



RHA  
HEALTH SERVICES

HR POLICY MANUAL



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## POLICY

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# 100 HOW TO USE THIS MANUAL

## Overview

This manual is a reference for the basic Human Resources policies, practices and procedures for the organization. Managers should proactively seek guidance from the Human Resources Department when they have questions regarding any policies, practices or procedures.

The Table of Contents outlines the sections with each policy listed under the section heading. If a policy cannot be located using the Table of Contents, key words can be found in the index or on-line search feature.

## When to Refer to the Manual

This manual reflects legal as well as Company-specific information. Managers should refer to the manual whenever there is a question regarding a Human Resources policy, practice or procedure.

Although the manual is comprehensive, it is not exhaustive. If the manual does not provide enough information to respond to an employee concern, managers are encouraged to exercise sound judgment in making their own decision and to consult with Human Resources for concurrence. Managers should reference the manual before contacting Human Resources.

## Updates to the Manual

From time to time there will be changes, updates or additions to the policies included in the manual. When this occurs, a communication describing the change will be distributed generally via e-mail from the Corporate Human Resources Vice President. A copy of the new policy will be distributed to managers and/or made available electronically.

The new policy should replace the previous policy in the manual. Each time a policy is updated, a revision effective date will be included in the footer of each page of the policy. When referring to specific policies in the manual, refer to the most current policy.

Requests for changes to the manual should be forwarded to the Corporate Human Resources Vice President.

## Changes to the Manual

To maintain this manual and satisfy legal requirements, the Company may change these policies and practices at any time, with or without notice. The policies, practices and procedures contained in this manual are effective on the date listed on the relevant page, supersede any previously released policy, practice or procedure manuals or

employee handbooks, and apply to all employees who work for the Company in the United States. They will continue to apply unless superseded by applicable federal, state, or local law, or until updated written policies, practices or procedures are approved and released by the Corporate Human Resources Vice President of the company.

Policies, practices, procedures, handbooks, manuals (including this manual), programs, plans, video presentations, and any other communications, are not intended to and do not create a term of employment or an employment contract, express or implied, between the employees and the company, and do not limit or restrict the Company with respect to the creation or termination of relationships with its employees.

## **Approval of Policies, Practices and Procedures**

All changes or additions to specific policies, practices or procedures must be approved by the Corporate Human Resources Vice President and the Executive Committee before being released to employees.



## 200 EQUAL EMPLOYMENT OPPORTUNITY

### **Policy:**

The Company is an equal opportunity employer and will not discriminate against any applicant or employee on the basis of: age, race/color, religion, sex, national origin, disability, sexual orientation, gender identity, pregnancy, genetic information, military or veteran's status, or other legally protected status. This policy extends to all terms, conditions, and privileges of employment (including hiring, job assignment, training, promotion, compensation, benefits, and termination), as well as the use of the Company's work sites and participation in all activities sponsored by the Company.

### **Diversity:**

Diversity is both embraced and encouraged at our Company. We strongly believe in the value of diversity in the workforce. We are committed to providing an environment of fairness and equitable treatment of everyone.

Embracing individual uniqueness brings creativity and vitality to our environment. We believe our culture of "Caring and Leadership" thrives on our individual employees synergizing to meet the end in mind for their work and meeting the needs of our customers and people we support. In recognition of that, we have implemented Diversity Training and a

Cultural Competency Plan. As a Company, we embrace diversity in visible and tangible ways such as having a diverse workforce, engaging in diverse vendor relationships, understanding the diverse needs of the people we support, and supporting efforts in building strong community. We also recognize the need to be diverse in less tangible ways by embracing diverse viewpoints and concerns by seeking first to understand in all that we do from the everyday interaction of our work teams to being sensitive and responsible to the diverse needs of communities in which we do business.

### **Uniformed Service:**

The Company will not discriminate or take adverse action against any individual who is a member or applies to become a member of a uniformed service, performs or applies to perform uniformed service, or has an obligation to perform uniformed service and will not deny such an individual initial employment, re-employment, retention in employment, promotion, or any benefit of employment on the basis of this status.

### **Accommodation of Disabilities**

It is our policy to base selection and other employment criteria on the job-related reasons and to make reasonable accommodations to assist otherwise qualified disabled applicants and employees in meeting these criteria once we are made aware of their disabilities and provided that the accommodations do not cause an undue hardship for

the Company. For purposes of this policy, “qualified disabled applicants and employees” include applicants and employees who have a mental or physical impairment that substantially limits one or more major life activities or major bodily functions and who meet the skill, experience, education, and other job-related requirements of a position desired or held and can perform the essential functions of the job, with or without reasonable accommodation. This prohibits consideration of mitigating measures like medication or corrective devices, except eyeglasses and contact lenses, when determining if someone is disabled. This includes episodic impairments or those in remission if, when active, the impairment substantially limits a major life activities as disabilities. Impairments that are considered transitory, lasting six months or less, are the exception of this provision. We reserve the right to require medical documentation of a disability.

If an applicant or employee has a disability that will require an accommodation to perform an essential function of a job desired or held, it is the applicant’s or employee’s responsibility to notify their Manager who will contact the Corporate Human Resources Director or Vice President of the disability and of the need for accommodation. The applicant or employee, their Manager and Human Resources will engage in the interactive process outlined in our Americans with Disabilities Act (ADA) policy.

## **Religious Accommodation**

It is our policy to make reasonable accommodations for the bona fide religious observances, practices, and beliefs of applicants and employees, once we are made aware of the need for accommodations and provided that the accommodations do not cause an undue hardship for the Company. If an employee or applicant has a religious observance, practice, or belief that conflicts with an employment requirement and requires an accommodation, it is their responsibility to notify their Manager who will contact the Corporate Human Resources Director or Vice President, in advance, of the religious observance, practice or belief and of the need for accommodation. We can then work with the applicant or employee to try to provide a reasonable accommodation, taking into consideration the specific circumstances, the operational requirements of and financial cost and expense to the Company, among other factors.

## **Employee Responsibility**

In order to promote our Culture of Caring and Leadership and an atmosphere that is free of any form of discrimination, intimidation, or harassment, we depend on our employees to show respect for their coworkers. Helping to create a work environment where everyone can feel understood, comfortable and welcome is an important part of each employee’s job.

## **Discrimination, Sexual Harassment and Other Unlawful Harassment**

Discrimination, sexual harassment, or other unlawful harassment involving any employee of the Company in the employment relationship will not be tolerated.

Discrimination, harassment, retaliation, coercion, interference, or intimidation of an employee due to his or her age, race, color, religion, sex (including pregnancy, childbirth, or related medical conditions), national origin, disability, sexual orientation, gender identity, military or veteran's status or other legally protected status, or that of an employee's relatives, friends, or associates, is strictly forbidden.

## **Discrimination**

Discrimination is the exercise of bias, preference, or prejudice in making employment decisions, taking employment actions, or in the treatment of applicants and employees, based on an applicant or employee's immutable characteristics. It is illegal to discriminate against any applicant or employee on the basis of age, race, color, religion, sex (including pregnancy, childbirth, or related medical conditions), national origin, disability, sexual orientation, gender identity, equal pay compensation, genetic information, pregnancy, military or veteran's status or other legally protected status. Prohibited discrimination extends to all terms, conditions, and privileges of employment (including hiring, job assignment, training, promotion, compensation, benefits, and termination), as well as the use the Company's work sites and participation in all activities sponsored by the Company.

## **Sexual Harassment**

Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and other verbal or physical contact of a sexual nature when submission to the conduct is made a term or condition of an individual's employment (either explicitly or implicitly), when submission to or rejection of the conduct is used as the basis for employment decisions affecting the individual, or when the conduct is sufficiently severe, persistent, or pervasive to interfere with an individual's work performance or to create an intimidating, hostile, or offensive working environment. Other forms of sexual harassment include, but not limited to unwanted hugs, kisses, touches, assault, leering, making sexual gestures, displaying sexually suggestive or pornographic objects or pictures, cartoons or posters, and verbal abuse of a sexual nature including graphic, verbal commentaries about an individual's body, sexually degrading words used to describe an individual, suggestive or obscene messages, or invitations making or using degrading comments, epithets, slurs, or jokes. This policy applies to all forms of communication, including but not limited to conversations, e-mails, text messages and the use of social networking or internet sites. Occasional compliments of a socially acceptable nature generally do not constitute sexual harassment.

## **Other Unlawful Harassment**

Other unlawful harassment may consist of verbal or physical conduct that denigrates or shows hostility or aversion toward an individual because of his or her age, race, color, religion, sex (including pregnancy, childbirth, or related medical conditions), national origin, disability, sexual orientation, gender identity, genetic information, military or veteran's status or other legally protected status, or that of his or her relatives, friends,

or associates, and that has the purpose or effect of creating an intimidating, hostile, or offensive work environment; has the purpose or effect of interfering unreasonably with an individual's work; or otherwise adversely affects an individual's employment opportunities.

## **Prohibition**

Any act, comment, or behavior that constitutes discrimination, sexual harassment, or other unlawful harassment is strictly forbidden and will not be tolerated of any employee. The harassment policy applies not only to the workplace during normal business hours, but also to business travel and all work-related functions, even if such activities are held off-site. This prohibition covers not only the relationships between employees of the Company, but also each employee's relationships with the people we support, employees of other companies encountered in the course of performing the duties of his or her job, and members of the general public.

## **Reports and Investigations**

Employees, without any fear of reprisal, have the responsibility to bring any form of discrimination, sexual harassment, or other unlawful harassment (whether by a manager, co-worker, or someone else encountered while performing their job duties) to the attention of their manager or Administrator/Director, so that a prompt investigation may be begun into the circumstances of the incident and the alleged conduct. Employees who do not feel comfortable reporting the incident to their manager or Administrator/Director, should contact the Director or Vice President of Human Resources, or the Chief Operating Officer of the Company. Any person who becomes aware of an incident of discrimination, sexual harassment, or other unlawful harassment, whether by witnessing the incident or being told of it, should notify the Director or Vice President of Human Resources or the Chief Operating Officer of the Company immediately.

The Company will keep all information relating to allegations and investigations of discrimination, sexual harassment, or other unlawful harassment as confidential as possible under the circumstances.

## **Corrective Action**

Following our investigation, a review of the results of the investigation with the person(s) involved will be conducted and appropriate corrective action will be taken, which may result in immediate termination of employment for individuals who are determined to have engaged in discrimination, sexual harassment, or other unlawful harassment, conduct approaching discrimination, sexual harassment, or other unlawful harassment, or other conduct that violates the Company's policies or expectations. Be advised that corrective action, up to and including termination, will be taken against any employee engaging in discrimination, sexual harassment, or other unlawful harassment.

