing to Chief of Staff
2	609.2 610.1	<b>Minor</b> & <b>Major</b>	<b>PRELIMINARY INVESTIGATION</b> <b>Before referral to Committee, under item 14 below</b>  <b>Note:</b> If disciplinary interviews are held, employee may opt to be represented by union shop steward or other employee	Immediate Sup/Man and/or Dept. Head

3	606 & 609.3	<b>Minor</b>	<b>POSITIVE INTERVENTION</b>  Meeting to counsel, advise, assist, employee, etc.	Immediate Sup/Man And/or Dept. Head
4	609.4	<b>Minor</b>	<b>UNDOCUMENTED ORAL WARNING</b>	Immediate Sup/Man And/or Dept. Head
5	609.5, 609.6  610.3	<b>Minor</b>  <b>Major</b>	<b>DOCUMENTED ORAL WARNING</b>  At least 2  Not required	Immediate Sup/Man And/or Dept. Head
6	609.7  610.2 & 610.3	<b>Minor</b>  <b>Major</b>	<b>WRITTEN WARNING</b>  To all employees – one written warning, and possibly a second at Department Head’s discretion  Written warning not required; but one only may be given at Department Head’s discretion, depending on nature of offence and circumstances.	Department Head  Department Head
6	Operation of Discipline Policy		<b>WRITTEN WARNING CONTINUED</b>  One written warning may be issued for clinical offences by medical staff, upon advice of Medical advisory Committee, even though none is required under the medical Byelaws	

<p>7</p>	<p>609.8 610.4</p>	<p><b>Minor</b> <b>Major</b></p>	<p><b>PERFORMANCE IMPROVEMENT PLAN</b>  With written warning  Only if a written warning is given</p>	<p>Department Head  Department Head</p>
<p>8</p>	<p>609.9 610.4</p>	<p><b>Minor</b> <b>Major</b></p>	<p><b>DISCIPLINARY PROBATION PERIOD</b> When written warning is issued, employee may or may not be given a fix period to correct his offence  A written warning is not required, but if one is issued, the employee may not be given a fixed period to correct his offence.</p>	<p>Immediate Sup/Man in consultation with Dept. Head  Department Head</p>
<p>9</p>	<p>610.5</p>	<p><b>Major / Criminal</b></p>	<p><b><u>SUSPENSION, with full pay in crisis situation</u></b>  <b>Note:</b> Page 37 for definition of a ‘crisis’ situation  Re: Employees at Corporate Office and Shared Services Agencies, excluding SEC Members  Re: SEC Members, and Hospital Administrators  Re: Hospital Employees, excluding EMC members and members of medical staff for clinical offences</p>	<p>Sr. Managers, Managing Director, SEC Members  Managing Director  Immediate Sup/ Man, Unit/Heads, Area/Sup Dept/Heads, Security</p>

	<p>Operation of Discipline Policy</p> <p>Medical Byelaws S.27</p> <p>Operation of Policy &amp; Byelaws</p> <p>610.6</p>		<p>Re: EMC Members, excluding Hospital Administrators, and Chief of Staff for clinical offences</p> <p>Re: Medical staff, excluding Chief of Staff, for clinical offences</p> <p>Re: Medical Staff, excluding Chief of Staff, for clinical offences</p> <p>Re: Chief of Staff, for clinical offences</p> <p>Oral suspension must be confirmed in writing.</p>	<p>Officers, Duty Officers, HR/Officers,</p> <p>EMC Members</p> <p>Hospital Administrator</p> <p>Chief of Department, ratified by Medical Advisory Committee</p> <p>Medical Advisory Committee upon advice of Chief of Department</p> <p>Medical Advisor; or Managing Director</p>
10	<p>612.1 (2)</p> <p>614.1 (3)</p>	<p><b>Major/ Criminal</b></p>	<p><b><u>SUSPENSION with full pay, for investigation purposes</u></b></p> <p>Re: Employees at Corporate Office and Shared Services Agencies, including SEC Members</p> <p>Re: EMC Members, excluding Chief of Staff for clinical offences</p>	<p>Managing Director</p> <p>Hospital Administrator</p>

	<p>Operation of Policy &amp; Byelaws</p> <p>Medical Byelaws S.27</p>		<p>Re: Hospital employees, excluding EMC Members, and medical staff for clinical offences</p> <p>Re: Chief of Staff, for clinical offences</p> <p>Re: Medical staff for clinical offences, excluding Chief of Staff</p>	<p>Hospital Administrator</p> <p>Medical Advisor, ratified by Managing Director</p> <p>Medical Advisory Committee upon advice of Chief of Department</p>
12	612.2 (1)	<b>Major</b>	<p><b>SUSPENSION, <u>pending dismissal</u>, with half pay</b></p> <p>Any employee – when dismissal proceedings for a major offence are being taken or are about to be taken-</p>	Managing Director
13	612.2 (2)	<b>Criminal</b>	<p><b>SUSPENSION <u>upon interdiction</u>, with half pay</b></p> <p>Any employee, for a criminal offence, upon confirmation of criminal charge</p>	Managing Director
14	609.10 610.7	<b>Minor &amp; Major</b>	<p><b>REFERAL TO COMMITTEE</b></p> <p>Re: Offences by employees at Corporate Office and Shared Services, excluding Executives, referred to Corporate Office Discipline Committee, via Human Resources Director or Senior</p>	Department Heads, i.e. respective executive

			<p>Manager/ HR</p> <p>Re: Executives at Corporate Office and Shared Services Agencies, referred to Sub-Committee of Human Resources Committee of the Board</p> <p>Re: Offences by hospital employees, excluding offences EMC and clinical offences by medical staff, referred to Hospital Discipline Committee</p> <p>Re: Offences by EMC members, referred to Sub-Committee of Human Resources Committee of the Board</p> <p>Re: Clinical offences by Consultant, referred to EMC.</p> <p>Re: Offences by medical staff up to level of Sr. Registrar, referred to Medical Discipline Committee</p>	<p>Managing Director</p> <p>Department Head</p> <p>Managing Director</p> <p>Medical Advisory Committee</p> <p>Medical Advisory committee</p>
	<p>Operation of Discipline Policy</p> <p>Medical Byelaws S.24 (4)</p> <p>Medical Byelaws S.24 (2)</p>			
15	609.11	<b>Minor &amp; Major</b>	<b>FURTHER INVESTIGATION</b>	Same Committee to whom the matter was referred under item 14
16	609.11	<b>Minor &amp;</b>	<b>RECOMMENDATION to issue:</b>	

		<b>Major</b>	<b>Letter of Exoneration; Letter of Discontinuation; or Letter of Warning</b>	Same Committee to whom matter was referred under item 14
17	<p>609.11 (1) 609.12 (2) 609.11 (3)</p> <p>S.24 (4) Medical Byelaws</p> <p>Medical Byelaws S.26 (1)</p> <p>Medical Byelaws S.26 (2)</p>	<b>Minor &amp; Major</b>	<p><b>ISSUE OF:</b></p> <p><b>Letter of Exoneration or Letter of Discontinuation; or Letter of Warning</b></p> <p><b>Note:</b> If Committee’s recommendation is approved.</p> <p>To: EMC Members, and employees at Corporate Office and Shared Services Agencies, including Executives</p> <p>To: Hospital employees excluding EMC Members, and members of medical staff for clinical offences</p> <p>To: Consultants, active or non-active</p> <p>To: Active members of the medical staff at Senior Registrar level and below, for clinical offences</p> <p>To: Non-Active members of medical staff up to Senior registrar, for clinical offences</p>	<p>Managing Director</p> <p>Hospital Administrator</p> <p>EMC</p> <p>EMC</p> <p>Medical Advisory Committee</p>
18	609.11 (4)	<b>Minor &amp; Major</b>	<b>RECOMMENDATION TO ISSUE SHOW CAUSE LETTER</b>	Same Committee to whom matter

				was referred under item 14
19	609.12	<b>Minor &amp; Major</b>	<p><b>ISSUE OF SHOW CAUSE LETTER</b></p> <p>-If Committee's recommendation is approved</p> <p>To: Hospital Employees, excluding medical staff for clinical offences, and Board appointees</p> <p>To: Employees at Corporate Office and Shared Services Agencies, excluding Board Appointees</p> <p>To: Board Appointees, <b>excluding</b> medical staff for clinical offences</p> <p><b>Note: Notice of Hearing</b> is issued instead of a show cause letter to medical staff, for clinical offences</p> <p>Notice of Hearing to medical staff up to level of Sr. Registrar (active and non active), for clinical offences</p> <p>To: Consultants (active and inactive) excluding Chief of Staff, for clinical offences</p> <p>To: Chief of Staff, for clinical offences</p>	<p>Hospital Administrator</p> <p>Managing Director</p> <p>Managing Director</p> <p>Medical Discipline Committee</p> <p>EMC</p> <p>Medical Advisor, via Managing</p>

				Director
20	609.14	<b>Minor &amp; Major</b>	<p><b>REVIEW OF EMPLOYEE’S RESPONSE TO SHOW CAUSE LETTER</b></p> <p><b>Note:</b> Members of the Medical Staff are not required to respond in writing to the Notice of Hearing under item 19 above. Officer concerned puts his case at the hearing.</p>	Committee to whom matter was referred under item 14
21	609.16 609.18	<b>Minor &amp; Major</b>	<p><b>RECOMMENDATION AFTER REVIEW OF EMPLOYEE’S RESPONSE TO SHOW CAUSE LETTER</b></p> <p>Accept and discontinue proceedings and issue letter of exoneration or letter of warning; or reject, and issue Show Cause Letter.</p> <p><b>Note:</b> Not applicable to medical staff for clinical offences as indicated under items 19 and 20</p>	Committee to whom the matter was referred under items 17 and 20
22	609.16 & 609.17	<b>Minor &amp; Major</b>	<p><b>LETTER OF EXONERATION, OR LETTER OF WARNING</b></p> <p><b>Issued</b> if Committee’s recommendation to accept employee’s response to the show cause letter, is approved</p>	Same as indicated under item 17
23	609.18 & 609.19	<b>Minor &amp; Major</b>	<b>DISCIPLINARY HEARING for any employee excluding member of medical staff for</b>	

	Discipline Policy, page 43  602.8		<p><b>clinical offences</b></p> <p>If Committee's recommendation to reject employee's response to show cause letter is accepted; and severe penalty is deemed warranted</p> <p><b>Note:</b> Definition of 'severe penalty'</p> <p><b>Note:</b> At Disciplinary Hearing, witnesses n either side may be called and questioned. Employee has a aright to be represented by his union executive, lawyer or other employee of his choice</p>	Appropriate Committee under item 14
24	Medical Byelaws S.24 (1) to (10)	<b>Minor &amp; Major</b>	<p><b>DISCIPLINARY HEARING for any member of medical staff for clinical offences</b></p> <p>Medical staff up to Senior Registrar</p> <p>Re: Consultants and Chief of Staff</p>	<p>Appropriate Committee under item 14</p> <p>Same Committee as under item 14 above</p> <p>Same Committee as under item 14 above</p>
24	Medical Byelaws S.25 (5)		<p><b>(Continued)</b></p> <p><b>Note:</b> At Disciplinary Hearing, members of the medical staff have the same rights of representation as</p>	

			other employees as indicated under item 23 above	
25	Medical Byelaws S.26 (2)	<b>Minor &amp; Major</b>	<p><b>FINAL DISCIPLINARY DECISIONS</b></p> <p><b>Re: Clinical offences by non-active medical staff up to Senior Registrar</b></p> <ul style="list-style-type: none"> <li>• Reprimand</li> <li>• Deprivation of hospital rights and privileges</li> <li>• Suspension for a specified Period</li> <li>• Revocation of appointment of membership of the medical staff</li> </ul>	Chairman of Medical Advisory Committee, if recommendation of Medical Committee is accepted.
26	611  611.2 (1)b	<b>Minor &amp; Major</b>	<p><b>FINAL DISCIPLINARY DECISIONS:</b></p> <p><b>Re: The following decisions by Hospital Employees, <u>excluding</u> offences by Board appointees and clinical offences by non-active medical staff up to Senior Registrar.</b></p> <ul style="list-style-type: none"> <li>• Exoneration</li> <li>• Change, discontinuation or continuation of disciplinary proceedings</li> <li>• Reprimand</li> <li>• Deprivation of rights and Privileged</li> <li>• Remedial transfers between units / Departments</li> </ul>	EMC

