

## FAQ: PERSONNEL POLICIES AND PROCEDURES

by Duane Johnson PhD



Sleep lab physicians and management traditionally have been lax in having written personnel policies. Personnel policies are not to be confused with technical policies and procedures. The latter are standards used for patient care and accreditation reviews while personnel policies are standards used in the management of a facility's staff performance, development and job expectations.

Sleep lab managers often feel their staffs are small, so they rely on *verbally* communicating personnel policies rather than taking valuable time and effort to create and maintain *written* policies. This causes policies to be modified "on the spot" or whenever a crisis arises. As a result, stressful misunderstandings occur. It disrupts the teamwork benefits where clarity and documented personnel policies would have proactively diffused or eliminated uncomfortable sleep employer/employee situations. In my thirty year practice management career I have consulted with thousands of practices, lectured nationwide and authored numerous published works. My most recent book is "Personnel Policies for a Sleep Center" from which I draw the answers to the four most frequently asked questions on sleep lab personnel policies.

*What is a personnel policy?*

A policy is a written guideline that covers routine occurrences and predictable situations. For example: What holidays do we celebrate? How is vacation handled? What occurs during a performance review? What happens if I am sick? What personal

appearance or uniform standards are required? Other policies typically needed are: HIPAA compliance, wage, termination, disciplinary actions, discrimination/equal employment, working hours, chemical substance/drug test, leaves of absence and sexual harassment.

*What benefits do written personnel policies provide?*

In today's litigious society, it is important to have documented up-to-date personnel policies. Both sleep lab employees and management will benefit by knowing they are complying with local, state and federal regulations as required in written sleep lab policies. These policies will assist in defending against wrongful termination or charges of discrimination. They will reduce employee/management confusion and suspicion and create an equal treatment environment for all sleep lab employees, lessening the possibility of legal challenges. Personnel policies have many advantages and some disadvantages. They are useful tools for communicating sleep lab policies to employees, they serve to document in writing the sleep lab position on certain topics, they reinforce the sleep lab's support of certain regulatory requirements, they provide uniformity during transitional periods (during a change in lab managers, for example) and they are useful tools for orienting new employees and for training.

Disadvantages include the fact that once placed in writing, there is an implied commitment to maintain them in an up-to-date condition, unless provided for, they may not allow for flexibility in interpretation or when extenuating circumstances warrant and in some situations, written policies have been interpreted by courts to be implied contractual obligations, unless adequate disclaimers are part of the policies.

*What specific guidelines should be considered when developing a sleep lab personnel policy manual?*

Be careful not to use ambiguous language or language that is absolute. Clarity is essential, but flexibility in interpreting policies for the situation is necessary. Provide each employee with a personal copy. Obtain a signed and dated acknowledgement from each employee that they have read and understood the policies. Place their acknowledgement in their employee record and notify staff in writing when there are changes in any personnel policy and document that you have made the notification.

*Are there troublesome phrases to avoid?*

It is always advisable to have your sleep lab legal counsel review the final draft of your personnel policies to make sure it complies with local, state and federal laws. Announced and distributed personnel policies are usually legally binding on management and employees alike unless they violate an existing law. Phrases to avoid are those that imply guaranteed employment such as "permanent employee". Use positive phrases such as "orientation period" rather than derogatory phrases like "probationary period". Positive and upbeat language works best since personnel policies are meant to be team building tools used to provide additional opportunities for everyone to work together well, knowing what is expected of all involved.



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