## Protection against Retaliation

The Company will not retaliate in any way against an individual who makes a report of discrimination, sexual harassment, or other unlawful harassment in good faith or who assists in an investigation. Retaliation is a serious violation of this policy and should be reported immediately. Any employee found to have retaliated against another employee in violation of this policy will be subject to corrective action, up to and including termination.



## 205 EMPLOYMENT AT WILL

### Policy:

The Company does not enter into written employment contracts with employees for a specific or fixed term of employment. Only the Company's Chief Executive Officer (CEO) or President have the authority to enter into an employment contract for any specified or unlimited amount of time or that alters an employee's "at will" status. Such agreements must be in writing and signed by either the CEO or President. Without such an agreement:

All employees of the Company are employees "at will" and, as such, are free to resign at any time without reason. The Company, likewise, retains the right to terminate an employee's employment at any time with or without reason or notice.

Nothing contained in this manual or any other document provided to the employee is intended to be, nor should it be, construed as a guarantee that employment, or any benefit, will be continued for any period of time. Any salary figures provided to an employee in annual or monthly terms are stated for the sake of convenience or to facilitate comparisons and are not intended and do not create an employment contract for any specific period of time.

### Procedure:

No Company representative (except CEO or President) is authorized to modify this policy for any employee or to enter into any agreement, oral or written, that changes the at-will relationship. Managers cannot make any representations to employees or applicants concerning the terms or conditions of employment with the Company which are not consistent with this policy. No statements made in pre-hire interviews, discussions, or recruiting materials will alter the at-will nature of employment or imply that termination of employment will occur only for cause.

This policy may not be modified by any statements contained in this manual or any other employee or Company handbooks, employment applications, Company recruiting materials, Company memoranda, or other materials provided to applicants and employees in connection with their employment. None of these documents, whether singly or combined, create an express or implied contract of employment for a definite period, or an express or implied contract concerning any terms or conditions of employment. Statements of specific grounds for termination in this manual, or in any other Company documents, are examples only – not inclusive lists – and are not intended to restrict the Company's right to terminate at will.

Employees must sign a written statement at the time of application and hiring that they are, will be, or are being, employed at the will of the Company and are subject to termination at any time, for any reason, with or without notice or cause.

Completion of an introductory period or conferral of regular status does not change an employee's status as an at-will employee or change the terms or conditions of employment.



## 210 LEGAL AND GOVERNMENT AGENCY INQUIRIES

### **Policy:**

Anyone who receives subpoenas, documents or outside inquiries regarding equal employment opportunity, civil or criminal actions and/or inquiries or investigations regarding the Company or its employees should immediately forward such to the Corporate Human Resources Director or Vice President. All documents received, including any envelopes, should be immediately forwarded as there are often dates by which the Company must respond which are based on the date of receipt or the date of mailing.

Charges from governmental agencies such as the Equal Employment Opportunity Commission (EEOC), the National Labor Relations Board, or the Department of Labor should immediately be reported and forwarded to the Corporate Human Resources Director or Vice President. Inquiries, documents, and requests for investigations or inspections of the Company's work sites or records by any local, state, or federal agency should also be referred to the Corporate Human Resources Director or Vice President.

No documents or other responses should be submitted to an outside attorney, governmental agency, court or other third party, such as a labor union or charitable organization, without review of and approval by the Corporate Human Resources Director or Vice President.



## 300 EMPLOYEE CLASSIFICATIONS

### Policy:

The Company maintains definitions of employment to provide equity in applying human resources policies and benefits. The Company approved job description indicates the FLSA status of all positions. The Administrator/Director is responsible for classifying positions and employees assigned to positions correctly. The Corporate Human Resources Director defines the FLSA status of positions as indicated on the company approved job description and established in the company's Human Resources Information System.

The Company classifies positions for purposes of human resources, benefits (to include mandated health insurance under the Affordable Care Act requirements), compensation and payroll transactions according to the following definitions:

**Exempt:** Employees whose positions meet specific salary and duties tests established by the Fair Labor Standards Act (FLSA) are exempt from minimum wage and/or overtime pay. Exempt position salaries are determined based on a forty (40) hour work week. Employees in Exempt positions work the hours necessary to complete the duties and responsibilities of the position. Exempt employee's salary must meet the salary threshold established by the Department of Labor.

**Non-exempt:** Employees whose positions do not meet FLSA exemption tests and who are eligible for minimum wage and overtime pay as required by federal law. Employees in these positions receive overtime premium pay for any hours worked over forty (40) per work week. Company holidays and paid time off (PTOs) are not counted in computing overtime pay.

**Full-time Employee:** Employees that are employed in positions to work on average thirty (30) hours or more per week or 130 hours each calendar month will be placed into a Full-time status. All Exempt/Salaried employees are classified as Full-time. Full-time classified employees are eligible for the Company's comprehensive health benefit package, Company holidays, and PTO (Paid Time Off) accrual.

**Part-time Employee:** Employees in positions scheduled to work less than thirty (30) hours per week, or at the time of hire the employee's schedule is unknown, or the company cannot reasonably determine the expected work hours. Part-time employees are not eligible for health benefits during their 12 month Initial Measurement Period (IMP). After a Part-time employee completes their initial measurement period of 12 months and the look back measurement method is complete, Part-time employees that average thirty (30) hours or more per week will be offered medical coverage for the next 12 month stability period. Part-time employees that qualify for medical coverage through a 12 month lookback measurement will have their employee classification evaluated. After administrative evaluation the employee may be moved to a Full-Time classification if the company expects them to continue working over

30 hours a week on average, however, if their schedule is not known they will remain classified as a Part-time employee.

The Company may maintain a "Work Pool" or "Call List" of as needed employees, but does not guarantee any number of hours. This includes employees who are hired for a pre-established, temporary period of time – usually during peak workloads, when regular employees are on Company holidays, PTO, to work on a temporary project or assignment of definite or indefinite duration. Part-time (Variable hour) employees may work a full-time, part time, or PRN schedule and are not eligible for Company benefits and PTO (paid time off) accrual during their initial 12 months of employment. Part-time (Variable hour) employees who have not worked for ninety (90) days may be terminated. Part-time (Variable hour) employees must remain current on required training.

**Introductory Period Employee:** Employee with less than ninety (90) calendar days of a new or transferred job with the Company. The introductory period may be extended beyond ninety (90) days for documented performance reasons. Successful completion of the Introductory Period does not change an employee's employment "at will" status.

## 305 NON-EMPLOYEE CLASSIFICATIONS (CONTINGENT WORKERS)

### Policy:

The Company recognizes the value of enhancing community involvement for the people we support through the utilization of volunteers and unpaid interns. For business purposes, it may be necessary to contract services through temporary agencies or independent contractors/consultants. These non-employees are referred to as contingent workers in the Human Resources Information System.

### Procedure:

**Volunteers.** Persons of their own free will volunteer their time and service for the humanitarian and charitable activities for the Company. Their time and service are given without the expectation of compensation, benefits or other remuneration from any source. The activity is purely voluntary and they may withdraw from the activity at any time.

Volunteers agree that in providing this volunteer service, they are not employees under any federal or state law and are not subject to any federal or state wage laws, workers' compensation insurance in the event of any injury or illness related to the performance of the activities, or any other employee right or employee benefit provided by the organization practice, policy, or state or federal law. Volunteers waive any claim and release the Company from claims of illness or injury, compensation, including minimum wage and overtime, and claims for benefits during the performance of volunteer services. Volunteers may be utilized in the following capacities:

1. To provide extra interaction and stimulation to the people we support in such activities as walks, games, reading and general social activities.
2. To provide assistance in non-critical or non-confidential clerical or physical plant maintenance (e.g.; a civic group who wishes to do landscaping around a work site).
3. To provide assistance during events such as natural disasters (floods, hurricanes, snow storms, etc.) and national emergency situations such as pandemic events. Volunteer duties during these types of situations would be limited to non-direct support activities, such as housekeeping, meal preparation, laundry, etc.

Current non-exempt employees of the Company may not volunteer services to the Company.

**People Supported.** The people we support performing contract work through our vocational programs are not considered employees of the Company. The Vocational Handbook and Service Manual contain information on handling pay and taxes.

**Unpaid Student Interns.** Students receiving college credit, but not paid for participating in an internship program are not employees of the Company. Interns are required to sign the Internship Release and Student Agreement form found on the forms drive. The following six criteria must be applied when making the determination if the individual is an employee or an unpaid intern. If all of the factors listed are met an employment relationship does not exist under the FLSA, and the Act's minimum wage and overtime provisions do not apply to the intern.

1. The internship, even though it includes actual operation of the facilities of the employer, is similar to training which would be given in an educational environment;
2. The internship experience is for the benefit of the intern;
3. The intern does not displace regular employees, but works under close supervision of existing staff;
4. The employer that provides the training (the Company) derives no immediate advantage from the activities of the intern; and on occasion its operations may actually be impeded;
5. The intern is not necessarily entitled to a job at the conclusion of the internship; and
6. The employer and the intern understand that the intern is not entitled to wages for the time spent in the internship.

Current employees can be unpaid interns if what they are doing for their internship is significantly different from what they do as an employee, and they meet all six criteria above. Current employee Interns are required to sign the Current Employee Internship Release and Agreement form found on the forms drive. The Company can employ a paid intern as long as their pay rate is at least minimum wage. If the intern is paid, the criteria above do not need to be met.

**Agency Temporaries.** At the Company's request, agency temporaries may be assigned to the Company by an employment agency or other third party firm. The individual is the temporary agency's employee and is paid through the agency's payroll system for a period of time, usually not more than six (6) months. For insurance purposes, two items must be maintained in the temporary employee's file for as long as the employee works for our Company:

1. A copy of the certificate from the temporary agency noting workers' compensation coverage
2. An "Alternate Employer" endorsement naming our Company as the alternate employer

**Independent Contractors/Consultants.** Independent Contractors/Consultants must meet the published Internal Revenue Service (IRS) guidelines. Managers must work

with their Corporate Human Resources Vice President or Director to determine whether the planned duties of the contractor/consultant meet those requirements. If the IRS guidelines are not met, the individual should be hired as an employee or retained through an agency.

A consulting agreement is required when the services of an independent contractor/consultant is needed. This agreement must specify that the independent contractor's licensure and credentials have been verified through their agency and that they are not covered under our Company's Workers' Compensation policy. This can be requested through the Chief Compliance Officer by completing a Contractor Agreement that can be found on the Company's forms drive. For independent contractors providing Alternate Family Living services, there is a specific Contractor Agreement on the Company's forms drive.

