

BENCO  
Agency  
POLICIES AND PROCEDURES

SUBJECT: AGENCY MANAGEMENT AND PERSONNEL PRACTICES

OAR: 411-323-0050 (1) (2) AND (3) a-b and (A-D)

POLICY:

- Non-Discrimination:
  - (1) Benco must comply with all applicable state and federal statutes, rules, and regulations regarding non-discrimination in employment policies and practices.
  
- Basic Personnel Policies and Procedures:
  - (2) Benco must have in place and implement personnel policies and procedures that address suspension, increased supervision, or other appropriate disciplinary employment procedures when an employee, provider, or subcontractor has been identified as an accused person in an abuse investigation or when an allegation of abuse has been substantiated.
  
- Prohibition Against Retaliation:
  - (3) Benco may not retaliate against any employee or subcontractor including relief employees, that report in good faith suspected abuse or retaliate against the individual with respect to any report. An accused person may not self-report solely for claiming retaliation.

PROCEDURE:

- (a-b) Any agency, provider, or person that retaliates against any person because of a report of suspected abuse or neglect is liable according to ORS 430.755 in a private action to the reporting person for actual damages and, in addition, is subject to a penalty up to \$1000, notwithstanding any other remedy provided by law. Any adverse action is evidence of retaliation if taken within 90 days of a report of abuse. For purposes of this section, “adverse action” means any action taken by Benco, or a person involved in a report against the person making the report or against the individual because of the report and includes, but is not limited to:

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- **(A-D)** discharge or transfer from the agency, except for clinical reasons; discharge from or termination of employment; demotion or reduction in remuneration for program services; or restriction or prohibition of access to Benco individuals receiving services from Benco.

Approved By: Kristen Gregory  
Kristen Gregory, Benco Board President

Date: 4-20-17