			<ul style="list-style-type: none"> <li>• Referral to expert Counseling</li> <li>• Referral to Medical Board</li> <li>• Extension of initial twelve month probation period for a further period of six (6) months</li> <li>• Termination of employees appointed under delegated authority for periods less than six (6) months (including dismissal to AWOL for under S.613</li> </ul> <p>Letter to employee advising EMC's decision</p>	Hospital Administrator
27	611  611.2(1)b  611.2(2)	<b>Minor &amp; Major</b>	<p><b>FINAL DISCIPLINARY DECISIONS:</b></p> <p><b>Re: Offences by any employee, <u>excluding</u> Board appointees:-</b></p> <ul style="list-style-type: none"> <li>• Same decisions as made by EMC under item 26 above</li> <li>• Remedial transfers between institutions</li> <li>• Pre-dismissal suspension</li> <li>• Punitive suspension</li> <li>• Interdiction</li> <li>• Demotion</li> <li>• Retirement in interest of the Authority</li> <li>• Dismissal / Termination of employment, including dismissal for AWOL under S.613 and for criminal offences under S.614(4); but excluding temporary</li> </ul>	<p>Managing Director</p> <p>Managing Director</p>

	611.3		<p>employees who may be dismissed under delegated authority (item 26 above)</p> <p>Letter to employee advising the Managing Director's decision</p>	<p>Managing Director</p>
28	Discipline Policy 611.4	S. <b>Minor &amp; Major</b>	<p><b>FINAL DISCIPLINARY DECISIONS</b></p> <p>Re: Board Appointees</p> <p>Letter to employee advising Board's decision</p>	<p>Board of Directors</p> <p>Managing Director</p>

## **EDUCATIONAL ASSISTANCE/IN-SERVICE AWARDS**

**700**

### **POLICY STATEMENT**

700 The Authority will provide opportunities for educational leave and/or funding to pursue study in identified “priority training and in-service awards” areas. The PHA will not fund General Education and College Preparatory courses.

701 The program of study will be undertaken at an accredited institution in the best interest of the objectives and responsibilities of PHA, or the upward mobility of an employee within the Authority’s jurisdiction.

702 In-service Training Awards may include study leave with or without salary. Other benefits may considered in relation to the level of priority and on the basis of availability of funds and other special circumstances. Component benefits and allowances that are generally considered for an In-service:

- Full/partial tuition
- Training allowance
- Books, special travel or equipment related to the program
- Stipend (Special leave only)
- Round trip air fare (once only)

### **OBJECTIVES**

703 Provide opportunities for full-time and part-time study so as to facilitate the pursuance of prioritized and/or recommended programs of study in the best interest of the Public Hospitals Authority and the Bahamian people.

### **DEFINITION**

704 Educational Assistance in the form of paid, unpaid or partial study leave and/or tuition, and/or allowance(s) for an agreed period of time, and/or other benefits(s) to an employee, who is enrolled in an approved program

of study, which leads to professional qualifications or certification. Full or partial assistance may be granted and the program may be undertaken locally or abroad.

### **INSTITUTIONS OF STUDY (IN-SERVICE AWARDS)**

705 Consideration and eventual approvals may be given for any in-service award(s) granted by the Authority in the order of preference listed below, for prioritized studies or accredited programs available at the following institutions\*\*:

- The College of the Bahamas
- Locally recognized institution
- Regional institutions
- International institutions

### **INSTITUTIONS OF STUDY (EDUCATIONAL ASSISTANCE)**

706 The Authority will support Educational Assistance programs for study at institutions in the following order of preference\*\*:

- The College of the Bahamas
- Other recognized local institutions
- University of the West Indies or other regional institutions
- Recognized international institutions in USA, Canada, UK or other.

**\*\*Note: The Authority reserves the right, in its absolute discretion, to specify or designate the institution and/ or location of such institution to which the award must be applied. A list of preferred institutions will be suitably posted in all Institutions and Departments of The Authority.**

### **ELIGIBILITY**

707 Successful applicants for consideration of Educational Assistance and /or In-service Training Awards under the PHA jurisdiction shall:

- be an employee of the Public Hospitals Authority
- be a Bahamian citizen
- be of permanent and/or pensionable employee status

- occupy a full-time position
- have been confirmed in their appointment(s) for at least three (3) years
- Possess above average performance appraisal(s) for the preceding three (3) years.
- In addition to bullets 1-4, non-Bahamians on contract will be considered for unpaid study leave for a maximum of six (6) months once written confirmation is obtained from the Head of Department advising that the leave will not adversely affect the services in the area the employee is deployed; in this case the gratuity of non-Bahamians who are granted unpaid study leave will be reduced accordingly.
- Have been accepted and/or enrolled in an accredited program of study that qualifies as a priority training need as determined by the Public Hospitals Authority.
- Possess academic certification or credentials of an appropriate level for the program to be pursued.

## **ACADEMIC STABILITY**

708 The applicant should be a high school graduate or show evidence of further academic/professional studies within the preceding five (5) years, in a relevant subject area.

## **CRITERIA FOR THE AWARD**

709 Persons desirous of applying for Educational Assistance (particularly in-service awards) from the PHA should satisfy the following criteria:

- a. The individual must be a full-time employee of the Public Hospitals Authority
- b. The employee must be confirmed in appointment for a minimum of three (3) years on staff; however where there are multiple applications in a specific area of study, seniority will be an

important consideration. The Board of Directors of the Authority reserves the right to waive, modify and/or amend this general 3 year requirement for specific courses of study, and/or due to the exigencies of the service at their discretion.

- c. The employee must have above average performance appraisals (including attendance and punctuality) over the three (3) year period immediately preceding an in-service training award request.
- d. The employee must complete the approved application form and forward all required data and pertinent documentation to their institution or agency prior to the established deadlines before the award may be duly considered.
- e. Upon application for an in-service award, the employee must receive a recommendation from the Executive Management Committee (EMC) of their respective institution or agency in consultation with their Area Supervisor.
- f. Agree to meet the conditions of award, namely, to be a bonded employee of the Public Hospitals Authority, to work for a period of time not less than the period of study leave and to the extent of the full value of the award as determined by the Public Hospitals Authority.

## **CONDITIONS OF THE AWARD**

710 Persons applying for Educational Assistance and/or an In-Service Award must be prepared to agree to the following prerequisite conditions attached, if approval to such request is granted by the Board:

- a. both academic, practical and clinical components or internships must be clearly established;
- b. sign the Bond Agreement prior to departure for study leave;
- c. submit both local and overseas mailing address and telephone numbers/contacts;

- d. must maintain active enrolment in the approved program or course of study and must agree not to change institution or program of study without prior approval of the PHA;
- e. remain in good academic standing and maintain satisfactory progress as evidenced by a sustained minimum cumulative GPA of 3.0;
- f. submit progress reports and transcripts within one month after completion of a semester (for international universities), and two (2) weeks for local institutions or programs;
- g. inform the Public Hospitals Authority of any change of address (geographic or postal) or status (marital, immigration, academic...etc.).
- h. agree to repay all monies expended for failure to fully discharge bond obligations;

Note: Failure to meet any of the conditions (expressed or implied) may result in suspension and/or termination of the award or coding of salary at the discretion of the Authority.

### **RETENTION OF AN IN SERVICE TRAINING AWARD**

- 711 The employee must carry a full academic load, meaning a minimum of 12-15 credits during spring or fall semester or a minimum of 6-9 credits during a summer semester.
- 712 A minimum cumulative GPA of 3.0 must be maintained.
- 713 Official transcripts or progress reports must be submitted to the PHA through the institution or hospital on a timely basis; the frequency of these reports will be based on the academic institution, course of study and/or geographic location but in any circumstances will be at the Authority's discretion and agreed at the time of the approved award.

## **EXTENSION OF AWARD**

- 714 Awards will not normally be extended beyond the completion of the specified period for which the initial award was granted. In exceptional circumstances requests for extensions may be considered on a case- by- case basis.
- 715 Employees on awards who fail to attain either their specified course load or other requirements in a given semester, resulting in extension of the program of study, must apply for special consideration from the Board of Directors of the Public Hospitals Authority.
- 716 When an employee's course load and/or attendance at classes is adversely affected due to illness, accidents, pregnancy etc he/she will be required to outline the circumstances in writing to the Human Resource Department of the PHA through the hospital or agency requesting an extension, with an appeal for special consideration.

## **SUMMER SESSIONS**

- 717 Recipients of awards may be given prior approval to attend summer sessions if such approval will result in early completion. The request must be submitted to the Authority at least three (3) months prior to the commencement of that summer semester.

## **TYPES OF AWARDS FOR PERTINENT CONDITIONS**

- 718 An In-Service Training Award may be granted in one (1) of the following categories and under the prescribed benefits or combinations of benefits (at the discretion of the PHA).

1. Full In-service Training Award(s) include:

- Full salary during the period of study leave
- Economy airfare to and from country of study (one time only)
- Tuition
- Training allowance at the established rate of B\$3,120 p.a.(in U.S.A., Canada, U.K, other)

- Regional (Caribbean) Training allowance at B \$1,440 p.a.
  - Books, special equipment or special travel related to the program.
2. Limited In-Service Training Award (LINSTA) or a Partial Award may be granted with one (1) of the following specifications:
- Salary only: The employee is granted leave of absence with salary for the duration of the proposed course of study.
  - Salary and Tuition: The employee is granted leave of absence with salary and the payment of tuition directly to the institution, for the duration of the proposed course of study.
  - Tuition only: No leave of absence is granted. The payment of the cost of tuition is approved; payable directly to the institution of study.
  - Salary and Training Allowance: The employee is granted leave of absence with salary for the duration of the proposed course of study, in addition to the training allowance at the established rate.
  - Salary and Airfare: the employee is granted full salary entitlement during the prescribed course of study, as well as economy round trip return airfare to place of study and return to Bahamas.
  - Special Leave with pay: will also be regarded as partial Educational Assistance, and as such will be subject to similar terms and conditions as approved by the PHA.

## **REIMBURSEMENTS FOR TUITION FEES**

719 Reimbursement for tuition fees shall be at the discretion of the Authority under the following conditions:

- Successful completion of a course of study leading to the granting of certificate, diploma or degree;
- Approval in writing prior to commencement of study by the Corporate Office as being relevant to the employee's duties and responsibilities;
- All such requests shall be channeled to the Director of Human Resources;
- Reimbursement will be at the following rates:
  - a) College of The Bahamas (Bachelors level) 85% of tuition
  - b) Other approved tertiary institutions 70% of tuition (Bachelors level)

- |                  |                |
|------------------|----------------|
| c) Post graduate | 50% of tuition |
| d) All others    | 50% of tuition |

## UNPAID STUDY LEAVE

720 An employee may be granted unpaid study leave to pursue course of study which may be in his/her own interest and of general interest to the Authority, but for which the Authority is not prepared to give financial support. When such unpaid leave is approved it shall not constitute a break in service for the employee concerned. It is conditional on an employee who has been granted unpaid study leave that regular progress reports must be submitted to the institution or agency. Formal and timely notification, at least 3 months in advance, must be provided to the institution or agency by the employee as to when he will resume duties.

### (1) Eligibility for Unpaid Study Leave

An employee is eligible to apply for Unpaid Study Leave after one (1) year of satisfactory service. This will be preceded by any accumulated vacation leave and or half (50%) pay leave not exceeding a total of twenty-four (24) weeks. All recommendations for Unpaid Study Leave should be accompanied by:

- Letter of request
- Acceptance letter into an accredited and approved College, University, or institution of higher learning
- Supporting documents for an In-Service Training Award, including duly completed application (form) for study leave

**Note: the PHA would normally approve unpaid leave requests when employees obtain scholarships from the Ministry of Education or other local funding agency. Unpaid study leave can be applied for at anytime, however applications for such leave must be received by the Authority at least two (2) months in advance of the anticipated date of effect.**

## **FORFEITURE OF AWARD**

721 If an employee does not comply with the expressed terms and conditions, it may result in the forfeiture of the award and they may be required to repay all monies expended on the award, in keeping with the provisions of their Bond Agreement.