Depending on the nature of the service provided by the contractor/consultant, a Business Associate Agreement (BAA) may be required to ensure compliance with HIPAA rules and Company Privacy Policy. These contractors would include those providing legal, actuarial, accounting, consulting, data aggregation, management, administrative, accreditation, or financial services to or for the Company, where the provision of the service involves the use or disclosure of individually identifiable health information received from, or created or received by the business associate on behalf of, the Company. The Compliance Officer should be contacted when a BAA is needed or when there are questions about whether the BAA applies. For Independent Contractors or Consultants providing treatment, payment or health care operations, as defined by the RHA Privacy Policy and Procedure Manual, a Contractor Statement of Confidentiality (Form 3912) must be completed and maintained in the contractor/consultant file.

In addition, proof of insurance should be requested from the independent contractor. Any type of "professional" work (accountants, lawyers) should be insured by a professional liability policy; other contractors (lawn maintenance, electricians, etc.) should have general liability insurance, workers' compensation insurance and automobile liability insurance. Contract nurses must have proof of individual malpractice insurance with a reputable insurance carrier and provide copies of insurance and renewal policies. All contract nurses must sign a waiver verifying that they are licensed, have appropriate credentials, have insurance, are in good standing with registries and accept responsibility for their actions while working at Company work sites.

Independent Contractors and Consultants will be screened by the hiring Company office for participation in the Medicare and Medicaid Programs through the Office of Inspector General (OIG) Exclusion Database, and monthly thereafter by IT in collaboration with the Compliance Office.

Independent Contractors and Consultants must be set up as current vendors. The Accounts Payable Department will set up a new vendor account when the above requirements are met.

## Documentation:

Any work site utilizing any type of non-employee must appropriately document their use and adhere to the following steps:

1. Under some circumstances, non-employees must agree to a criminal background check, personal reference check, and TB test (if applicable).
2. Non-employees should be at least eighteen (18) years of age.
3. Non-employees must not be used in place of a regular staff member in order to meet minimum staff ratios. Likewise, necessary home repairs or maintenance must not be dependent on volunteer services.
4. Non-employees must be provided with a basic orientation prior to involvement with the people we support. At a minimum, this must include:
  - A description of what challenging behaviors they may encounter,
  - A description of potential risks and hazards,
  - Who to contact with questions,
  - What to do in an emergency situation.
  - When business necessitates, training will include Infection Control procedures and use of Personal Protective Equipment (gloves, masks, gowns, etc.).
5. All non-employees must understand and sign the Company's instructions concerning confidentiality of information prior to involvement with the people we support. The Administrator/Director should establish a Business Associate Agreement for those with access to protected health information if providing legal, actuarial, accounting, consulting, data aggregation, management, administrative, accreditation, or financial services to or for the Company.
6. Non-employees wishing to take a person we support on an off-site visit must obtain all normal permissions from the legally responsible person and the Administrator/Director. Such visits are subject to the Company's normal provisions of responsibility for a person we support who is temporarily removed from the Company's regular care.
7. Non-employees must clearly understand and agree that their services do not create an employment relationship with the Company and that no compensation from the Company will be provided.
8. All non-employees must sign the Waiver and Release of Claims for Non-Employees Form as an acknowledgement of risks and a release of claims.
9. If licensure is required, the non-employee must provide proof of license.



### Policy:

The Company selects potential employees based on a good fit for the Company's Culture of Caring and Leadership, individual qualifications, job responsibilities and essential functions of the job as related to the position's job description. Employees must be at least eighteen (18) years of age to work for the Company. Any exception to the age minimum must be for business reasons, approved by the Vice President of Human Resources, and obtain a work permit through the Department of Labor or meet any other state requirements.

### Procedure:

#### Recruiting and Job Advertising Process:

1. **Internal Authorization.** Prior to requesting a job requisition for a new position, the person doing the hiring must verify with the local Administrator/Director/Manager that the position is budgeted and approved.
2. **Establish Job Description/Salary Range.** The person doing the hiring, in conjunction with Human Resources, must ensure that an approved job profile and description and established pay range for the position has been created. Requests to establish a new job that does not currently exist must be submitted to and approved by Human Resources.
3. **Create a Job Requisition.** A job requisition must be created in HR system for all open positions by the local unit. The job requisition will drive the creation of an internal and/or external posting.

*Note: The Company encourages internal promotion. Normally, current employees who are qualified for open positions and have acceptable performance, behavior and attendance should be given preference over external candidates with equal qualifications. The Company retains the right to fill job openings and make transfers without posting for the position.*

Generally, the position will post internally, and post externally after a certain period of time using the methods that work best for the position.

The Company reserves the right to advertise or seek candidates from other sources while simultaneously posting the position internally. The Company encourages managers to use advertising mediums that reach a broad range of persons encompassing different genders, races, ages, nationalities, veteran status and people with disabilities. Common recruiting sources include: internet recruiting, social networking sites, public employment agencies, employee referrals, job fairs, college recruiting, and ads.

Should a work site experience difficulty recruiting for a specific position, the Administrator/Director should seek assistance from the Human Resources department, and must obtain approval from the Corporate Human Resources Vice President or Director prior to utilizing a recruitment firm.

## **Interview and Hiring Process:**

- 1. Internal applicants.** It is recommended (but not required) that employees who are interested in an open position, and meet the requirements of the job, notify their Manager before applying for the position. Applying for the position does not guarantee that an employee will be interviewed. Employees must have been employed with the Company or be employed in their current position for at least six (6) months before they may be eligible for transfer unless otherwise approved by the Administrator/Director for business reasons.
- 2. External applicants.** Must complete the Company's electronic application and provide any other information required by the company.
- 3. Review applications.** The person doing the hiring should review the internal and external applicants to determine who is best qualified for the position.
- 4. Choose qualified applicants.** Qualified applicants selected for interview will be referred for an interview by the appropriate supervisory staff.
- 5. Schedule interviews.** The person doing the hiring will schedule and conduct the interviews using prepared interview questions to determine job eligibility and fit. "Team" interviews with a diverse panel are encouraged, and the people we support may also participate in the selection process. The person doing the hiring will use the interview process to determine if the applicant has the necessary qualifications and best fits the Company's Culture of Caring and Leadership.

*Note: The person doing the hiring must review the job description with applicants and sign off on the applicant's ability to perform the job.*

- 6. Determine salary.** Variations in starting salary may occur because of labor market rates, related work experience, education, salary history, and salaries of other employees in the department with similar positions or levels of responsibility. The Human Resources Department can assist managers in determining appropriate salaries. Salaries must be approved by the Administrator/Director to ensure they are budgeted.
- 7. Extend a verbal job offer.** The person doing the hiring may extend a conditional job offer. For external applicants, the post offer information needs to be completed by the candidate in order to initiate background checks.

All job offers are *strictly conditional* and may be dependent on the results of a drug test, criminal background, and driving record check, if applicable, credit check,

reference check, pre-employment physical, registry checks, OIG check and 2-Step TB test, or any other condition of employment. The person doing the hiring should inform the applicant that the job offer can be rescinded should these checks not be acceptable to the Company.

- 8. Perform background and reference checks.** The person doing the hiring will verify the background and references of the preferred applicant.

**For an internal applicant:**

- Review his or her Personnel File and confidential file (if applicable)
- Obtain references from current and other relevant managers
- Verify credentials (licensure, certifications, education) that the applicant is current and in good standing (if applicable)
- The applicant initiates the following: a pre-employment criminal background check, credit check (if applicable), driving record (if applicable), state registry check(s) (if applicable)\*, OIG check (for licensed positions)
- Verify training records are current
- Verify examinations and TB test are current

**For an external applicant:**

- Employment will be verified by the agency the company uses. Additional references may be required based on the regulations of individual state entities in which services are provided
- Verify credentials (licensure, certifications, education) that the applicant is current and in good standing (if applicable)
- The applicant initiates the following: a pre-employment criminal background check, credit check (if applicable), driving record (if applicable), state registry check(s) (if applicable)\*, OIG check (for licensed positions)
- Conduct a pre-employment drug test

*\*Note: The Company will contact the Registry to verify an applicant's eligibility prior to any hiring decisions. In Tennessee, the Company will contact the following additional registries:*

1. *Tennessee Sexual Offender Registry*
2. *Tennessee Felony Offender Registry*
3. *Tennessee Abuse Registry*
4. *Tennessee Substantiated Investigation Database*
5. *Nurse license verification*

*If the applicant is being considered for a position specific to the ECF CHOICES or CHOICES Waiver through TennCare/MCO's, the following registries will be contacted*

*in addition to those listed above:*

1. National Sexual Offender Registry (<http://www.nsopw.gov/Core/Portal.aspx>)
2. Out of State Probation Registry (<https://pwp.interstatecompact.org/PWP/>)
3. SAMS check (<https://www.sam.gov/portal/SAM/#1#1>) – this is completed monthly for any person hired.

*Applicants who are permanently listed or pending listed on either The Nurse or Health Care Personnel Registries will not be eligible for employment with the Company. Applicants in pending status may re-apply once they are removed from a Registry and the Company has verified that removal.*

**Falsification.** If a background, medical or any other subsequent investigation discloses any falsification/misrepresentation on the application form or information indicating that the applicant is not suited for employment with the Company, the applicant will be refused employment, or if already employed, may be terminated.

**Rejected after 3rd party background check or positive drug test.** If the applicant is rejected due to the results of a third party background check, or positive pre-employment drug test, the applicant must be notified in writing (see flow charts and forms on the Company's forms drive).

9. **Notify unsuccessful candidates.** The person doing the hiring may notify unsuccessful applicants in writing using the Company approved Rejection letter and retain their application and any interview guides (if used) in the job file for the length of time required in the Company's record retention policy.
10. **Schedule orientations, new hire paperwork and start date.** The person doing the hiring will schedule the orientation for new employees and schedule job training. The new and former managers must work together to establish a transfer date, usually within two (2) weeks of acceptance of the offer.

*Note: For positions other than direct support, the transfer date may be within thirty (30) days or as business necessitates.*

**Immigration law compliance.** At the time of hire, all employees must complete an Employment Eligibility Verification Form (I-9) and provide proof of employment eligibility as required by the Immigration Reform and Control Act of 1986. Employees may be terminated if they continue to arrive to work more than three (3) days without providing proper proof of employment eligibility.

**Work Visas.** Administrators/Directors should contact the Corporate Human Resources Vice President or Director before committing to sponsoring, providing any administrative support for, paying for, reimbursing or otherwise assisting applicants who are trying to obtain or maintain appropriate visas, work authorizations, identifications, or working papers. Managers should only hire individuals who will be able to provide proof of their legal right to work in the United States by the time they are expected to report for work.