## **RESUMPTION OF DUTY**

722 Employees on full In-Service Training Awards will be required to resume work for at least four (4) weeks during the summer, unless they present documentary proof of the need to undertake summer courses. For all other types of study or in-service awards leave; employees are required to resume duty within two (2) weeks (10 working days) on completion of a program of study. If additional time is required, vacation leave may be granted upon request.

## **THE FOLLOWING APPENDICES OUTLINE SPECIFICS FOR NURSING, PHYSICIANS AND OTHER CONDITIONS**

## APPENDIX I

### THE PUBLIC HOSPITALS AUTHORITY GENERAL EDUCATIONAL ASSISTANCE & TRAINING POLICY

1. **Title: Bachelor of Science Degree in Nursing (COB)**

2. **Policy Statement:**

2.1 In-service Training Awards may be granted to PHA employees to pursue the B.Sc. Degree in Nursing at the College of the Bahamas.

2.2 Employees are expected, in the first instance, to pursue studies on a part-time basis at personal expense or privately funded.

2.3 Employees will be facilitated to complete advanced clinical courses in the final year of the Bachelor of Science Degree in Nursing (College of the Bahamas).

The Corporate Office of the Public Hospitals Authority will predetermine the maximum number of nurses for release from an institution or department for the program in any given year; such release may be approved on the basis of seniority and performance.

3. **Criteria for the Award**

Persons desirous of applying for Educational Assistance (particularly in-service awards) from the P.H.A, for this course of study should satisfy the following additional criteria:

- The employee must maintain active enrolment in the program.

- The employee must complete all academic and pre-advanced level nursing courses.

#### **4. Terms of the Award**

- 4.1 The employee will be given a Limited In-service Training Award (LINSTA) consisting of salary & tuition, to complete advanced clinical courses for a maximum of two (2) semesters on a full-time basis. Consideration may not be given to release for periods in excess of the maximum two (2) semesters (save for exceptional circumstances as determined by the Public Hospitals Authority).
- 4.2 The employee assumes personal responsibility for the payment of books and all fees (excluding tuition).

#### **5. Conditions of the Award**

**In addition to conditions outlined in the general Educational Assistance policy the employee shall:**

- 5.1 Be bonded to serve the Public Hospitals Authority at their sole discretion for a period of time not less than the duration of the award (with a minimum bonded period of one (1) year and a maximum bonding period of five (5) years. The employee also agrees to satisfy all existing and pertinent conditions of their bond agreement.
- 5.2 Sign a letter indicating his/her understanding and agreement of the terms and conditions of the award. At the discretion of the PHA, the employee may be required, upon return to duty to present a written report or oral presentation concerning their course of study.
- 5.3 Work for a minimum period of one (1) month during the summer while the award is in progress. Deployment will be at the discretion of the Principal Nursing Officer.

- 5.4 Submit their academic transcripts to the corporate office of the PHA (Attn: Director of Training & Development) within two (2) weeks of grades being posted at the end of each semester.
- 5.5 Maintain a minimum GPA of 3.0 in core nursing courses, and a minimum cumulative GPA in all coursework of 2.5.
- 5.6 Carry a full academic load each semester (minimum 12-15 credits) spring and fall semesters, and minimum 6-9 credits during the summer semester. If a full minimum course load is not available due to C.O.B's. curricula offerings during any semester, the award shall immediately be modified to a Part-time in-service award and the employee will be expected to resume a partial schedule of works hours. Moonlighting and overtime are therefore not supported. (E.g. employees found engaged in unauthorized secondary employment may be subject to disciplinary action and in the case of overtime, "employees shall be paid overtime rates only if rostered or called in to work on a public holiday or on a designated "day-off" as defined by prevailing labor statute").
- 5.7 Submit a full mailing address and telephone contact, and inform the Training/Human Resource Department of the PHA immediately of any changes.
- 5.8 Submit relevant documentation (letters, sick certificates) with respect to absences or illness and progress (transcripts) through area supervisor to the Human Resource Department of the institution or the PHA directly.
- 5.9 Inform corporate Human Resource/Training Unit on **any** matter that interferes with, interrupts or retards smooth progress through the program, (such as illness/accidents, pregnancy, or changes in the curriculum or other difficulty).
- 5.10 Attend regularly scheduled meetings with representatives of the Public Hospitals Authority or its assigns.

- 5.11 Report for duty within two (2) weeks of completion of the study program.
- 5.12 Submit written request for Public Hospitals Authority approval, of any additional vacation leave, (if desired), on completion of the program.
- 5.13 When a full academic load cannot be undertaken the employee must resume duty in the institution and continue courses on a part-time basis.
- 5.14 In the event of a **national disaster** or **crisis situation** (corporately or nationally) any employee on study leave may be called in to assist in patient care, at the discretion of the Authority.
- 5.15 The Public Hospitals Authority reserves the right to request information on an employee's progress and call an employee in for an interview, if necessary, at its discretion.

## **6. Application for an Award**

- 6.1 Applications should be submitted by January 31 of each year for consideration for any portion of the fiscal period under consideration. (i.e. July-June)
- 6.2 At the time of application the following information/documents **must** be provided:
  - letter of acceptance to College Of the Bahamas
  - formal letter of request stating precisely what is required for completion
  - completed Public Hospitals Authority Application for Study/Training Award which reflects support of the Institution and funding provisions
  - full up-to-date transcript of courses completed
  - registration for current enrolment

- advisement Form, which reflects the courses to be completed.
- 6.3 The application information will be considered as part of the Institution's total training package, and for which the necessary budgetary provisions will be made.
- 6.4 Late applications (not submitted in time to reach the stated deadline) will be deferred for consideration at a future date.

## **7. Withdrawals or Suspension of an Award**

An employee will incur the risk of the award being suspended in the following circumstances:

- 7.1 Sustained below average performance
- 7.2 Failure to attend meetings at corporate office when requested to do so
- 7.3 Failure to provide information as agreed
- 7.4 Non-compliance with the terms and conditions of the award, and the Bond Agreement.
- 7.5 Change of the program of study without written approval from the PHA

## APPENDIX II

### **THE PUBLIC HOSPITALS AUTHORITY GENERAL EDUCATIONAL ASSISTANCE & TRAINING POLICY**

**1. Title: B.Sc. Degree in Nursing (Abroad)**

**2. Policy Statement:**

The Public Hospitals Authority presently supports completion of the B.Sc. Degree at COB (in the first instance), and may grant a training award to facilitate completion of advanced clinical courses, for a maximum of two (2) semesters, in the final year.

An employee who wishes to pursue the Bachelor of Nursing Degree abroad will do so on her own initiative, and at personal expense.

PHA employees requesting unpaid leave to commence this course of study (abroad) may be considered but only for periods not exceeding four (4) years, otherwise the employee may be required to resign to pursue the degree.

Consideration will only be given for studies abroad for a specialized B.Sc. Degree, in accordance with the priority training needs of the institution.

Where the program of study does not fall within a training priority area, an employee will be considered for unpaid study leave.

**3. Eligibility Criteria:**

Persons desirous of applying for Educational Assistance (particularly in-service awards) from the PHA, for this course of study should satisfy the following additional criteria:

- (a) Recommendation of the EMC in collaboration with Area Supervisor.

(b) Possess academic/Professional Qualifications as below:

- An Associate Degree in Nursing, **OR**
- An RN Diploma with evidence of academic upgrading to a full College Prep program, **or**
- an Associate Degree in other relevant subject area.

#### **4. Terms of the Award**

4.1 The employee will be considered for Unpaid Study Leave in the first instance.

4.2 Where paid study leave is granted the award may include the payment of tuition fees and/or allowances, as recommended by the institution and supported by the Training Advisory Committee/Board. The award will not exceed a period four (4) years inclusive of the Nursing Internship, or tuition in excess of what is provided for students pursuing the B.Sc. at COB.

#### **5. Conditions for the Award**

In addition to conditions outlined in the general Educational Assistance policy the employee will show documentary evidence of:

- Successful admission to a suitable/approved program/institution of study
- Courses accepted on transfer or valuation of previous relevant course work.
- Outline of curriculum or statement remaining courses required

The employee(s) agree to :

5.1 work for a minimum of four (4) weeks during the summer in the

- institution granting the award , if not enrolled in summer course;
- 5.2 be bonded to serve the Public Hospitals Authority for a period of time not less than the value of the award;
  - 5.2 satisfy the conditions of their Bond Agreement;
  - 5.3 sign a letter indicating agreement with the terms and Conditions of the Award;
  - 5.4 make written request to the institution of study at the commencement of the program for progress reports to be sent to the Public Hospitals Authority/Board at the end of each semester;
  - 5.5 report in to the Human Resource Unit at the institution each year of the award;
  - 5.6 sign an agreement to resume duty within two (2) weeks of completion of the program of study;
  - 5.7 In the event of a national disaster or crisis situation (institution or country) an employee may be called in to assist in patient care, at the discretion of the institution.
  - 5.8 The Public Hospitals Authority reserves the right to request information on an employee's progress and call an employee in for an interview at its discretion.
  - 5.9 Failure to comply with stated conditions may result in the employee's salary either being coded and/or the Award withdrawn.

## **6. Application for an Award**

- 6.1 Applications should be submitted by January of each year for consideration for any portion of the fiscal period under consideration.
- 6.2 At the time of application the following information/documents shall

be provided:

- Letter of acceptance to College of the Bahamas
- Formal letter of request stating precisely what is required for completion
- Completed Public Hospitals Authority Application for Study/Training Award which reflects support of the Institution and funding provisions
- Full up-to-date transcript of courses completed
- Registration of current enrolment

6.3 The application information will be considered as part of the Institution's total training package, and for which the necessary budgetary provisions will be made.

6.4 Late applications will be deferred for consideration at the future date in regards to the next budget cycle.

## **7. Withdrawal of Suspension of an Award**

An employee will incur the risk of the award being suspended in the following circumstances:

- 7.1 sustained below average performance;
  - 7.2 failure to attend meetings at corporate office when requested to do so;
  - 7.3 failure to provide information as agreed;
  - 7.4 non-compliance with the terms and conditions of the award and/or the Bond Agreement;
  - 7.5 change of the program of study without prior PHA approval.
- The salary will be coded in the first instance and the employee

invited to explain the circumstances within ten (10) working days.

- If the award is suspended/withdrawn the employee will be expected to resume duty immediately.

## **8. Resumption of Duty:**

8.1 On completion of the program of study an employee will be expected to report for duty within two (2) weeks or ten (10) working days.

8.2 If additional vacation leave is desired by the employee, formal application should be made at least one (1) month in advance.

## APPENDIX I11

### **THE PUBLIC HOSPITALS AUTHORITY GENERAL EDUCATIONAL ASSISTANCE & TRAINING POLICY**

#### **1. Title: Postgraduate Nursing Education**

#### **2. Policy Statement**

- 2.1 The Public Hospitals Authority will continue to utilize the postgraduate nursing programs offered by the Ministry of Health and the College of the Bahamas for the development of nursing staff.
- 2.2 The Public Hospitals Authority will provide sponsorship for nurses in programs of study offered locally, based on the recommendations of the EMC of the Institutions.
- 2.3 The Public Hospitals Authority will provide funding support for overseas training for nurses, in keeping with the approved list of priorities and based on scarcity of resources in critical areas, for a period not exceeding two (2) years.

#### **3. Eligibility Criteria**

- 3.1 The applicant must be an employee of the Public Hospitals Authority and Registered with the Nursing Council of the Commonwealth of the Bahamas
- 3.2 The employee must be confirmed in appointment for a minimum of three (3) years.
- 3.3 The employee must be a graduate of the RN (Diploma), Associate Degree in Nursing or B.Sc. Degree in Nursing
- 3.4 The employee must possess above average performance appraisal reports.

- 3.5 The employee must receive the recommendation of their supervisor and Executive Management Committee, in collaboration with the Principal Nursing Officer.