**Offering full time employment to a part-time employee.** A part-time employee undergoing consideration for full time employment must be processed as if he or she were a new hire. This includes an interview by the person doing the hiring and being subject to a benefit waiting period as outlined in our Health and Welfare Benefits Policy.

**Switching between full-time and part-time status.** The Company discourages employees from switching between full and part-time positions more than once during a fiscal year. Insurance, seniority, PTO accruals and payouts are subject to loss or recalculation if more than ninety (90) days has elapsed between status changes.



## 315 RE-HIRES

### Policy:

The Company supports rehiring qualified former employees with good employment records. Former employees are eligible to reapply for positions with the Company if proper termination notice was given and employment records indicate eligibility for rehire.

### Eligibility:

To be eligible for re-hire, former employees generally must not have been terminated for cause, must have provided proper notice of termination and have worked through the resignation period, unless approved by the Administrator/Director. The VP of Operations has to approve, and the Administrator/Director may be asked by Director of HR to explain the business reason for re-hiring any employee listed as not eligible for re-hire. Voluntary terminations will typically be marked as eligible for rehire

### Procedure:

The Administrator/Director must approve all rehires and should refer to the former employee's re-hire status. Employees who are terminated involuntarily, but are eligible for re-hire, will not be considered for employment until after sixty (60) calendar days of separation.

Rehired employees may or may not have their service longevity bridged. The bridging of service is dependent upon the length of separation from the Company as listed below.

Employees rehired to a full-time position within ninety (90) calendar days of separation:

Will have their service longevity bridged.

- Will retain their original date of hire and will continue to accrue benefits, including PTO (paid time off) at the same rate as before the separation.
- Forfeited PTO hours will be reinstated.
- Must be current on their certifications and training. Training is required if competency is not demonstrated (by retesting, observation or discretion of the Administrator/Director) or when certifications have lapsed.
- May or may not have their insurance benefits and retirement plan participation continued depending on the terms of the plan.
- Must undergo State Registry, Background and Department of Motor Vehicle (DMV) checks

Employees rehired to a part-time position within ninety (90) calendar days or to a full-time or part-time position after ninety (90) calendar days of separation:

- Will receive a new date of hire and be treated as new employees for PTO accrual, and access to PTO. Benefits eligibility will be determined according to the plan and Health and Welfare Benefits Policy.
- Must have Company certifications and training. Employees will have to re-take training if competency is not demonstrated (by retesting, observation or discretion of the Administrator/Director) or when certifications have lapsed.
- Must go through the Company's new hire process, including background and DMV checks, complete a new application and pre-employment drug test.

Employees rehired after one (1) year of separation:

- Must complete the standard new employee orientation courses required for new employees in that job function.

*Note: For all re-hires, current CPR, medical assessments, NCI, First-Aid and TB certifications do not have to be repeated unless certification has expired. In most cases, if a former employee is being rehired into the same position that they vacated, they will be returned to their exit rate of pay. If any training is needed, the exit pay rate is rolled back by the training amount and given to them upon completion of training (no retroactive pay will be given between hire date and training completion).*

*Medical Assessments may be necessary if the employee left the Company for medical reasons to determine fitness for duty. TB tests/screening may need to be performed if they are in excess of one year since the last test. CPR/First Aid and NCI certifications will need to be repeated if expired.*



## 320 CONDITIONS OF EMPLOYMENT

### Policy:

The Company requires that employees meet the following conditions of employment before being placed in training or at any Company work site. Additional conditions may be required depending on the position.

### Procedure:

#### At a minimum, the Company requires:

1. Acceptable prior work and personal references
2. An unremarkable criminal background check; all applicants are required to disclose criminal convictions on employment application.
3. A negative pre-employment drug test
4. A successful completion of required Company forms (Application, I-9, Employee Information and Understandings Packet, federal and state tax withholding, etc.).
5. A successful employment eligibility E-Verify result
6. A signed job description indicating the employee can meet all essential functions, mental and physical requirements of the position. If at any time during employment, the employee becomes unable to perform the essential functions of the job, the employee must notify their Administrator/Director immediately (please see policy 200 regarding accommodating employees with disabilities).

#### The Company may also require any or all of the following if applicable for the position:

1. Successful completion of credentialing process
2. A valid high school diploma, GED, or college degree. If a college degree is required, it must be from an accredited college as verified by our background check provider, or by going to the department of education's accreditation website: <https://www.ed.gov/accreditation>. Note: for Home School Programs, we must have an official GED or High School Diploma from the community college system. An unremarkable credit check normally this includes positions where there could be access to large amounts of money and/or positions that have access to creating payroll records or bank accounts
3. An unremarkable driving record check, a valid driver's license and proof of insurance coverage normally from state of residence, unless primary residence is in

another state or living in the state due to a military assignment. Please see Vehicle Policy for additional information.

4. The applicant not be listed or pending listed on the applicable State Health Care Personnel Registry (In TN, the TN Sexual Offender Registry, TN Abuse Registry, TN Substantiated Investigation Database, TN Felony Offender Registry, Nurse License Verification; if applicant is being considered for the ECF CHOICES/CHOICES Waivers, the National Sexual Offender Registry, Out of State Probation Registry and SAMS is also checked).
5. The applicant not be listed on the OIG List of Excluded Individuals and Entities (LEIE). In TN, in addition to the OIG LEIE check conducted for all employees, the SAMS/ICOT will also be completed.
6. An Applicant Medical Statement with the physician with any questionable findings uncovered and resolved prior to employment (not required in GA or TN IDD).
7. A negative tuberculin (TB) skin test with any positive reading ruled out by other procedures.
8. A consent/waiver of Hepatitis B vaccines – usually occurs as part of blood-borne pathogen (BBP) training.
9. Staff who have direct contact with or direct responsibility for the people we support must be able to effectively read, write and communicate verbally in English and must be able to read and understand instructions, perform record-keeping and write reports in English.

Please note: the job description for an Office Assistant-Housekeeping (PS) which is an employee who is a person supported may not include all of the above conditions of employment.

Due to a potential conflict of interest, if it is determined an applicant is receiving Behavioral Health services from the Company, they will have 30 days to transition outpatient services and 60 days med administration to another provider. Exceptions can be considered and made by the Vice President of the organizational area.

## 325 PRIOR EMPLOYMENT VERIFICATION AND REFERENCES

### Policy:

The Company requires that all prospective employees have prior employment verified. The Company attempts to verify the work history of most all people offered a position with the Company to ensure that their work history matches their application. Professional and personal reference checks may also be conducted to gain further insight into the work habits of the applicant.

### Procedure:

All applicants are required to provide consent authorizing the Company to verify the names of businesses for employment verification and indicate professional and personal references, license numbers and educational contacts.

#### 1. Reference Checking:

- The applicant must authorize the verification of previous employment and permission for checking of references. The authorization allows the company or their designee to conduct employment verification and reference checks, and acknowledges that the misrepresentation of employment related credentials constitutes application falsification and is justification for denial of employment or termination.
- The Company reference release must be completed by the applicant to release former employers, business references and other individuals who furnish information about the applicant from liability.
- A minimum 3 years of employment verification should be conducted on the final applicant. Additional reference checks may be necessary if required by law or licensure requirements. Additional follow-up may be required to ensure accuracy. References may be completed verbally or in writing on Company or outsourced agency forms.
- Should a problem exist in obtaining complete reference information, the person doing the hiring should contact the applicant and request that he/she contact the reference to expedite the process or provide an additional reference.

#### 2. Verification of employment from another work-site:

**Transfer.** The person doing the hiring must verify current job performance prior to transferring an employee within the Company.

**Re-hire.** For applicants that were previously employed at a Company work-site, the Administrator/Director must ask for detailed employee file review and a reference prior to an offer of employment.

### **3. Writing Letters of Recommendation for employees or former employees:**

Representatives of the Company should not write letters of recommendation for employees or former employees if the letter references the Company in any way or is on the Company letterhead. If the Company representative would like to write a "personal" letter of recommendation, that is permissible, but it cannot have any reference to the Company.

## 330 CREDENTIALS VERIFICATION

### **Policy:**

The Company requires all employees to maintain licensure, certifications, and other credentials such as education, training, or experience defined by approved Company job descriptions and required for their job.

### **Procedure:**

Prior to hire, the person doing the hiring will verify and document current credentials listed on the employment application and required for the position as indicated in the job description in accordance with state procedures and licensing regulations. A listing of credential related websites is available on the Company forms drive. The Credentials Verification Form, or a downloaded confirmation from the applicable State Licensing Board, will be completed and maintained in the employee's file and/or on-line record. If state guidelines prohibit copying licenses/certifications, a designee of the Company must visually inspect the documentation and document such inspection on the Credentials Verification Form. Otherwise, copies may be used where applicable.

For Non-employee classifications that require licensure, the applicant must provide the Company with a copy of the license.

**Renewal.** Employees are responsible for renewing licenses or certifications in a timely manner. Failure to maintain required licensure or certifications may result in suspension and/or termination. Normally, the employee is responsible for paying to renew their license or certification. However, if the Company pays for the renewal, it is handled using the same process as the Educational Assistance Program (please refer to Educational Assistance policy for additional information).

Records of license verifications, expiration dates, and notifications of renewal will be maintained by a designated process and filed in the employee's file, and maintained on-line.

**Falsification.** Applicants or employees who falsify credentials to gain employment with the Company will be removed from consideration for employment or, if hired, may be terminated.

Employees discovered to have falsified credentials that are required to qualify for a position, transfer, or promotion may be terminated.



## 335 CRIMINAL BACKGROUND, DRIVING RECORD AND CREDIT CHECKS

### Policy:

The final applicant(s) for employment will be subject to background checks for criminal, driving record, and credit (if necessary) as part of the new hire process as applicable. In some cases, these checks may be required when an existing employee is promoted. Once a conditional offer has been made, the applicant or employee should authorize the Company to perform background checks prior to hire and at any time during employment.

### Procedure:

#### **Criminal Background:**

All new hires and employees hired since July 1, 1997 must undergo criminal background checks in accordance with state law. Non-employees that have direct contact with people we support must undergo criminal background checks prior to beginning work.

**Examples of Convictions.** Examples of convictions that may negatively impact employment decisions include, but are not limited to:

- Assault or Intimidation
- Robbery
- Theft (all types)
- Breaking and entering
- Forgery
- Fraud
- Drug related offenses
- Domestic Violence or other acts of violence
- Driving under the influence
- Homicide/Manslaughter
- Healthcare related crimes

**Look-back periods.** The Company reserves the right to review criminal records as far back as necessary depending upon the type of conviction. The Company is in compliance with applicable state or federal laws.