#### **4. Terms of the Award**

Awards may be considered as follows:

- 5.1 **FINSTA (Full Award):** for specialist nursing studies in an area of highest priority I
- 5.2 **LINSTA (Limited Award)** - salary only, salary and tuition or tuition only as budgetary provisions permit, for Specialist Nursing studies in Priority II as supported by the EMC of the institutions.
- 5.3 Unpaid study leave for a program of study that does not fall within the national/institutional priority
- 5.4 When an employee wishes to pursue a program of study for either personal development or interest, they shall do so on a part-time basis and at their own personal expense or; they may apply to the PHA for the consideration of unpaid study leave
- 5.5 When unpaid study leave is granted an employee will be favorably considered for employment during summer and holiday breaks.

#### **6. Conditions of Award**

The employee will show documentary evidence of:

- successful admission to a suitable/approved institution and program of study;
- courses accepted on transfer or valuation of undergraduate or lower division course work;
- outlined curriculum or a statement of remaining course work required.

- 6.1 Be bonded to serve the Public Hospitals Authority for a period of time not less than the duration of the award, and also satisfy the conditions of the bond agreement.
- 6.2 Sign a letter indicating an understanding and agreement of the terms and conditions of the award.
- 6.3 Work for a minimum period of one (1) month during each summer unless pursuing summer courses. (Deployment will be at the discretion of the Principal Nursing Officer).
- 6.4 Submit academic transcripts within two (2) weeks of grades being posted, at the end of each semester.
- 6.5 Maintain a minimum cum GPA of 2.5
- 6.6 Carry a full academic load each semester (12-15 credits) spring and fall semester, and 6-9 credits during the summer semester.
- 6.7 Submit a full mailing address and telephone contact, and inform Training/Human Resource Unit immediately of any change for transmission to Corporate Office.
- 6.8 Submit relevant documentation (letters, sick certificates) with respect to absences or illness and progress (transcripts), through area supervisor to the Human Resource Unit of the Institution for transmission to Corporate Office.
- 6.9 Inform Human Resource/Training Unit on **any** matter that interferes with, interrupts or retards smooth progress through the program, (such as illness/accidents, pregnancy, changes in the curriculum) or other difficulty.
- 6.10 Attend scheduled meetings with representatives of the Public Hospitals Authority as requested.

- When a minimum academic load (12 credit hours) cannot be undertaken or maintained, the employee must resume duty in the institution and continue courses on a part-time basis.
- In the event of a national disaster or crisis situation (in Institution or Country) an employee may be called in to assist in patient care, at the discretion of the institution.
- The Public Hospitals Authority reserves the right to request information on an employee's progress and call an employee in for an interview, if necessary, from time to time.

## **7. Application for an Award**

- 7.1 Applications should be submitted by January 31<sup>st</sup> of each year for consideration for any portion of the fiscal period. i.e. July-June
- 7.2 At the time of application the following information/documents must be provided:
- Letter of acceptance to Institution of study
  - Formal letter of request stating precisely what is required.
  - Completed Public Hospitals Authority Application for Study/Training Award, which reflects support of the Institution and funding provisions.
  - Full up-to-date transcript of pursuing courses completed to date
  - Registration of current enrolment
  - Outline of curriculum for completion including, internship, clinical placement or preceptorship.
- 7.3 The application information will be considered as part of the Institution's total training package, and for which the necessary budgetary provisions will be made.
- 7.4 Late applications will be deferred for consideration at a future date.

## **8. Withdrawal Suspension of an Award**

*An employee will incur the risk of the award being suspended in the following circumstances:*

- 8.1 Sustained below average performance (Cumulative GPA below 2.5)
- 8.2 Failure to attend meetings at corporate office when requested to do so
- 8.3 Failure to provide information as requested and/or agreed
- 8.4 Non-compliance with the terms and conditions of the award and the Bond Agreement
- 8.5 Change of the program of study without prior approval of the PHA:

The salary will be coded in the first instance and the employee invited to explain the circumstances within ten (10) working days.

If an Award is withdrawn/suspended the employee will be expected to resume duty immediately.

## **9. Resumption of Duty**

- 9.1 On completion of the program of study an employee will be expected to report for duty within two (2) weeks or ten (10) working days.
  - 9.2.1 If additional vacation leave is desired, formal application should be made at least one (1) month in advance.

## NOTES TO APPENDIX I11

### POSTGRADUATE NURSING EDUCATION

#### Background:

- 2.1 Traditionally the Ministry of Health has sponsored and conducted postgraduate Diploma and certificate program for nurses e.g. Psychiatric Nursing, Critical Care Nursing and Midwifery, and Community Health Nursing.
- 2.2 In recent years, the Midwifery and Community Health Nursing Programs (Diploma level) are offered by the School of Nursing and Allied Health Professions (COB), for Registered Nurses.
- 2.3 Some high priority specialist programs in Nursing are not available locally.
- 2.4 The Ministry of Health makes its offerings of postgraduate nursing programs in collaboration with the PHA Nursing Advisory Team, based on service development plans, relevant budgetary provisions, and the recommendations of the EMCs. The Public Hospitals Authority has continued to provide sponsorship for suitable employees selected to participate in programs such as: -
  - (For Registered Nurses) Critical Care Nursing, Psychiatric Nursing, and Management Programs
  - (For Enrolled Nurses) Dialysis Nursing, Psychiatric Nursing, Maternal and Child Health Nursing
- 2.5 Employees are recommended to pursue studies in predetermined specialty programs of high priority, in keeping with the strategic plan for service development in the institution(s) of the Public Hospitals Authority.

- 2.6 Overseas programs may be earned at the Masters Degree or Postgraduate Diploma or Certificate level, but all are expected to have strong clinical focus.
- 2.7 Suitable programs of study may be undertaken in recognized institutions in the region (UWI), USA, Canada, the UK, or other selected jurisdiction.
- 2.8 Specialized Associate of Applied Science Degrees have been supported considered for suitable Trained Clinical Nurses

**THE PUBLIC HOSPITALS AUTHORITY  
GENERAL EDUCATIONAL ASSISTANCE & TRAINING POLICY**

**Title: Associate of Science Degree in Nursing (COB)**

**2. Background:**

- 2.1 The Ministry of Health has consistently funded the training of nurses and has supported the development of training program for nurses in the Commonwealth of the Bahamas.
- 2.2 With the discontinuation of the Registered Nurse Diploma Program in 1983, a number of employees entered the Associate Degree Program at College of the Bahamas with a view to becoming Registered Nurses. These included Health Aides, Nursing Auxiliaries, Anesthetic Assistants, Clerical staff, who seized the opportunity for academic and professional upgrading, and have been the beneficiaries of prior educational assistance or funding. Graduates have provided an added boost to the number of Registered Nurses overall.
- 2.3 Awards were considered on the basis of the ongoing needs of the services, the interest and performance of applicants, and the ability to meet the entry requirements to (a) the College of the Bahamas, and (b) the Nursing Program.
- 2.4 Periodic revisions of the curriculum by COB, have impacted timely completion and exit from the program over the years. However, it is expected that most students should complete within three (3) years, including the obligatory period of “Nursing Internship”.

### **3. Policy Statements**

- 3.1 The Public Hospitals Authority will favorably consider requests for INSTA to serving employees admitted to the A.Sc. Degree in Nursing Program at College of the Bahamas.
- 3.2 The Award if granted, will cover completion of the academic program as well as the Nursing Internship.

### **4. Eligibility Criteria**

Persons desirous of applying for Educational Assistance from the PHA shall:

- 4.1 be an employee of the Public Hospitals Authority and be confirmed in appointment for a minimum of three (3) years;
- 4.2 have expressed or demonstrated interest in a career in Nursing;
- 4.3 have above average performance appraisals (including attendance and punctuality) during the three (3) year period immediately preceding the application;
- 4.4 maintain an active enrolment in the Nursing program;
- 4.5 have successfully completed the first year of the program (including all general education courses) on their own initiative on a part-time basis;
- 4.6 Maintain a cumulative GPA of 2.5 or above;
- 4.7 submit a recommendation through the area supervisor, which is supported by the Principal Nursing Officer.

## **5. Terms of the Award**

- 5.1 A “Limited In-service Training Award” may include salary and release for study on a full time basis
- 5.2 The employee will assume personal responsibility for the payment of tuition, fees, and books.
- 5.3 The award will cover completion of the nursing courses and the Nursing Internship (regularly of 2-3 years duration).
- 5.4 A Full In-service Training Award may be granted to an employee from Grand Bahama Health Services.

## **6. Conditions of the Award**

In addition to conditions stated in the general Educational Assistance Policy the employee will:

- 6.1 Be bonded to serve the Public Hospitals Authority at their sole discretion for a period of time not less than the duration of the award (with a minimum bonded period of one (1) year and a maximum bonding period of five (5) years. The employee also agrees to satisfy all existing and pertinent conditions of their bond agreement.
- 6.2 Sign a letter indicating his/her understanding and agreement of the terms and conditions of the award. At the discretion of the PHA, the employee may be required, upon return to duty to present a written report or oral presentation concerning their course of study.
- 6.3 Work for a minimum period of one (1) month during each summer while the award is in progress, except during the period of the Nursing Internship. Deployment will be at the discretion of the Principal Nursing Employee.

- 6.4 Submit academic transcripts within two (2) weeks of grades being posted, at the end of each semester. Failure to comply may result in withdrawal of tuition fees entitlement.
- 6.5 Maintain a minimum cum GPA of 2.5 in nursing courses
- 6.6 Carry a full academic load each semester (12-15 credits) spring and fall semester, and 6-9 credits during the summer semester. Moonlighting and overtime are therefore **not** supported.
- 6.7 Submit a full mailing address and telephone contact, and inform Training/Human Resource Unit in the institution immediately of any change.
- 6.8 Submit relevant documentation (letters, sick certificates) with respect to absences or illness and progress (transcripts), through area supervisor to the Human Resource Unit of the Institution.
- 6.9 Inform Human Resource/Training Unit on **any** matter that interferes with, interrupts or retards smooth progress through the program, (such as illness/accidents, pregnancy, changes in the curriculum) or other difficulty.
- 6.10 Attend scheduled meetings with representatives of the Public Hospitals Authority Corporate Office, when requested.
- 6.11 Report for duty within two (2) weeks of completion of the program.
- 6.12 Submit written request to the institution for any additional leave requested on completion of the program.

## **7. Application for an Award**

- 7.1 Applications should be submitted by January 31 of each year for consideration for any portion of the fiscal period. I.e. July – June.

- 7.2 At the time of application the following information/documents must be provided:
- letter of acceptance to College of the Bahamas;
  - formal letter of request stating precisely what is required for completion;
  - completed Public Hospitals Authority Application for Study/Training Award, which reflects support of the Institution and funding provisions;
  - full up-to-date transcript of courses completed;
  - registration of current enrolment;
  - COB advisement of remaining courses for completion.
- 7.3 The application information will be considered as part of the Institution's total training package, and for which the necessary budgetary provisions will be made.
- 7.4 Late applications will be deferred for consideration at a future date.

## **8. Withdrawal Suspension of an Award**

- X An officer will incur the risk of the award being suspended in the following circumstances:
- 8.1 Sustained below average performance (Cum. GPA below 2.5);
  - 8.2 Failure to attend meetings when requested to do so;
  - 8.3 Failure to provide information as agreed;
  - 8.4 Non-compliance with the terms and conditions of the award, and the Bond Agreement;
  - 8.5 Change of the program of study without prior approval of the PHA

If an Award were to be withdrawn and/or suspended by the PHA for any reason, the employee will be expected to resume duty immediately.

## **NOTES TO APPENDIX V**

### **POST GRADUATE MEDICAL EDUCATION**

#### **Background**

- 1.1 Over the years the Government of the Bahamas through the Ministry of Health, has supported the grant of In-service Training Awards for Specialist Medical Education Programs of high priority, as postgraduate medical studies cannot be pursued locally.
- 1.2 The general priority areas for training based on scarcity of resources in critical services, have now been established within the framework of the National Strategic Health Plan, but will be reviewed and adjusted from time to time.
- 1.3 The approved list of priorities for each biennium is reached by agreement between the Ministry of Health and Public Hospitals Authority in collaboration with EMC's (and physician leadership) of the institutions and departments.
- 1.4 Successful application for licensure (obtained by examination USMLE, ECFMG, GMC etc) is a prerequisite for admission to all postgraduate/specialty programs in Medicine.
- 1.5 An affirmative response to a "Statement of Need" may be required in some instances, along with the guarantee of a position of employment, upon completion.
- 1.6 Specific admission and immigration regulations apply for USA, Canada, UK (and Europe) and the Caribbean (UWI), and attention must be given to the requirements of each jurisdiction.
- 1.7 The changing environment in medical education therefore requires that physicians receive appropriate remuneration, as determined by the PHA, during the period of specialty training.

- 1.8 Most programs commence in **July** annually. In some instances a prerequisite period of attachment in a Pre-entry Assessment Program (PEAP) will be required of foreign medical graduates.
- 1.9 The actual letter of acceptance to the program of study may not be available when applications for awards are being processed. However this should not deter favorable consideration of a suitable applicant for an award. In such cases there will be a time limit not exceeding 2 years for admission to the relevant program.
- 1.10 Programs at the Master of Science or Postgraduate Diploma level without a structured clinical component may not be acceptable, and must therefore be reviewed/supported by the Department Head and EMC with strong recommendation/justification prior to commencement. The completion of such programs may not guarantee promotion opportunities within the Public Hospitals Authority. New or emerging Fellowships which are not yet accredited will be subject to similar clearance.
- 1.11 Unpaid study** leave will be offered when the area of study falls outside of the identified priorities, for which funds for training will have been allocated.  
  
Unpaid study leave may be granted even in the absence of relevant funding, provided that the study program is geared to or will benefit future development of the Authority's services and/ or is in keeping with the country's National Strategic Health Plan (NSHP).
- 1.12 Where there are multiple applications for awards in a single field, other factors which will be taken into consideration include; seniority, performance appraisal reports and the extraordinary services and involvement of the employee in the health care services industry.

**1. *Postgraduate Medical Education***

**Title: Postgraduate Medical Education (Specialties)**

**Policy Statement:**

- 2.1 The Public Hospitals Authority in keeping with the amended training policy of the Ministry of Health (2001) supports the grant of FINSTA for physicians to pursue postgraduate studies in predetermined specialty areas of scarcity or highest priority.
- 2.2 The Public Hospitals Authority will provide funding for postgraduate studies in medicine at recognized institutions, in accordance with the level of training priority.
- 2.3 The list of priorities will be published in December of each year, and employees invited to apply for consideration
- 2.4 The Public Hospitals Authority reserves the right to determine, on recommendations from the institution(s), the number of specialist programs that would be supported in a given year.
- 2.5 The number of awards granted will be determined by the designated funds.
- 2.6 The Public Hospitals Authority will not provide funding for remedial course work.

**3. **Terms of the Award****

- 3.1 FINSTA will be granted to pursue postgraduate studies in predetermined specialty areas of scarcity of the highest priority (Priority I). The award will include:

- Training Allowance (as determined by PHA)
- Full Salary for the duration of the Award
- Tuition, as an individual or annual payment
- Provision of funding to cover books, field experiences (as determined by PHA)
- Return airfare, to and from country of study (once only)

3.2 LINSTA (Salary only **OR** Salary & Tuition) may be offered to pursue postgraduate study in a specialty of importance as determined by the PHA in collaboration with the Ministry of Health.

3.3 Physicians who choose to pursue an area of training that is **not** on the Public Hospitals Authority's priority list will **not** be granted in-service award or unpaid leave, instead will be requested to resign from the Public Hospitals Authority

#### **4. Eligibility Criteria**

**All applicants for this award must satisfy the following criteria:**

- 4.1 be a Bahamian Citizen who is an employee of the Public Hospitals Authority
- 4.2 be currently registered with the Medical Council of the Commonwealth of the Bahamas
- 4.3 be confirmed in their appointment for at least one (1) year
- 4.4 be in good professional standing

## **5. Conditions of the Award**

- 5.1 Favorable recommendation by the Department Head and supported by the EMC of the Institution.
- 5.2 Acceptance into an established program of study, (in a recognized study institution), and which meets the approval of the Department Head and the Institution.
- 5.3 Approval of the award by Public Hospitals Authority/Board in accordance with established procedures
- 5.4 Sign a letter indicating his/her understanding and agreement of the terms and conditions of the award and the Bond agreement. Be bonded to serve the Public Hospitals Authority at their sole discretion for a period of time not less than the duration of the award (with a minimum bonded period of one (1) year and a maximum bonding period of five (5) years. The employee also agrees to satisfy all existing and pertinent conditions of their bond agreement. At the discretion of the PHA, the employee may be required, upon return to duty to present a written report or oral presentation concerning their course of study.
- 5.5 Agreement to request the study institution to forward to the Public Hospitals Authority progress reports each year, for the duration of the award.
- 5.6 Inform the Public Hospitals Authority of any matter or situation that interrupts or interferes with successful progression.

## **6. Application for an Award**

- 6.1 Applications will be considered by January 31<sup>st</sup> of each year for consideration for any portion of the next fiscal year. (i.e. July-June).

6.2 At the time of application the following information must be submitted:

- Correspondence from study institution that reflects status of application to relevant medical education program
- Formal letter of request, which includes dates and period of time for consideration
- Completed Public Hospitals Authority Application for Study/Training Award, which reflects recommendations of Department Head, and EMC, and funding provisions by the Institution.
- ACR's for the post internship period and recommendation of the supervisor
- Memorandum of support from the Institution

## LIGHT DUTY POLICY

800

### POLICY STATEMENT

- 801 The Public Hospitals Authority is concerned about the health and well being of its employees, and is aware that effective rehabilitation includes keeping physically and mentally active within restrictions of a particular injury or illness.
- 802 To demonstrate its concern, the Authority has established a policy to facilitate a safe and effective rehabilitation of an employee who is unable to perform his usual duties as a result of an injury or illness.
- 803 Any employee who is considered unfit to perform his usual duties under this policy and is expected to have full recovery, may be allowed to work temporarily on **light duty**. Such light duty will be in a limited capacity in his original job classification or on reassignment to alternative duties, having due regard to medical restrictions, without reduction in pay for a specified period, subject to terms and conditions indicated below.
- 804 An employee who is placed on light duty in accordance with this policy will not be eligible to work overtime.

### OBJECTIVES

- 805 The primary objectives of this Policy are to:-
- allow employees with a temporary injury or illness to continue as productive individuals
  - utilize their valuable knowledge, skills and abilities while they are temporarily limited by injury or illness
  - maintain their earning capacity
  - facilitate their rehabilitation to regular duties as soon as possible.

## DEFINITIONS

- 806 Light Duty: The performance of selected assignments or duties by an employee that may or may not fall within his regular duties. Medical documentation must be provided for the selected assignments or duties of an employee. This medical documentation will be requested and reviewed by the Public Hospitals Authority, as needed.
- 807 Disability: A physical or mental impairment that substantially limits one or more of the major job-related activities of an employee. This impairment (s) includes a job-related accident or disease that is medically determined having regard to the specific loss of ability of a “normal” healthy person of the same age and sex.
- 808 Industrial accident: An accident arising out of and in the course of employment which may cause personal injury.
- 809 Medical Board: A panel of physicians who convene for the purpose of reviewing an employee’s medical records and existing condition to determine his suitability for continued employment or retirement for medical reason (s).

## APPLICATION & SCOPE

- 810 An employee may be allowed light duty as a result of any of the following:-
- (1) Injury sustained on the job, which is an industrial injury (generally any accident on the job is classified as an industrial accident)
  - (2) Physical or psychological illness
- 811 An employee in any of the following categories will not normally be considered for light duty **unless** his inability to perform his regular duties resulted from an industrial accident:-

- (1) on probation, or
- (2) on contract for a fixed term, or
- (3) employed, and working on part-time basis (moonlighting) outside PHA after the injury or during the illness

## **TERMS & CONDITIONS**

- 812 All applications for light duty must be submitted on the standard PHA's form 800 (1A) and forwarded for consideration through the proper channels of communication.
- 813 Where light duty is granted as a result of illness not associated with the work place or in cases where the PHA was not liable for an industrial accident, light duty may be allowed on a temporary basis for a maximum period of six (6) months. In this instance, the employee may be reclassified resulting in reduction of salary and status.
- 814 Light duty will not be considered, except where PHA is liable, until all approved sick leave would have been exhausted in accordance with the sick leave regulations. Extension in this case may be requested every two (2) months.
- 815 Where the Authority is liable, light duty may be extended beyond six (6) months during which time the employee may be reclassified without reduction in salary or status.
- 816 Where light duty is granted as a result of other illnesses, the employee may be reclassified to a position suited to his present capabilities, which may result in a reduction in salary and status.
- 817 At anytime during the light duty employment, the employee may return to regular duties upon certification by a physician.
- 818 A medical progress report, using PHA's standard form 800 (1B) must be submitted :-

- (1) every twenty-eight (28) days or sooner;
- (2) with each application for an extension of light duty;
- (3) before the employee:
  - is returned to his regular job, or
  - transferred to another post, or assignment/project, or
  - is medically boarded

### **DISABILITY BENEFITS NATIONAL INSURANCE**

819 The grant of disability benefits from National Insurance during light duty will be applied based on the NIB Act and determined by that entity.

### **APPEAL PROCESS**

820 If an employee is aggrieved by a decision based on the Light Duty Policy, he has a right of appeal to the Review Committee of the Board. This Committee hears appeal upon application in respect to Light Duty as a result of:

- (1) Reclassification to a lower post
- (2) Reduction of salary

**PUBLIC HOSPITALS AUTHORITY  
LIGHT DUTY  
Application Form**

Name: \_\_\_\_\_

Address:

Street & House #: \_\_\_\_\_

Phone #: \_\_\_\_\_

Institution \_\_\_\_\_

Department/Supervisor: \_\_\_\_\_

Post: \_\_\_\_\_ Salary/Scale: \_\_\_\_\_

Nature of Illness/Injury: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If industrial accident, attach all relevant documentation

Period already on sick leave : \_\_\_\_\_

Attach copies of all medicals and physician's report

If necessary, I give consent for my medical records to be reviewed by a physician chosen by the Public Hospitals Authority.

I request consideration for light duty as a result of my injury/illness.

**TO BE COMPLETED BY THE PHYSICIAN**

1. Degree of illness/injury \_\_\_\_\_  
\_\_\_\_\_

2. Work restriction (s) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Necessary therapy during light duty period \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. Dates of subsequent appointments \_\_\_\_\_

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Physician

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Head of Department  
(Hospital Administrator)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Managing Director's Signature

\_\_\_\_\_  
Date

**PUBLIC HOSPITALS AUTHORITY  
LIGHT DUTY  
Extension Application**

Name: \_\_\_\_\_

Institution: \_\_\_\_\_

Department/Supervisor: \_\_\_\_\_

Post: \_\_\_\_\_

First extension: Yes \_\_\_\_\_ No \_\_\_\_\_

If "NO" state which: \_\_\_\_\_

Please attach last medical report

**TO BE COMPLETED BY THE PHYSICIAN**

Reason for extension of light duty \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Recommended extension of light duty \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Signature of Employee

\_\_\_\_\_  
Date

---

Signature of Physician

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Date

---

Signature of Head of Department  
(Hospital Administrator)

---

Date

---

Managing Director's Signature

---

Date

## **INDUSTRIAL ACCIDENT/OCCUPATIONAL ILLNESS POLICY 900**

### **Definitions**

- 901 For the purpose of this policy, the following definitions will apply:
- **Disablement** – a loss of physical or mental faculty as a result of a job-related accident or illness.
  - **Health & Safety Committee** – a Committee appointed by the Authority which will include three (3) representatives nominated by the Bahamas Public Services Union. This Committee will strive to minimize accidents and work/job related illnesses and improve the physical working conditions at the work place.
  - **Industrial accident** – Any accident arising out of and in the course of employment which may result in personal injury.
  - **Medical Board** – A panel of physicians who convene for the purpose of reviewing an employee’s medical records and existing condition to determine his suitability for continued employment or retirement for medical reason (s).
  - **Occupational illness** – An illness resulting directly from job related duties and include but not limited to Carpal Tunnel Syndrome, Hepatitis B, HIV Infections, Tuberculosis, Inhaled Lung Disease, Ergonomic related injuries.