#### **North Carolina Criminal Records Check:**

The Company is required by law to conduct criminal background checks on unlicensed prospective employees who may have direct access to the people we support. This includes direct care positions, administrative positions and any other positions that have contact with the people we support. The Company must request the criminal

background checks within five (5) business days of making a conditional offer of employment.

A national criminal records check must be obtained on prospective employees who have lived in North Carolina for less than five (5) consecutive years and must contain a fingerprint check. A state criminal records check must be obtained on prospective employees who have lived in North Carolina for more than five years.

### **Georgia Criminal Record Check:**

The Company is required by law to conduct criminal background checks on prospective employees who may have direct access to the people we support. This includes, direct care positions, administrative positions, and any other support positions that have contact with the people we support. A fingerprint check using a Georgia approved provider must be conducted within ten (10) days of hire.

**Factors to consider to determine if hiring an applicant.** If an applicant or current employee's criminal history record check reveals one or more convictions of relevant offense, the Company may consider the following factors in determining whether to hire the applicant (these are not a bar to employment - only considerations):

- The level of seriousness of the crime
- The date of the crime
- The age of the person at the time of the conviction
- The circumstances surrounding the commission of the crime, if known
- The nexus between the criminal conduct of the person and the job duties of the position to be filled
- The prison, jail, probation, parole, rehabilitation and employment records of the person since the date the crime was committed
- The subsequent commission by the person of a relevant offense

### **Driving Record Checks:**

The following motor vehicle driving violations may disqualify an applicant or current employee from employment with the Company regardless of whether the violation occurred on or off the job:

- Three (3) or more moving violation and/or preventable accidents within the preceding thirty-six (36) months
- Single violations of significant magnitude
- Driving while under the influence of drugs or alcohol
- Hit and run accidents
- Failure to report accidents
- Operating a vehicle with an expired, suspended or revoked license
- Homicide, assault, or felony arising from the operation of a motor vehicle
- Reckless driving, engaging in speeding contests, or racing.



- Other driving offense

Driving record checks are performed upon hire, and for some positions annually as well. A valid driver's license and proof of insurance coverage are required (if applicable to the position) from state of residence, unless primary residence is in another state or living in the state due to a military assignment. Please see the Vehicle Policy for additional information.

### **Credit Checks:**

Credit checks should be performed for positions where there could be access to large amounts of money and/or positions that have access to creating payroll records or bank accounts. Normally, this would be positions in the Business Office, Financial Services, Human Resources and Management positions. A credit check should be obtained for new hires or when existing employees are promoted into the positions just described. The results of this check must be reviewed with Human Resources or Financial Services prior to an offer being made.

### **Criminal Background, Driving and Credit Check Process Steps:**

1. The applicant will submit all required information through the Company's HR system for all criminal background, driving, and credit checks. The person doing the hiring will need to review and discuss any adverse checks with the Administrator/Director prior to making any decisions that affect employment status.
2. According to the Fair Credit Reporting Act, all applicants requested by an employer to complete an application for employment must be notified that a criminal history and/or driving record check will be requested once a conditional offer has been extended.
3. Applicants who have received a conditional offer must complete online form which will initiate the background checks. .
4. The person doing the hiring must examine the employment application for disclosure of criminal convictions.

*Note: Employment is not automatically barred upon the disclosure of a conviction. The person doing the hiring should consult with the Human Resources Department for additional information.*

5. The person doing the hiring must inform all applicants during the interview that a criminal history (with possible fingerprint checks), driving record check and credit check (if required) will be requested once an offer has been made.

## **Receiving Criminal Background, Driving, and Credit Results for all States:**

**Responsibility.** The Administrator/Director, or person doing the hiring, must:

- Review the results of criminal background, driving, and credit checks.
- Determine the date the infraction or conviction occurred.

*Note: Not all criminal or healthcare related convictions listed on the criminal background check will bar employment. As a guideline, arrests without convictions (excluding pending charges) should not be considered in the hiring process.*

- Contact all applicants who have an adverse action on the criminal background, driving record and/or credit check, explain the results and record the person's statement.

The Administrator/Director should contact Human Resources to discuss any criminal background, driving record or credit check that is returned with a conviction.

**Discontinuing an offer of employment.** If it is determined that an applicant or employee has an unsatisfactory criminal history which was obtained from a third party background check, driving record or credit report that bars employment, the designated representative must:

- Send Pre-Adverse Action Notice form and attach the report and the Fair Credit Reporting Act (FCRA) rights.
- If the results are still unsuccessful, send the Denial of Employment letter. This should be done seven days after the previous mailing.
- Retain records with hiring records for two years from the date of action.

The documents supporting this are on-line and on the Company forms drive (please note the national criminal record check is listed separately on the forms drive as it has different requirements).

**Keep Copies.** Criminal background, driving and credit checks completed will be saved electronically to the employees' profile. For applicants not hired, keep copies in the job file.

## 340 APPLICANT MEDICAL STATEMENT, TB TEST AND PRE-EMPLOYMENT DRUG SCREEN

### Policy:

The Company may require current employees and applicants (to whom a conditional offer of employment has been extended) to undergo medical tests, procedures, complete medical questionnaires or examinations whenever the Administrator/Director determines that these are necessary for the safe and efficient operation of the Company. For additional information, refer to the Company's Safety Manual.

### Procedure:

**Requirements.** Select employees are required to complete an Applicant Medical Statement with the physician normally per government regulations. Successful applicants for employment will be required, as a condition of employment, to pass a medical review to establish their fitness to perform the jobs for which they have applied without endangering the health and safety of themselves or others.

Employees may be required to have a medical examination on other occasions when the examination is job-related and consistent with business necessity. For example, a medical examination may be required when an employee is exposed to toxic or unhealthy conditions, requests an accommodation for a disability, or when an employee's ability to perform the duties of the job is no longer certain.

**TB Test.** Each employee must undergo and successfully pass a tuberculosis (TB) test based on regulatory guidelines. Any positive reading must be ruled out by other procedures.

**Payment for Examinations.** The Company may pay for medical examinations which we require for business necessity. These must be performed by a physician or licensed medical facility designated or approved by the Company. Medical examinations paid for by the Company become Company property.

**Confidentiality.** Examination records are confidential and held in separate medical files. However, records of specific examinations, if required by law or regulation, will be made available to the employee, persons designated and authorized by the employee, public agencies, relevant insurance companies, or the employee's doctor.

*Note: The Company maintains medical results on The Applicant Medical Statement Form, keeps results of all medical examinations performed on behalf of the Company in separate file and considers results as confidential.*

**Use of Medications.** Employees who need to use prescription medications while at work must report this requirement to their manager and the Administrator/Director immediately if the drug has any potential for interference with job duties or safety. Depending on the circumstances and business necessity, employees may be reassigned,

forbidden to perform certain tasks, or even prohibited from working if they are judged unable to perform their jobs safely and properly while taking prescription medications.

**Pre-Employment Drug Screen.** Job applicants will be tested for illegal drug use as part of the post-offer pre-employment process after a conditional job offer.

Applicants must be advised of the Company's pre-employment drug testing requirements in writing prior to making an offer of employment or referred for a physical examination. Applicants must provide an electronic signature on the initial drug notice agreement provided during the application process in order to be eligible for employment.

Applicants who refuse to submit to, tamper with, adulterate, or fail to pass the pre-employment drug test will not be eligible for employment. Please see the Company's Substance Abuse Policy for information regarding handling the results of drug screening tests.

**Miscellaneous.** The Company reserves the right to require acceptable confirmation of the nature and extent of any illness or injury that requires an employee to be absent from scheduled work.

A substance abuse test is not considered a medical examination and may be administered by the Company at any time in the pre-employment process or during employment in accordance to company policy.

The results of any employee medical examination will not be used to discriminate against the employee, or be used to withdraw an offer of employment or discharge as employee as a result of a disability which is recognized or confirmed through a medical examination, unless the disability prevents the performance of one or more of the essential functions of his or her job, and no reasonable accommodation can be made without causing an undue hardship to the Company.

## 345 STATE HEALTHCARE REGISTRY CHECK

### Policy:

The Company requires that all people we support be free from physical and verbal abuse, neglect, exploitation, fraud and/or loss or misappropriation of personal money or property.

### Procedure:

Prior to hire, all applicants are checked against State Healthcare Registry lists to verify the applicant's eligibility before making hiring decisions. Applicants who are pending or permanently listed on the Registry will not be eligible for hire.

**Listing of Pending Allegation on the Healthcare Registry.** All pending allegation listings are temporary and are considered public information. The duration of a listing is either:

- Until the allegation is determined to be unsubstantiated
- Until the substantiated allegation is listed as a finding on the Registry

Applicants listed as pending are not eligible for hire, but may apply once they are removed from the Registry.

**Listing of Findings.** Once listed, the duration of a finding is permanent and is considered public information. A letter of notification is mailed to the alleged perpetrator, the Company, the appropriate State's Board of Nursing, when applicable, and to police or Medicaid Investigation Units if either had been involved in the case.

### General Background of Registries:

Tracking and public awareness of unlicensed assistive personnel and unlicensed health care personnel is a primary concern in the healthcare industry. Accordingly, many states maintain a listing of unlicensed assistive personnel and unlicensed healthcare personnel who are being investigated for or have been found to have caused harm to, a resident or a healthcare facility. These listings may be used by an employer for the purpose of screening prospective applicants for employment or reviewing the employment status of a current employee.

Information from such registries is made available to the general public and all healthcare providers via a 24-hour telephone voice response system. In addition, online assistance is available as a public service to employers and the general public for inquiries pertaining to the eligibility of an aide to practice in a healthcare setting.



## 350 ORIENTATION AND TRAINING

### Policy:

The Company provides employees with a comprehensive orientation and training that meets federal, state and contractual requirements. These trainings include an understanding of the people we support and training necessary to meet specific job requirements. Orientation and training also includes information about the Company's Culture of Caring and Leadership along with training on Company vision, mission and core values. For detailed information regarding training, refer to the Company's Services Manual and the Staff Training and Development Policy found on the Company forms drive.

### Procedure:

1. Training for most employees is mandatory and must commence immediately after hiring. Every employee is required to satisfactorily complete initial and annual training as stipulated by job title and regulatory requirements and must satisfactorily complete training within specific timeframes as stipulated. Termination or removal from the schedule may result if the employee fails to complete training within specific timeframes unless special considerations apply.
2. Satisfactory completion of training includes attending all classes required by the Administrator/Director and passing required tests which includes both written tests and physical tests. Corrective action or removal from schedule/employment due to not completing training satisfactorily is outlined in the training policy found on the forms drive. Annual re-certifications require the same standards. Generally, annual certifications expire at the end of the month if the certification is issued with a month and year.
3. Training is generally conducted during work hours.
4. Each Company Administrative Unit/Program will maintain standardized records of all training programs completed by each employee. Information shall be maintained for each individual employee indicating the training, experience and other qualifications for the position, including verification of licensure, registration or certification. Additionally, training records are kept in the Company database. All areas in which staff will receive training and continuing education will be defined on a position-specific basis in the Company Learning Management System.
5. Managers are responsible for recommending employees for special training programs, for providing on-the-job training, or for arranging on-the-job trainers.
6. Administrators/Directors may approve employee participation in continuing education, training programs or special programs when instruction is considered beneficial or necessary.

The Administrator/Director may consider the feasibility of sponsoring or conducting special programs for groups of employees when continuing education and in-service programs are required for licensing or for re-certification of license. Under those circumstances, the Administrator/Director will apply for approval by the licensing authority and will attempt to comply with all requirements established by that authority. However, at its discretion may cancel or withdraw from any certification type training.

### **Training Records:**

The Company's training records comply with all regulatory requirements and best practices. The Company trains its employees in accordance with state and federal requirements, and maintains careful records of that training. State regulations and guidance do not require that providers keep a paper record of training. See 10A NCAC 27G.02029g). Rather, state guidelines require that providers review their own policies and procedures to assure "each staff is trained... and how training is tracked." See 4/12/07 Guidance for Implementing Core Rules, 10 NCAC 27G.0202(g) (the "Guidance"). In other words, providers are simply required to track training to ensure that employees receive the training that is required.

The Company maintains a continuously updated database showing which trainings each employee has received, the date the training was completed, whether the employee passed the training, and the expiration date to ensure that the training is updated appropriately. Therefore, the Company asserts that its training programs and records are in compliance with applicable requirements.

### **Electronic Signatures:**

For training sessions that are performed by the Company, the trainer will sign the attendance sheet certifying that it is accurate to the best of the trainer's knowledge. By signing the attendance sheet, the trainer will also authorize RHA's training coordinator to enter a record of training completion for the attendees into RHA's training database and to place an electronic copy of the trainer's signature on appropriate training certificates for the attendees.

### **The Introductory Period:**

The 90-day period set out in the service definition for the services provided by the Company does not begin to run until the employee begins providing the service. However, the Company emphasizes the importance of ensuring that employees are trained as soon as possible and within applicable regulatory requirements. Therefore, the Company counts the 90 days from the date an employee begins orientation for a given position. Occasionally, records show an earlier date of initial employment; generally this date reflects the date in which an employee completed and submitted pre-hiring forms. The employee may not begin work until several days after submission of these forms. Therefore, this date should be disregarded when determining an employee's initial date



of employment if the employee did not actually perform work or attend training on that date.

In TN, there are 30, 60 and 90 day markers for training requirements based on the date of hire. If the employee does not start training at the date of hire or close to it, an assignment date is given to the employee to ensure they count the 30, 60 days from that date vs. the date of hire.



## 400 INTRODUCTORY PERIOD

### **Policy:**

The first ninety (90) calendar days of a new full or part-time, transferred, promoted, or job change employee's employment relationship with the Company is considered an Introductory Period.

### **Procedure:**

The ninety (90) day introductory period allows the Company to determine whether the employee's performance is acceptable for continued employment.

The Administrator/Director reserves the right to extend the introductory period where appropriate and will inform the employee of the extension in writing. The introductory period can be extended in 30-day increments.

**Training and Feedback.** New employees receive proper training and feedback on work performance during the introductory period and may receive a formal corrective action if appropriate and/or performance appraisal at the end of the introductory period. Managers should utilize the appropriate evaluation form for this process. It is strongly encouraged to document feedback of unacceptable performance and/or behavior during the introductory period.

**Employment At-Will Relationship.** Although the Company uses an introductory period, an employment contract will not be created at the end of the period; the employment relationship between the Company and the employee is "at will". Either party may terminate the relationship without notice at any time, and for any reason, including employment in the introductory period.

**Promoted/Transferred Employees.** Employees who have a job change are also subject to an introductory period and may be removed from the position if the Company determines that the employee's performance is unacceptable. If this occurs, the employee may apply for his or her former position, or for a comparable position for which he or she is qualified. Continued employment is dependent upon the availability of such positions and the Company's needs.



## 405 EMPLOYEE FILE AND INFORMATION

### Policy:

The Company collects, uses, releases and retains employee information for business purposes and complies with state and federal legal requirements. Employment records are considered Company property and are confidentially maintained.

### Procedure:

Official employee files should contain information that is relevant to employment with the Company and information needed for reporting and compliance purposes. All employee records are confidential and are maintained in locked file cabinets.

Specific guidelines for organization and content of employee files are published separately in the HR document entitled Manual for Organizing Employee Files.

- This policy discusses:
- Employee Review of Employee File
- Employee Information Requests
- Employment References
- Access to Employee Files
- New Hires Mandatory Reporting
- Change in Employee Information
- Employee Record Retention

### Employee Review of Employee File:

Employees can review their own employee file with the permission of the Administrator/Director, Human Resource Representative, or Vice President. The employee's file can be viewed when:

1. An employee requests a review by completing the Request to Inspect Employee File Form. Employees are subject to these rules:
  - Employees may inspect their own employee file two times per year, but may not copy or remove documents in the file.
  - Requests for inspections must be made in writing and sent to the Administrator/Director who will schedule a mutually convenient time.
  - Records containing sensitive or confidential corporate plans or information may be excluded from the inspection.
  - All inspections must be conducted in the presence of the Administrator/Director or a designee.

- Current employees are entitled to copies of any training documents, job descriptions/performance reviews, and corrective actions in their employee file. A request must be made and an adequate time frame must be established for the Company to produce copies.
  - Normally copies are not made of any other documents, unless legally required. A reasonable charge, not to exceed the actual cost to the Company, may be assessed for any authorized copies or records.
  - Employees who believe that any file material is inaccurate may list their comments on the Request to Inspect Employee File Form which will be filed in the employee's file.
  - Terminated employees are not allowed to view their employee or medical files after leaving the Company. Normally, terminated employees are not entitled to copies of any documents from Company files. The exception is the Company will release copies of: TB Skin Test information, Hepatitis B Vaccinations (if received) and training records. The only exception to providing these records would be if the Administrator/Director has a business reason to not release the information or believes it is too burdensome or costly to produce the documents.
2. A manager who has a "need to know" reason, such as conducting an annual evaluation or reviewing the file for corrective action information requests to review the employee file.

### **Employee Information Requests:**

Employees must refer all outside requests for employee information concerning applicants, current employees, and past employees to the Administrator/Director. Requests for employment verification should be directed to The Work Number. The Administrator/Director can release employee information in writing after obtaining written consent of the individual involved.

*Note: Exceptions may be made to cooperate with legal, safety, medical, or others who need specific employee information or to release limited, general information such as employment dates and verified wages, positions held, locations of work sites, and eligibility for rehire.*

Release forms with the employee's signature must accompany all employee requests for information verification by outside sources for credit or other purposes.

Private information relating to employees work schedules, telephone numbers, home addresses, etc. should never be given out without the consent of the employee (i.e. over the phone). If a caller requests this type of information, take the caller's contact information and relay the message to the employee to return the call.

## Employment References:

Employment references on former employees will be provided by the Administrator/Director, Business Office, the Corporate Office, or The Work Number as follows:

- Employment References with employee's written authorization (signature compared to employee's signature in employee file): salary history, job chronology, and performance information. This information will be released in writing and a copy will be retained in the employee's file. The Administrator/Director or local HR Representative should provide the reference.
- Employment Verification References without employee's written authorization: date of hire, date of separation, job title(s), and verification of salary at time of discharge/resignation. A copy of the verification will be kept in the employee's file. The company's employment verification service should be utilized.
- Employment Verification Telephone inquiries: date of hire, date of separation, job title(s), and verification of salary at time of discharge/resignation. This information will only be released after the caller's name and telephone number are provided. The company's employment verification service should be utilized.
- Employment Verification E-mail requests: date of hire, date of separation, job title(s), and verification of salary at time of discharge/resignation. A copy of the email received and sent will be kept in the employee's file. The company's employment verification service should be utilized.
- Government Inquiries: The Company generally cooperates with federal, state and local governmental agencies investigating an employee as long as proper identification and proof of legal authority are provided. The Company should first seek the advice of legal counsel. The Company may permit a government investigator to review select personnel files on Company premises; however, the investigator will not be allowed to remove or reproduce this information without the prior written consent of Human Resources and/or the Company's legal counsel..

The Company prohibits providing reference information on social networking sites.

## Access to Employee Files:

The following table provides information on access to Company files:

Type of File	Who May Have Access
Employee file (green)	<ul style="list-style-type: none"> <li>• Human Resources</li> <li>• Business Managers</li> <li>• Managers on a “need to know” basis</li> <li>• Corporate staff</li> <li>• Administrator/Director / VP</li> <li>• Company Legal Counsel</li> <li>• Government or Legal Agency</li> </ul>
Medical / BBP file (red/yellow)	<ul style="list-style-type: none"> <li>• Human Resources</li> <li>• Nursing Department</li> <li>• Managers as needed for purposes of reasonable accommodation</li> <li>• Corporate staff</li> <li>• Administrator/Director / VP</li> <li>• Company Legal Counsel</li> <li>• Government or Legal Agency conducting investigations relevant to medical issues</li> </ul>
Workers’ Compensation	<ul style="list-style-type: none"> <li>• Human Resources</li> <li>• Nursing Department</li> <li>• Workers’ Compensation Carrier’s broker</li> <li>• Corporate staff</li> <li>• Administrator/Director / VP</li> <li>• Company Legal Counsel</li> <li>• Government or Legal Agency conducting investigations relevant to medical issues</li> </ul>
Confidential (blue)	<ul style="list-style-type: none"> <li>• Human Resources</li> <li>• Managers on a “need to know” basis</li> <li>• Corporate staff</li> <li>• Administrator/Director / VP</li> <li>• Company Legal Counsel</li> </ul>
Payroll	<ul style="list-style-type: none"> <li>• Human Resources</li> <li>• Business Office</li> <li>• Payroll Staff</li> <li>• Managers on a “need to know”</li> <li>• Auditing / investigating agencies</li> <li>• Corporate staff</li> <li>• Administrator/Director / VP</li> <li>• Company Legal Counsel</li> </ul>
I-9 (Employment Eligibility Form)	<ul style="list-style-type: none"> <li>• Human Resources</li> <li>• Business Office</li> <li>• Auditing / investigating agencies</li> <li>• Corporate staff</li> <li>• Administrator/Director / VP</li> <li>• Company Legal Counsel</li> </ul>



## **New Hires Mandatory Reporting:**

Some states require employers to report basic information about employees who are newly hired, rehired or who return to work after separation of employment. The company's payroll system reports all mandatory new hire reporting.