### **Policy Statements**

- 902 The Public Hospitals Authority endeavors to provide a safe and healthy environment for its employees. However, it is aware that there are mitigating circumstances which may impinge on a complete accident free workplace.
- 903 Where in the course of his duty an employee suffers a job related personal injury (inclusive of injury by the willful act of a third person (s) directed against an employee) or illness arising out of the course of employment and medical treatment is sought, the Authority will within the application and scope of this policy ensure thorough investigation and appropriate compensation.

- 904 Any employee who suffers a job related injury or illness will be required to report the matter immediately to his Supervisor and must be seen at Employee Health Services.

## Objectives

- 905 The primary objectives of this policy are to:
- Protect employees and the Public Hospitals Authority against financial loss due to personal injury and occupational illnesses arising out of and in the course of employment.
  - Ensure proper reporting and medical evaluation of all job related accidents or illnesses.
  - Assist with the restoration of health as far as possible depending on the state of the illness or injury.

## Application & Scope

- 906 An employee who suffers a job-related injury must report the accident at once to his Supervisor or within forty-eight (48) hours after the incident or becoming aware of the illness and be examined by a physician employed by the Authority or a private physician approved by the Authority within forty-eight (48) hours and no later than seventy-two (72) hours of the accident. (Procedure for reporting an accident at Annex 1).
- 907 All job-related accident must be reported on the PHA Incident Report Form, 900 (A).
- 908 An employee who refuses medical examination after an alleged industrial accident must sign the Waiver of Liability form, PHA Form 900 (B).
- 909 All industrial accident must be investigated by the **Health & Safety Committee** to determine whether the Authority is liable or not. During the investigation, any sick leave taken as a result of the accident will be on full salary up to a maximum of three (3) months.

- 910 Unless the accident becomes a legal matter, the investigative period must be no more than three (3) months.
- 911 Once it has been determined that the Authority was not responsible/liable for the accident, in the case where the employee will need sick leave, he will receive the normal sick leave and any salary paid during the investigative period will be regulated based on the regular sick leave entitlement. If the injury requires the employee to be absent from duty for a year or more, he will be required to appear before a Medical Board to determine his suitability for continued employment.
- 912 Where it has been determined that the Authority is liable, the employee will be allowed paid sick leave and if there is a possibility of full recovery, he will be placed on light duty consistent with his medical restrictions and in accordance with the Light Duty Policy.
- 913 If medical treatment is still required after thirty (30) calendar days from the date of the job-related personal injury or illness, the employee will be expected to be examined by a physician approved by the Authority.
- 914 Injured employees are responsible for attending all medical appointments where it is practicable, on the dates and at the time arranged, and shall report the status of their job-related personal injury or illness to their immediate supervisor until final clearance for return to work. Failure to follow medical direction may lead to suspension of benefits.
- 915 When an employee reports a job-related illness, an investigation must be undertaken by the Health & Safety Committee.
- 916 During the period of investigation, the employee is paid full salary. After the investigation if it is determined that the illness was as a result of the employee's negligence, his salary will be regulated in accordance with the sick leave policy.

- 917 If an employee must retire as a result of a job-related illness, he will be compensated based on the Pensions Act and the provisions in the National Insurance Board Act.

### **National Insurance Benefits**

- 918 Employees who are injured on the job are entitled to the following National Insurance Benefits:

- **Injury Benefits** – This benefit is paid for up to forty (40) weeks. The first three days of incapacity, which generally include the day of the accident, are “waiting days” for which benefit is not paid.
- **Medical Care** – National Insurance offers comprehensive free health care for employees injured on the job or employees who contract job-related illnesses. This care may be obtained in The Bahamas at a facility of one’s own choosing. Employees seeking medical attention outside of The Bahamas, must first obtain approval from the National Insurance Board. Once an employee suffers a job-related injury, or contracts a job-related illness, National Insurance will pay all medical bills, including the cost of medicines and other related services for forty (40) weeks from the date of injury, unless the degree of disablement assessed is more than 25%, in which case medical care can continue for two (2) years from the date of injury. Additionally, employees with 100% disablement, who require constant care and attendance, receive an additional 20% of the Disablement Benefit each month.
- **Disablement Benefit** – This is paid to an employee who suffers a “loss of physical or mental faculty” as a result of a job-related accident or disease. An employee may return to work and continue to receive Disablement Benefit.

- **Death Benefit** – This is paid to the dependent of an employee who died as a result of a job-related accident or illness. This benefit is paid as a monthly pension to dependents.
- **Funeral Benefit** – National Insurance pays a cash grant of \$1,500, without any contribution conditions attached, to assist with the funeral expenses of an employee who died as a result of a job-related accident or illness. This cash payment is made to whoever pays for, or is liable to pay for the funeral of the deceased employee.

## **SALARY ADMINISTRATION POLICY**

**1000**

### **POLICY STATEMENT**

- 1000 The Public Hospitals Authority recognizes its responsibility to implement policies which will enhance productivity and ensure that salaries attract sufficient and suitable employees; retain employees in specialized areas; and reward employees for effort, loyalty, experience and achievement.
- 1001 The existing system as regards to salaries is one which has been adopted from the Public Service. This however, has created some anomalies, as well as restrictions to extend some salary scales, which will benefit employees of the Authority. It has also affected the Authority's ability to adequately reward employees and attract the brightest and best in some critical areas.
- 1002 The Authority is aware of the barriers in salary Administration created over the years and is committed to correcting where possible, those areas which will create additional inequity.
- 1003 In implementing the policy, the Authority will take into consideration the state of the labor market and the nature of its operations, which require a large number of clinical professional grade of employees, as well as other professional grades.

### **KEY FACTORS WHICH WILL INFLUENCE PAY**

- 1004 The Authority's ability to pay will be influenced by:
- 1004.1 The fact that the Authority obtains its funding from the Consolidated Fund.
- 1004.2 The bargaining strength of the various unions (Doctors, Nurses and the Bahamas Public Services Union)

- 1004.2 The cost of living index, contributes to pay levels. Consideration will be given as to the percentage of increase in the cost of living and will be factored in any salary increase.
- 1004.2 Comparative rates and levels of salaries elsewhere (locally, regionally and internationally), play a role in determining the market value for various positions.
- 1005.2 Government's actions as they relate to increases and taxation and the effects they will have on the Revenue.
- 1006.2 Productivity and organizational/technological changes impact the level of the services rendered and therefore play a major role in level of increases employees receive.
- 1007.2 Labor market conditions (scarcity and/or surplus, will determine premium pay for scarce skills).
- 1008.2 "No less favorable" clause in the Public Hospitals Authority's Act (automatic increment) will continue to be an influence on pay.

## **1005 SALARY ON INITIAL APPOINTMENT**

- 1005.1 On initial appointment, an employee's salary will be calculated based on qualifications and years of experience. The years of relevant experience and academic/professional qualifications for the post place the salary at the minimum of the salary scale. Any additional years of experience will be awarded as follows:
- One (1) increment for every two (2) years of relevant experience outside the Public Service system.
  - One (1) increment for each year of relevant experience obtained within the Public Service system.
  - One (1) increment for every three (3) years non-relevant experience.

- 1005.2 Increments will be calculated based on the prevailing value of the increment at the time of the experience. Salary will then be brought on point in the appropriate scale (to the nearest point above).
- 1005.3 Physicians with relevant experience will enter at the minimum of the salary scale as a result of the level of the entry point.
- 1005.4 Nurses will receive an additional increment on first appointment for certificates in specialty areas, for example, midwifery.
- 1005.5 Employees whose entry levels require subjects at the Bahamas Junior Certificate (BJC) or equivalent and Bahamas General Certificate of Secondary Education (BGCSE) or equivalent will be appropriately placed in the salary scale in accordance with the prevailing formula for entry points as established and adjusted during general increases.

## **1006 REASSESSMENT OF SALARY**

- 1006.1 Reassessment of employees' salaries will be based on additional qualifications which are as follows:
- i. Specialized courses for Nurses three (3) months or longer
  - ii. Associate Degree and equivalent
  - iii. Two (2) years specialized Diploma
  - iv. Professional Certification eg. In Accounting, Human Resources
  - v. Bachelor Degree and above
  - vi. Information Technology:
    - (a) Associate or Bachelor Degree in Information Systems
    - (b) Any of the following certification obtained at an institution that is accepted by the Public Hospitals Authority:
      - A+: Computer Repairs
      - CAN: Certified Novell Administrator
      - MCSA: Microsoft Certified Systems Administrator
      - MCP: Microsoft Certified Professional
      - MCSE: Microsoft Certified Systems Engineer

- 1006.2 When an employee's salary is beyond the point in the scale for the specific qualification obtained, the reassessment will be one increment. However, if the salary is below the entry point for the specific qualification, the salary will be increased to the appropriate level.
- 1006.3 When an employee would have acquired additional qualification, and his salary is at the maximum of the scale, a one time increment will be awarded.
- 1006.4 An employee, on acquiring additional qualification will not be eligible for reassessment and promotion at the same time as a result of the higher qualification. If there is a vacancy, and the performance of the employee is at the established standard, based on the promotion policy, promotion will be considered, otherwise the salary will be reassessed.
- 1006.5 Reassessment of salary for entry level positions will be based on the acquisition of subjects at the Bahamas General Certificate of Secondary Education (BGCSE) must include English Language.

## **SALARY ON RE-EMPLOYMENT**

- 1007 The salary of an employee who would have resigned/retired from the Authority and is re-employed will be calculated so as not to exceed employees in the same scale, giving due consideration to general increases.

## **1008 EARNINGS IN ADDITION TO BASIC PAY**

- 1008.1 OVERTIME** – Where an employee is required or permitted to work in excess of the standard hours of work, he shall be paid in respect of such work at a rate of wages not less than –
- (a) in the case of overtime work performed on any public holiday or day off, twice his regular rate of wages;
  - (b) in any other case, one and one-half times his regular rate of wages.

1008.2      **SESSIONALS** – Where a managerial employee, particularly physicians who work in Accident & Emergency and Nursing Officers who are not entitled to overtime and required or permitted to work in excess of the standard hours of work should be paid in respect of such work at prescribed rates.

**1008.3      ALLOWANCES**

- **On call** for physicians – 25% of base salary
- On call all others at the approved rate
- **Risk** - \$500 per annum
- **Uniform (Nurses)**
- **Shift Leader** (Emergency Medical Services) - \$1,200 per annum
- **Acting** – No employee should be acting for a period more than twelve (12) months. When an employee is required to act during the absence of the substantive holder of the post he will be paid the difference between his salary and the minimum of the scale of the acting post or no less than \$1,200 per annum if his salary is beyond the minimum of the salary of acting post.
  
- **Mileage :-**
  - (a)                              Nursing staff authorized by Management to use their personal vehicle (s) in accordance with Article 9 of the Bahamas Nurses Union Agreement shall be paid a monthly allowance of two hundred dollars (\$200).
  - (b)                              Casual Mileage allowance at the rate of \$1.50 per mile will be granted to employees, who in the performance of their duties utilize their private vehicles.

**1009 SALARY INCREASES**

1009.1      **GENERAL** - The Authority will undertake a general review of salaries every three (3) to five (5) years with a view to an increase. The increase will be based on a percentage basis taking into

consideration the cost of living index. Other considerations will be :-

- increases in the Public Service
- unions proposals
- salaries in other jurisdictions
- performance based increases

**1009.2 PERIODIC** – Other salary increases termed periodic will be:

- Automatic increment – a yearly increment to be awarded to the maximum of the salary scale.
- Increment for performance “beyond the call of duty” on a consistent basis. If the salary is at the maximum of the scale, then a one time increment will be awarded.
- Increment for additional relevant qualification will be awarded for successful completion of programs at the Associate Degree level and above and appropriate certifications in Accounting, Human Resources and Information Systems. Nurses who would have completed approved courses of duration of three (3) months or more will also be awarded an additional increment. If salary is at the maximum, then a one time increment will be awarded.

**1010 SALARY SCALES REVIEW**

**1010.1** Salary scales to be reviewed periodically for increase purposes as a result of high demand, for example, nurse shortages may necessitate out of turn increases

**1010.2** Adjustments of salary scales may be conducted to ensure parity and equity based on responsibilities and job scope.

**1010.3** Extension of some salary scales to allow for increases where there may not be promotions in a particular career path as a result of limited posts.