## **Change in Employee Information:**

Employees are responsible for updating the appropriate information via the Business Office or applicable system or services for changes involving:

- Name
- Address
- Telephone Number(s)
- Email Address
- Marital Status
- Number and names of dependents
- Emergency contact information
- Educational accomplishments including seminar work
- Beneficiaries (through the Benefits Service Center)
- Renewed licenses, registrations, and certifications
- Life changing events like marriage, divorce, births, etc. Note: please see Special Enrollment/Qualifying Life Events section of Health and Welfare Benefits Policy.
- Address and telephone numbers of dependents and former spouses (through the Benefits Service Center)

## **Employee Record Retention:**

The Company retains records in accordance with state and federal law and regulatory requirements. Each work site must retain records based on the appropriate period of time either on or off site. Please refer to the list below.

All records are Company property. Any employee, former employee, state or federal agency or attorney requesting documentation must do so in writing. Any request for records by state or federal agencies or attorneys must be given to the Corporate Human Resources Vice President or Director immediately and no documents should be released until approval is received from the Vice President or Director.

Employee Files, medical files and OSHA forms and files should be stamped or labeled on the outside jacket with "Retain Record until (month/year)".

When discarding any Human Resource records, logs, applications and files, the designated representative must maintain proper confidentiality by appropriately shredding all documents.

The following table provides information on the length of record retention required by the Company:

### PERIODS OF RECORD RETENTION

Type of Record	Period of Retention
<b>Employee File</b>	<b>Keep 7 Years after Termination</b>
Human Resource files including Medical, Confidential and files related to legal matters such as employee appeals, litigation matters, correspondence from attorneys, EEOC charges, correspondence from the DOL and unemployment matters	Seven (7) years from termination
I-9 forms for all employees hired after November 6, 1986	Retained for the duration of an employee's employment, plus one (1) year, or for a minimum of three (3) years after date of hire whichever is longer.
<b>Medical File</b>	<b>Keep 7 Years after Termination</b>
Drug Testing Results	Five (5) years from creation
FMLA documentation	Three (3) years from return date of FMLA
<b>Job File</b>	<b>Keep 2 Years after Posting</b>
Job files including: advertisements, resumes, interview guides (if used) and job applications including on-line resources	Two (2) years from posting
<b>Unsolicited Resumes</b>	<b>Keep 1 Month from Receipt</b>
Unsolicited resumes	One (1) month from receipt
	Note: if actually reviewed, then normal retention periods apply.
<b>Medical Records:</b> Blood-borne Pathogens / Standard	
• Written exposure control plan.	Current plan must be on file at all times
• Medical records	Duration of employment, + thirty (30) years
• Training records	Three (3) years from creation

Type of Record	Period of Retention
<b>Payroll Records</b>	<b>Keep 4 Years from Creation An individual's pay records should be kept 3 Years from termination of employment.</b>
Any payroll records including additions or deductions from paid wages	Three (3) years from creation
Payroll Statement Register	Four (4) years from creation
Employment Tax Records	Four (4) years from creation
<b>Compliance Records</b>	<b>Keep Most Recent on Hand</b>
Employer Information Report (EEO-1) For employers with 100 or more employees, a copy of the EEO-1 Form must be kept.	A copy of the most current report filed for each reporting unit must always be kept at each unit or at Company or divisional headquarters
<b>Workers Compensation Records</b>	
Hazardous Materials Exposures Material Safety Data Sheets (MSDS) – The Company must keep records of chemicals used, where they were used, and for how long they were used.	Thirty (30) years from creation
Physical/Medical Records under OSHA Complete and accurate records of all medical examinations required by OSHA	Duration of employment, plus thirty (30) years unless a specific OSHA standard provides for a different time period.
<b>Occupational Injuries and Illnesses</b>	
"Log and Summary of Occupational Injuries and Illnesses – OSHA Form 300 and 300A. Job related injuries and illnesses must be recorded within six (6) days of their occurrence.	Five (5) years following the end of the year to which records relate.
Employee Injury & Illness Report: Provides details on each recordable injury and illness.	Five (5) years following the end of the year to which records relate.
Contaminated Sharps Injury Log Workers Compensation Files	Five (5) years from creation
OSHA training records	Three (3) years from creation
<b>Benefits Records</b>	
COBRA eligibility letters	Three (3) years from creation
ERISA related records: Summary Plan Descriptions Annual Reports Notices and/or reportable events All Plan Amendments/changes Minutes of Retirement Committees	Six (6) years from creation

*Note: This list is not inclusive and is subject to change when new regulations are passed. All years refer to the number of years retained after the individual leaves employment with the Company, unless otherwise directed by HR. Special situations may require extended periods of retention.*



## 410 EMPLOYEE COOPERATION IN INVESTIGATIONS

### **Policy:**

Employees should fully cooperate in all investigations including, but not limited to, abuse, neglect, exploitation, compliance, theft, harassment, discrimination, safety, and other incidents that may occur in the business operations of the Company. Investigations may be initiated by an external entity/source or internally per Company policies. The investigation process may include interviewing employees who may have knowledge required to complete the investigation.

### **Procedure:**

Investigations are conducted in accordance with Company practice as appointed by the Administrator/Director, Human Resources or Corporate Compliance Designee.

If an investigation is initiated by an outside entity (state department, MCO, law enforcement, etc.), RHA will comply with the investigation requirements specific to that entity. As with internal investigations, all employees should cooperate fully in the investigation process.

Investigators may meet with employees regarding incidents under investigation and in some circumstances the employee will be asked to sign a Statement of Integrity and Confidentiality and write an Investigation Statement detailing the incident.

The Company assures employees that any information provided will remain confidential and shared only with those on a "need to know" basis and up to the limits of the law. Additionally, the employee should not interfere with the investigation and is requested to keep the information confidential.

Falsification of incident reports or related documentation, filing false allegations, the provision of false or misleading information during an investigation, or the withholding of information during an investigation may result in corrective action, including possible legal action if appropriate.

Failure to cooperate or breach of confidentiality in an investigation will be reviewed on a case by case basis and may result in corrective action, up to and including termination.



## 415 THEFT, PERSONAL PROPERTY, INSPECTION AND RIGHT TO SEARCH

### Policy:

The Company is committed to providing a safe and crime-free environment. Theft, embezzlement or misappropriation of funds of any kind, in any form, will not be tolerated. Theft from a person we support or legally responsible person, employee, manager, vendor, the Company or guest will result in corrective action, up to and including termination.

### Procedure:

#### Theft:

Theft is defined as the act of taking a person's or Company belongings or property, including electronic property (see Communication Systems and Mobile Devices Policy), without consent. Employees witnessing theft should never confront the individual personally, but should contact a manager immediately and specifically state the theft witnessed.

#### Personal Property:

Employees should refrain from bringing money or items of value to work. The Company is not responsible for any loss, damage or theft of money or personal items on the job.

Articles of personal property found on premises should be returned to their owner if known, or to the Business Office. Inquiries regarding lost property should be directed to the Business Office.

The Company will assist with costs associated with the replacement of prescription eye glasses, prescription contact lenses, hearing aids/devices, or dental devices provided Company investigations confirm the loss was directly related to the employee's scope of employment and duties.

#### Inspections and Right to Search:

The Company reserves the right to inspect personal property brought onto Company premises including, but not limited to: vehicles\*, packages, brief cases, back packs, purses, bags, wallets and other similar property. Search or inspection of employee work areas, Company vehicles, lockers, desks, storage areas, file cabinets, email, mail (once delivered to Company property), telephone (except personal calls), voice mail, internet activities, electronic systems or other computer hardware and software or any other area may occur.

Employers may search locked vehicles on a Non-Company or Company owned site where a reasonable person would believe that searching an employee's vehicle might prevent an immediate threat to human health, life or safety. The Administrator/Director will determine if law enforcement should be contacted to conduct a search of an employee's vehicle. Or, where a private security officer has probable cause to believe that the employee unlawfully possesses employer property and the employee consents to a search of the vehicle. It is imperative that the Administrator/Director be contacted in this situation. Employers are protected where searches are made by law enforcement personnel pursuant to a valid search warrant or valid warrantless search.

The Company relinquishes all confiscated drugs to proper law enforcement authorities and reserves the right to cooperate with or enlist the services of the proper law enforcement authorities in the course of any investigation.

Normally, the Company does not search the body of the individual, but may do this if business necessitates and reviewed with and approved by Human Resources. If you suspect an employee is concealing evidence on his/her person, ask for cooperation in producing evidence. In the event of an inspection, the Administrator/Director will:

- Conduct an investigation based only on reasonable suspicion after conducting an initial investigation.
- Obtain an Inspection Authorization from the employee. Failure to consent to a search or display personal property for visual inspection are grounds for termination or denial to access of Company premises.
- In some circumstances, obtain an Investigation Statement and Statement of Integrity & Confidentiality from the employee of items missing, the monetary value of those items, and the people involved.
- Review the allegation with the accused employee and in most cases ask for an Investigation Statement and Statement of Integrity & Confidentiality.
- Participate in the inspection with a witness present.
- If a person we support is suspected of theft, refer to the Search & Seizure section of the Services Manual (if applicable) to protect their rights.
- Alleged theft of property from or by people we support may need to be reported to outside regulatory agencies. Refer to the Services Manual for additional information.
- Contact law enforcement and supply a copy of a report if necessary.
- Keep the search as confidential and private as possible. Do not search an employee in front of other workers, whenever possible. Also, make sure that the employee being searched has unfettered access to any door or other exit if the employee is searched in a space such as an office, locker or bathroom. Do not block or otherwise attempt to prevent an employee from leaving.



- Suspend the search if the employee refuses access or becomes hostile. The employee can be suspended pending further investigation and corrective action can be imposed for insubordination or failure to cooperate. In extreme or dangerous situations, legal authorities should be involved.

## **Guns, Firearms and Weapons:**

Regardless of whether an employee is licensed to carry a gun, employees may not carry a gun or other firearm on their person anywhere on Company property or in the workplace. Note: Weapons of any kind are not permitted on the premises of the Company, including any and all buildings and grounds. Employees who bring a weapon onto the premises will be subject to corrective action, up to and including termination.