## **MEDICAL REVIEW/MEDICAL BOARDING POLICY**

### **1. POLICY STATEMENT**

This policy defines the criteria and process for medical review and/or medical boarding for those employees who meet the criteria set by the Public Hospitals Authority.

### **2. OBJECTIVE**

The objective of this policy is to:

- 2.1** Provide the highest priority in assessing employees within the Public Hospitals Authority who meet the criteria for medical review and/or medical boarding
- 2.2** Enhance the safety of all employees, patients and visitors
- 2.3** Provide treatment and assistance for the impaired or incapacitated employee
- 2.4** Educate employees about the medical review and medical boarding process
- 2.5** Ensure a proper medical evaluation of employees meeting the criteria for medical review and/or medical boarding
- 2.6** Protect the Public Hospitals Authority from financial loss

### **3. DEFINITIONS**

For the purpose of this policy, the following definitions apply:

- 3.1** **Appeal hearing** is a meeting convened by the Review Committee of the Board which is an authorized sub-committee of the Board for the specified purpose of hearing an appeal by an aggrieved employee against disciplinary and other decisions of the Authority.

- 3.2 Authorized Officers/ Committees** are supervisors, managers, departmental heads, unit/area heads, executive management committees authorized to take disciplinary actions and/or make disciplinary recommendations and/or decisions, within the scope of their delegated authority.
- 3.3 Employee Health** is a medical team comprised of physicians, nurses and other support staff who attend to the medical, physical, emotional and psychological needs of the employee who takes ill while on duty and also include follow up care.
- 3.4 Industrial Accident** is any accident arising out of and in the course of employment which may result in personal injury.
- 3.5 Medical Board** is a panel of senior physicians, Senior Registrar and above selected to review the medical history of an employee to determine, under medical grounds, his/her suitability for continued employment or otherwise.
- 3.6 Medical Review** is a process conducted by a panel consisting of physicians and non clinical individuals selected to review the sick leave record of an employee to determine if the case should be forwarded to the Medical Board for a decision on suitability for continued employment or otherwise.

**4. CRITERIA FOR MEDICAL REVIEW**

An employee of the Public Hospitals Authority who has:

- 4.1** Extended sick leave beyond twelve (12) months; **OR**
- 4.2** Frequent or repetitive absenteeism prior to twelve (12) months; **OR**

- 4.3 Unsatisfactory work performance due to frequency of sick leave or incapacity; **OR**
- 4.4 Completed treatment and rehabilitation for impairment and exhibit observable trends of recurrence, behavioral problems, poor work performance or habitual sick leave

**5. THE ROLE OF THE MEDICAL REVIEW COMMITTEE**

The role of the Medical Review Committee is to review the sick leave records of and interview an employee who would have been on extended sick leave for twelve (12) months or more and/or with a history of persistent sick leave to determine if the case should be forwarded to the Medical Board for consideration.

**6. THE ROLE OF THE MEDICAL BOARD**

The role of the Medical Board is to ensure that a proper, comprehensive medical assessment of the employee is performed to determine:

- 6.1 The causative factors for the employees frequent or repetitive trends of Absenteeism
- 6.2 Whether the employee is medically fit to return to normal duties with or without restrictions; if with restrictions describe the same.
- 6.3 Whether it is in the best interest of the Public Hospitals Authority to medically board the employee due to illness/incapacity
- 6.4 The most appropriate treatment plan for an employee

**7. PROCESS FOR MEDICAL REVIEW**

- 7.1** The Department Head will submit to the institutional Human Resource Manager recommendations for a medical review based on any of the criteria as outlined in 4 above.
- 7.2** The institutional Human Resource Manager must review the recommendation, and secure all supporting documents including but not limited to the particulars form, a sick log, medical certificates, work related injuries, correspondences by the Manager/ Supervisor and/or the employee related to the claim, any warning letters and a summary report of the issues for review.
- 7.3** A Release of Information and Authorization Form is to be signed by the referred employee and attached to the documents for medical review.
- 7.4** The institutional Human Resources Manager will submit the application for medical review along with all supporting documents to the Director of Human Resources.
- 7.5** The Director of Human Resources will review the application and ensure that all supporting documents are attached and forwarded to the office Chairman of the Medical Review Committee.
- 7.6** The Chairman of the Medical Review Committee will convene a meeting with the Committee to determine if the case should be forwarded for a Medical Board Review.
- 7.7** The findings of the Medical Review Committee is forwarded to the Director of Human Resources. If it is the decision of the Medical Review Committee that the employee should be reviewed by the Medical Board the same is forwarded by the Director of Human Resources for consideration.
- 7.8** The Chairman of the Medical Board will convene a meeting by to review the request to determine whether the employee should be medically boarded.

- 7.8.1** The employee will be given written notice of an appointment to conduct the medical review process.
- 7.9** The Medical Board may refer the employee for further diagnostic testing to an independent medical practitioner or a specialist should the need arise in order to determine eligibility for continued employment or medical boarding.
- 7.10** Following a complete review of the employee's case, including a review of all internal and external reports, diagnostic testing and specialist recommendations, the Medical Board shall complete a report indicating the findings and recommendations.
- 7.11** The Medical Board report should be forwarded to the Director of Human Resources within ten (10) working days of determining all findings and recommendations.
- 7.12** The Director of Human Resources shall in writing inform the Managing Director, the Head of Department and a union representative of the Medical Board's findings and recommendations.
- 7.13** The Director of Human Resources shall formally write to the employee requesting a meeting to discuss and provide a copy of the findings and recommendations made by the Medical Board.
- 7.14** The referred employee shall sign a document acknowledging that the findings of the Medical Board were discussed.
- 7.15** The referred employee has a right to appeal the Medical Boards decision in accordance to the Appeal process.
- 7.16** The Director of Human Resources is to ensure that the normal process for appeal against a decision is completed.

- 7.17** The Appellant (employee) has thirty (30) days after receiving written notice of the decision to make application to the Review Committee of the Board, for an appeal.
- 7.18** The decision of the Review Committee of the Board shall be final with the exception of any appeal as provided for in law.
- 7.19** Failure of the employee to make application for an appeal with thirty (30) days or such longer period as the Authority may allow, shall result in the Director of Human Resources proceeding with the recommendations from the Medical Board.
- 7.20** Recommendations from the Medical Board indicating that the employee is unfit to continue employment on the grounds of illness will be granted the following with effect from the date the Medical Board made the recommendation:

### **PHA Appointed Employees**

- a. An employee who would not qualify for a pension (completed thirty (30) years of service, fifty-five (55) years of age or the mandatory age of sixty-five), will be entitled to a gratuity in the amount of one (1) month's salary for each year of service in accordance with Section 14 of the Pensions Act; payment for all accumulated vacation leave up to the date of the medical board.
- b. Employees who would qualify for pension as a result of years of service or age will be eligible for gratuity and reduced pension in accordance with the Pensions Act; payment for all accumulated vacation leave up to the date of the medical board.

### **Employees Transferred to the PHA**

In accordance with the Pensions Act.

## **8. REFUSAL TO CONSENT OR COMPLY**

The refusal by an employee to comply with requests for a medical evaluation or any component of the medical review process is considered a Major Offence under of the Public Hospitals Authority Disciplinary Policy **Regulations 624** and **409.2** of the Conditions of Employment Policy as indicated below:

**624.8** Gross insubordination or insolence, including willful refusal to obey or comply with reasonable instructions, or with code of conduct or standard of performance

**624.9** Failure to attend, when required to do so by authorized officers, appointments for committee meetings, disciplinary meetings or other meetings scheduled within on-duty hours, without acceptable

**409.2** If it is decided that an employee must present himself for examination at the place and time instructed and fails to do so, he may render himself liable to be treated as absent without permission

## **IMPAIRED EMPLOYEE POLICY**

### **1. POLICY STATEMENT**

It is the policy of the Public Hospitals Authority to identify impaired employees, and facilitate treatment and rehabilitation while ensuring the safety of themselves, patients, other employees and visitors.

### **2. OBJECTIVE**

The objective of this policy is to provide:

- 2.1** A confidential process for evaluating whether or not an employee is impaired
- 2.2** Assistance to employees by creating an environment and consultative mechanism that is conducive to self-referral
- 2.3** Rehabilitation to employees who may be suffering from a disabling mental or physical condition that poses a threat to themselves, employees, patients and visitors.
- 2.4** Assistance rather than discipline to aid employees in retaining optimal functioning and performance.
- 2.5** A process where other concerned employees can act as advocates for their colleague who may be in need of help.

### **3. SCOPE**

This policy applies to all employees of the Public Hospitals Authority.

#### **4. DEFINITIONS**

**4.1 “Impaired employee”** is a Public Hospitals Authority employee who is suffering from a disabling mental or physical condition that affects their ability to treat, provide care or function optimally, which may be either emotional or physical or both, and includes but is not limited to employees under emotional distress, under the influence of alcohol or other mood altering medications/substances.

The following are definitions, explanations, qualifications or stipulations regarding certain terms used in this policy:

**4.2 Drug** is any chemical substance that produces physical, mental, emotional or behavioral change in the user.

**4.3 Emotional Distress** is a state of misery, sadness, discomfort and/or sorrow.

**4.4 Impairment by substance abuse** refers to any condition, resulting from substance abuse that interferes with the employee’s ability to function at work as normally expected

**4.5 Impairment for other psychiatric illnesses or medical reason** refers to any other categories of impairment including major debilitating illnesses, depression, senile dementia or other disruptive behavior that may interfere with the employee’s ability to function at work as normally expected

**4.6 PHA property** refers to all properties owned or leased which are used by PHA employees

**4.7 Reasonable suspicion** refers to a good faith belief, based on specific, contemporaneous and clear observations

**4.8 Self Reporting** refers to an impaired employee who reports their impairment themselves.

- 4.9 Substance Abuse** is the voluntary use of any chemical substance that is specifically prohibited by law or by regulations pursuant to legal authority (Scheduled Drugs); or the personal misuse of legally controlled substance or the personal misuse of any normally legal chemical substance (alcohol) in a manner that produces the likelihood of the development of impairment
- 4.10 Symptoms of impairment** may include but not limited to, declining work performance as manifested by unavailability, missed appointments, lapses in judgment, incomplete work, mood swings, unexplained absences, disruptive behavior, signs of intoxication or self medication and poor communication
- 4.11 Third Party Reporting** refers to when an employee of the Public Hospitals Authority or an observer suspects that an employee may be impaired.
- 4.12 Under the influence** is a state of not having the normal use of mental or physical faculties resulting from the voluntary introduction of an alcoholic beverage, drug or substance of abuse into the body.

## **5. PROCEDURE**

There are two (2) types of reporting:

- 5.1 Self Reporting** – when an employee wishes to self-report his/her impairment, they may refer themselves to the Employee Health physician for assistance.
- 5.2 Third Party Reporting:**
- a. No imminent Danger – when any Public Hospitals Authority employee or an observer suspects that an employee may be impaired, but is not thought to be in imminent danger to themselves, patients, employees or visitors.

- b. Potential Imminent Danger- when any Public Hospitals Authority employee or observer suspects that an employee may be working in an impaired state which may reasonably be thought to be an imminent risk to patients, themselves, employees or visitors.

If the observer is a PHA employee who suspects that an employee may be impaired he/she shall notify the employee's supervisor of his reasonable suspicion.

If the observer is not an employee of the Public Hospitals Authority who suspects that an employee may be impaired, he/she shall be assisted by any PHA employee to a supervisor/manager to notify them of his/her reasonable suspicion.

**NB: Reports of suspected impairment may be oral or written protecting the anonymity of the observer.**

**The report does not have to include conclusive proof of impairment, but shall include a factual description of the incident(s) leading to the observers' belief that the employee may be impaired.**

- 5.3 The suspected impaired employee will be requested to return to their designated area/department and interviewed by his/her immediate supervisor/manager.
- 5.4 If the supervisor/manager is not present, then the suspected impaired employee will be referred to Employee Health or the Emergency Room accompanied by another supervisor/manager.
- 5.5 Employees refusing to agree to the interview when requested will be subjected to immediate disciplinary action in accordance to the Disciplinary Policy.
- 5.6 Once the suspected impaired employee has completed the interview by the Employee Health physician (Monday- Friday 9:00am-5:00pm) or the Emergency Room physician after hours, weekends and holidays, a fitness-for-duty evaluation will be completed.
- 5.7 All findings, results or evaluations by the Emergency Room physician must be kept in a secured, confidential place and forwarded to the

Employee Health physician on the next working day to complete the evaluation, management and recommendations for the suspected or confirmed impaired employee.

- 5.8 The Emergency Room physician after completing an assessment of the referred employee may deem the employee unsuitable to return to work and be given a medical certificate until further assessment and evaluation by the Employee Health physician.
- 5.9 The supervisor/manager must ensure that assistance (contacting family or transportation assistance) is provided to the referred employee if he/she is unable to safely leave the property due to their impairment.
- 5.10 A consent form authorizing a medical examination, screening and the release of information shall be signed by the suspected impaired employee.

**NB: If the referred employee is unable to sign the authorization form due to the impairment, the examining physician must make a notation on the employees assessment form.**

**The referred employee will sign the document when they return to the Employee Health physician for further management.**

- 5.11 Blood specimens, urine specimen, physical or psychiatric evaluations may be requested as part of the medical evaluation for fitness-for-duty to confirm impairment.
- 5.12 All blood and urine specimens shall be sent to any of the Public Hospitals Authority laboratories for testing at no cost, except in instances where the PHA laboratory is unable to provide testing or when the institutional laboratory is closed.

**NB: If the accuracy of a positive confirmatory test is disputed by the employee, the sample may be repeated at an recognized independent laboratory at cost to employee.**

- 5.13 All specimens must be transported to the laboratory for testing within two (2) hour of completion.

**5.14** Further testing and evaluation may be required to the extent necessary to determine the cause of the observed impairment.

**5.15** Following completion and analysis of all the evaluations, the Employee Health physician will provide a report within ten (10) working days to the Hospital Administrator or Agency Head indicating that :

- a) There was no evidence of impairment and no further action is required. He/she can resume active duty;
- b) The employee is impaired and is not presently in treatment/ rehabilitative program. Treatment and Rehabilitative program recommended in order to return to active duties;
- c) The employee is impaired and is in a treatment/ rehabilitative program presently. He/she should be allowed to continue work while monitoring progress;
- d) The employee is impaired and is in a treatment/ rehabilitative program presently. He/she should not be allowed to resume active duties until completion of therapy

## **6. TREATMENT /REHABILITATION**

Once the Employee Health physician recommends a treatment plan/rehabilitation:

**6.1.1.1** The Employee Health physician shall prepare on a case-by-case basis treatment plan for the impaired employee utilizing existing ongoing programs within the Public Hospitals Authority whether as an inpatient or outpatient basis.

**6.1.1.2** The impaired employees requesting treatment/rehabilitation at another facility whether within the Bahamas or overseas must provide for consideration by the Employee Health physician or specialist team :

- a) proof of the facility
- b) proof of acceptance
- c) recommended length of therapy and

- d) consent authorizing the approved facility to release up request updates on employees progress in the program to the authorized Public Hospitals Authority agent(s)

**NB: All costs related to treatment/rehabilitation that falls outside the Public Hospitals Authority ongoing programs requested by the impaired employee will be borne by the employee.**

**6.1.1.3** The treatment plan shall include:

- Any work restrictions and/or reassignments
- Level of supervision required
- Time deadlines for completion of intervention steps
- Periodic reviews of the impaired employee's progress
- Ongoing, random drug-testing and health evaluation as necessary
- Other requirements for return to active duties
- Consequences if the plan is not adhered to by the impaired employee

**6.1.2** The Employee Health physician shall provide a written report to the treating physician indicating the impaired employee's medical findings and any interim management.

**6.1.3** The impaired employee shall sign the plan indicating that they understand the contents of the plan and that they agree to abide by the terms and conditions of the plan.

**6.1.4** The impaired employee's immediate supervisor/manager shall also acknowledge the plan by signature.

**6.1.5** Failure to comply with the plan is considered misconduct and will result in disciplinary proceeding being instituted against the employee.

**6.1.6** Employees who complete random testing and are found positive will be responsible for the costs of the tests and any future therapy/treatment.

**6.1.7** Upon completion of the treatment/rehabilitation, a satisfactory report must be sent to the Employee Health physician, indicating that the impaired employee is physically fit to return to work.

- 6.10** Following a review of the report, the Employee Health physician will assess the employee and forward a final report to the Director of Human Resources.
- 6.11** The Director of Human Resources will forward a copy of the employee's final report to the Managing Director, Department Head, Institutional/ Agency Human Resource Manager and the Union Representative and commence preparations for the return of the employee to active duty.

## **7. SALARY AND BENEFITS**

During the treatment/rehabilitation of the impaired employee, he/she will be eligible to the usual sick leave as outlined in the Conditions of Employment Policy.

If during treatment any employee may have exhausted all sick leave (paid and extended), he/she will be referred to the Medical Review Committee for review to determine if the same should be forwarded to the Medical Board for a decision on his/her suitability for continued employment or otherwise.

**Consent and Authorization for Medical Examination (Drug and Alcohol Screening) AND Release of Information**

In accordance with the Public Hospitals Authority Impaired Employee Policy, I \_\_\_\_\_, consent to undergo a medical examination which may involve, among other things, a blood test and urinalysis.

I further authorize the result of the medical examination to be released to the Employee Health or the Emergency Room physician, and its authorized representatives of any of the hospitals affiliated with the Public Hospitals Authority.

\_\_\_\_\_  
Employee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Employee Health Physician

\_\_\_\_\_  
Date

\_\_\_\_\_  
Witness

\_\_\_\_\_  
Date

## **SENIORITY POLICY**

### **1.0 POLICY STATEMENT**

- 1.1 The Public Hospitals Authority values the loyalty and contribution of long serving employees.
- 1.2 Due regard will be given to seniority when decisions are being made regarding eligibility for benefits, and in other decision-making situations where length of service is a determining factor.

### **2.0 DEFINITION: SENIORITY**

- 2.1 Seniority is determined by the number of years of continuous employment with the Public Hospitals Authority and with the Public Service.

### **3.0 TYPES OF SENIORITY**

- 3.1 When length of service is a factor in decision-making, consideration shall be given, as appropriate, to:
  - a. Service Seniority; and/or
  - b. Job Classification Seniority

### **4.0 SERVICE SENIORITY**

- 4.1 For employees permanently transferred to the Public Hospitals Authority from the Public Service on or before June 30, 2001, 'Service Seniority' means the aggregate length of continuous employment with the Public Service and the Public Hospitals Authority.
- 4.2 For employees appointed by the Public Hospitals Authority on or after July 1<sup>st</sup>, 1999, 'Service Seniority' means the length of continuous service with the Authority.

**Service Seniority** shall apply:

- a. In determining eligibility for service-based benefits such as long service awards, in-service awards and paid leave for study purposes, various other leave entitlement.
- b. As **one** of the factors in terms of both number of years and relevancy of experience, in determining promotions
  - i. **between** institutions
  - ii. **between** departments/units within institutions

## 5.0 JOB CLASSIFICATION SENIORITY

- 5.1 For employees permanently transferred to the Public Hospitals Authority from the Department of Public Services on or before June 30<sup>th</sup>, 2001, 'Job Classification Seniority' means the aggregate length of time an employee has worked continuously in the same job classification in the Department of Public Services and the Public Hospitals Authority.
- 5.2 For employees appointed by the Public Hospitals Authority on or after the July 1<sup>st</sup>, 1999, 'Job Classification' means the length of time an employee has worked continuously in the same job classification in the Public Hospitals Authority.
- 5.3 **Job Classification Seniority shall apply:**
  - a. in scheduling vacation and holiday, subject to the operational needs of the department.
  - b. in scheduling shifts to ensure adequate coverage by senior personnel.
  - c. As **one** of the factors in selecting employees for:-
    - I. promotion **within** a Department Unit
    - II. lateral transfer to posts requiring previous relevant experience.
    - III. training, subject to organizational needs.
    - IV. Redundancies.

## **6.0 ELIGIBILITY BASED ON SENIORITY**

### **6.1 Former Public Officers**

Under Section of the Public Hospitals Authority Act, full-time pensionable permanently transferred to the Authority on or before June 30<sup>th</sup>, 2001, are eligible to have their service seniority and / or job classification seniority considered when these are factors in decision-making.

### **6.2 Full-time Permanent Employees Appointed by the Authority**

All persons employed by the Authority on a full-time pensionable basis are eligible for consideration when service seniority and /or job classification seniority are factors in decision-making.

### **6.3 Expatriate Employees**

- a. Unless expressly excluded by any other policy established by the Authority, expatriate employees are entitled to seniority-based benefits.
- b. Expatriates employees are entitled to have service seniority and / or job classification considered as factors in determining merit for promotion only to the extent that they are entitled to promotion under the expatriate Employees Policy, No. \_\_\_\_\_ and in accordance with the provisions of the Promotions Policy, No. \_\_\_\_\_.
- c. In other circumstances where service seniority and / or job classification seniority are factors in decision-making, the seniority rules shall apply to expatriate employees, subject to contrary provisions of other policies established by the Authority, and to the employment contracts which shall identify those benefits from which expatriate employees are exempted.

### **6.4 Temporary Employees**

Subject to paragraph 7.2 below, seniority does not accrue for temporary employees.

## **7.0 COMMENCEMENT OF SENIORITY**

### **7.1 Probationary Appointment**

If an employee is confirmed in the substantive post after successful completion of the probationary period, service seniority commences from the date of probationary appointment.

### **7.2 Temporary Employment**

If the employee is appointed to a substantive post after a continuous period of not less than twelve (12) months temporary employment, service seniority commences from the initial date of temporary employment.

### **7.3 Probationary Transfer**

- a. If the transfer is confirmed after successful completion of the probationary period, job classification seniority commences on the date of the transfer.
- b. If the employee is transferred back to the previous post within or before the end of the probationary period, job classification seniority in the previous post is deemed unbroken.

### **7.4 Acting Appointment upon Promotion**

- a. If the employee is confirmed in the substantive post after successful completion of the acting period, job classification seniority commences on the date of the acting appointment.
- b. If the employee is transferred back to the previous post or other equivalent post within or at the end of the acting period, job classification seniority in that previous post or other equivalent post is deemed unbroken.

## **8.0 ACCRUAL OF SENIORITY**

- 8.1 Seniority shall continue to accrue
- a. upon transfer from the Public Service to the Public Hospitals Authority during the period ended June 30, 2001.
  - b. During approved sick leave; and other approved leave of absence with or without pay.
- 8.2 Seniority shall cease to accrue upon transfer from the Public Service to the Authority after June 30, 2001.
- 8.3 Seniority shall continue to accrue for persons seconded to the Authority from an “approved authority: under the approved Authorities Act.
- 8.4 Broken service prior to July 1<sup>st</sup>, 1999 may be abridged upon approval of the Department of Public Services and the Public Service Commission.

## **9.0 RIGHT OF APPEAL**

- 9.1 An employee who is aggrieved by application of this policy may appeal, in accordance with the provisions of the Appeals process as outlined in the Employee Discipline Policy No: 600 to the Review Committee of the Board.

## **10.0 RESPONSIBILITY**

### **10.1 The Designated Human Resources Officers including**

The Human Resources Director together with officers who have been delegated human resources functions, are responsible for:-

- a. Maintaining employment and performance history for all employees;

- b. Monitoring the implementation of this policy throughout to ensure compliance with policy provisions and relevant law.
- c. Resolving employees' resulting from application of this Policy.
- d. Submitting unresolved grievances for resolution up the managerial hierarchy; and referring unresolved matters for appeal in accordance with the provisions of the Appeals Policy.

10.2 All immediate supervisors and managers, head of departments, units and institutions share the responsibilities for functions under paragraph 10.1, and must apply the seniority rules fairly and objectively to achieve the desired results in motivating employees.

## **11.0 ASSOCIATED POLICIES**

11.1 Refer to the following policies for the application of the seniority rules in specific circumstances.

- Employment Policy No.---
- Shift Work Policy No.---
- Leave Policy No.---
- Benefits Policy No.---
- Training Policy No.---
- Promotions Policy No.---
- Expatriate Employees Policy No.---
- Transfers Policy No.---
- Redundancy Policy No.---