North Carolina employees may not have a gun or other firearm in their personal vehicle while on Company property, including while the vehicle is locked and parked in any Company-provided parking lot or garage.

The Company would prefer that employees in Tennessee and Georgia not bring a gun or other firearm onto Company property in their personal vehicle. However, employees in those states may keep a licensed firearm in their personal vehicle while it is in the Company's parking lot or garage, provided the vehicle is locked and the firearm is stored out of sight.

No employee in any state may possess a gun or other firearm in a Company-provided vehicle or carry a gun or other firearm while performing services for a person we support.



## 420 CORRECTIVE ACTION

### Policy:

The Company provides general guidelines for corrective action in order to improve employees' attendance, behavior and/or work performance. Corrective action will be applied fairly and consistently.

### Procedure:

The Company maintains and holds employees accountable for attendance, behavior and performance standards that ensure safe and efficient operations, the integrity of the Company and a positive public image. Deviations from standards should be objectively reviewed by the Administrator/Director and approached in a constructive manner.

The Company endorses a progressive corrective action policy. In most situations, employees should be given a written progressive corrective action on an Employee Corrective Action Form. However, the Company reserves the right to bypass progressive corrective action steps based on the scope and severity of the issue.

Before terminating an employee or administering a written warning, the Administrator/Director should conduct an investigation, document facts, interview and obtain statements from employees or witness (where applicable), and review the employee's previous corrective action history and length of service. The Chief Operating Officer, or Vice President of Operations and VP of HR, HR Director, or HR Business Partner should be contacted prior to terminating an employee. Administrators/Directors with less than six (6) months service with the Company should consult the Chief Operating Officer, Vice President of Operations, HR Director, or HR Business Partner prior to administering a written warning. The Corporate Human Resources Vice President, Director or HR Business Partner is a reference for corrective action as business necessitates.

### Workplace Conduct Violations:

**Workplace Misconduct Rules.** The Company has established general guidelines to govern the attendance, behavior and performance of its employees. This list of workplace misconduct rules is not inclusive in all instances which can result in corrective action up to and including termination and the examples that follow do not replace sound judgment or common sense behavior:

#### Attendance:

- Excessive absenteeism or lateness (defined as three [3] or more incidents in a rolling three [3] month period)
- Failure to attend required meetings or trainings
- Failure to call and speak with direct manager or designee whenever going to be out
- Failure to report for a scheduled meeting, shift or training

- Unauthorized absence from work site during shift
- Abuse of breaks or meal times
- Leaving a shift prior to relief staff reporting for duty or leaving early without authorization
- Failure to report to work for three (3) consecutive days without notifying management is considered job abandonment
- Working for another Company while on an authorized leave of absence unless current work restrictions allow provided advance permission has been granted in writing
- Failure to record time within defined guidelines for payroll processing
- Failure to return to work on a timely basis after an authorized leave of absence
- Working a schedule not authorized by the company
- Repeated instances of unauthorized overtime

Behavior:

- Engaging in abuse, neglect, exploitation, misappropriation or theft of property.
- Failure to report allegations of abuse, neglect, exploitation, harassment, misappropriation or theft on a timely basis
- Loud or disruptive activity in the workplace
- Smoking in prohibited areas
- Using Company assets for personal use
- Engaging in inappropriate personal conduct
- Failure to comply with the Company's Personal Appearance Policy
- Failure to maintain cleanliness and orderliness of workplace and work area
- Engaging in solicitation against Company policy (selling things on Company property)
- Conducting personal business during work hours without permission
- Significant involvement in, and/or convicted of, misdemeanor or higher civil or criminal offense could result in lack of confidence for continued association with the individual
- Remaining on or entering Company premises outside of normal work hours
- Harassing, threatening, intimidating or coercing another employee, person we support or members of the public at any time, including off-duty periods
- Dishonesty
- Making false, vicious or malicious statements concerning employees, the Company, its products or services that are either oral or appear in any printed or electronic materials including internet use
- Recording videos or taking images of people supported, employees or company business and using them inappropriately
- Unauthorized copying or disclosure of confidential information about the Company or the people we support
- Discriminating against or harassing a person we support, employee or any person involved with Company business
- Theft or inappropriate removal, destruction, defacement, or possession of property

- Being under the influence of alcohol or drugs
- Refusal to submit to an inspection involving theft, weapons or substances
- Possession, distribution, sale, transfer, or use of alcohol or drugs while on duty, or while operating employer-owned vehicles or equipment
- Fighting or threatening violence in the workplace
- Insubordination, refusing a job assignment Sleeping, or giving the appearance of sleeping while on duty
- Possession of dangerous or unauthorized materials in the workplace or in a Company vehicle, such as explosives, firearms, switchblades, knives, chains, or objects carried to injure or intimidate
- Forging a signature or committing an act of forgery
- Gambling on Company property
- Punching IN or OUT for another employee
- Making an intentionally false claim of harassment or discrimination
- Failure to comply with Company safety and security regulations or report unsafe conditions
- Engaging in or failing to report suspicious, unethical, or illegal conduct by employees or others to management on a timely basis
- Failure to obtain or maintain current license or certification required as a condition for performing the job
- Falsification or alteration of a medical, time-keeping, application, or any other record
- Loss of driver's license, automobile insurance or driving in an unsafe way
- Failure to follow traffic laws, including speed limit when transporting the people we support
- Taking the people we support to an employee's home or the home(s) of the employee's friends or family if not authorized by the Administrator/Director
- Falsification of fire drills and/or water temperature
- Failure to monitor the people we support, particularly those with safety concerns (e.g., choking, self-injury, aggression)
- Receiving or allowing unauthorized visitors to enter or remain on Company property or a home of the people we support without authorization from the Administrator/Director
- Caring for, or attending to, the needs of the employee's family members (i.e., children, grandchildren, etc.), friends or other employee associates while on duty
- Failure to respond to the people we support or their legally responsible person in a timely manner
- Failure to cooperate with Company investigations
- Unauthorized abridgement of the rights of the people we support
- Failure to respect the dignity and privacy of the people we support
- Failure to comply with and/or violations of HIPAA
- Failure to immediately (or on a timely basis) report vehicle accidents and injuries of employees and people we support
- Possessing firearms or other weapons at the work site

## Performance:

- Unsatisfactory performance or inability to perform job requirements
- Failure to follow instructions
- Failure to complete training by required timelines
- Failure to provide complete and/or accurate information on Company records, including employment applications, human resources questionnaires, acknowledgements, work performance reports, expense reports or any other records forms or reports
- Failure to observe terms and conditions of any licensed software to which the Company is a party
- Failure to comply with the Company's use of Communication Systems Policy
- Failure to secure help when lifting the required pounds or more or failure to comply with the no single lift policy (if applicable)
- Violation of any Company policies or standards of conduct

*Note: Repeat violations of the same rule, violation of more than one rule in a single count, or different rules at different times are considered just cause for accelerated or more serious corrective action, up to and including termination.*

## **Conducting an Investigation:**

When a situation requires an investigation, managers should complete the following steps before taking progressive corrective action:

1. Meet with the employee, review the alleged offense and listen to the employee's position. In some circumstances, the employee will be asked to complete the Company's Statement of Integrity and Confidentiality and Investigation Statement forms. Employees suspected of violating Company policy should be informed of the purpose of the interview in general terms.
2. Obtain as much written information as possible, including interviewing witnesses and obtaining facts. In some cases, witnesses will be asked to provide written statements using the Company's Statement of Integrity and Confidentiality and Investigation Statement forms.
3. Review the Company's policies and current and past practices. Ensure we are taking into account the circumstances and background information of the situation.
4. Review the employee's previous corrective action, , the date of hire/job change, job description, training records, workers' compensation status, FMLA status (if relevant) and performance evaluations found in the employee's personnel file.
5. Review any possible terminations with the Administrator/Director and Chief Operating Officer or Vice President of Operations prior to meeting with the employee. An effort should be made to hold employee meetings as soon as is possible from the event.

**Suspension.** Suspension is a useful management tool for removing an employee from the workplace during an investigation to gather factual evidence for Company and Non-Company Investigations. Suspension during an investigation is at the discretion of the Administrator/Director. Suspensions pending investigation should be documented using the Employee Corrective Action notification process. A copy should be given to the employee and placed in the employee's file.

The Company will not retaliate against anyone for bringing a concern to its attention in good faith, even if all the facts of the situation are not known. The Company will devote the time and resources needed to understand, investigate, and solve the problem. The Company reserves the right of administering corrective action and/or retraining when investigations uncover unrelated infractions, inappropriate or unprofessional behavior, or performance shortfalls by the employee or other employees.

**Healthcare Registry or Licensing Board.** The Investigation's Section of the Abuse, Neglect, and Exploitation Policy in the Company's Services Manual provides a detailed explanation of reporting someone to a Healthcare Registry and/or Licensing Board.

## Types of Corrective Action

Under normal circumstances, the Company endorses a progressive corrective action policy which attempts to provide employees with notice of concerns/issues and allows for an opportunity to improve. The Company reserves the right to bypass progressive corrective action steps based on the scope and severity of the issue. This policy does not modify the employee at-will status.

**Corrective action meetings** should be conducted confidentially with the employee. As a general rule, the Company will not continue with the meeting if the employee is recording the meeting or insists on a third-party witness during the meeting (unless allowed by law). It is advisable that the Administrator/Director have one witness attend the meeting who is in the "need to know" circle. Please note, corrective actions do not need to be of the same type to progress in severity. For instance, an employee could receive a verbal counseling for attendance and then a written warning for performance. Administrators/Directors should review corrective actions given during the past rolling one (1) year period when evaluating progressive corrective action steps.

- 1. Verbal Counseling.** Managers must address situations in which employees are not meeting the Company's standards of attendance, behavior and/or performance and provide guidance (including training) and/or additional monitoring. This level of corrective action is documented on the Employee Corrective Action Notification Form. A copy should be given to the employee and placed in the employee's file.
- 2. Written Warning.** A written warning is given for a second violation or a first time offense when serious enough to warrant it. Written warnings must be documented using the Employee Corrective Action Notification Form. A copy should be given to the employee and placed in the employee's file.

- 3. Final Written Warning.** A final warning is given for additional violations or first time offenses serious enough to warrant it. A final warning is the most severe corrective action, short of termination. Final warnings must be documented using the Employee Corrective Action Notification Form. A copy should be given to the employee and placed in the employee's file.
- 4. Performance Improvement Plan (PIP).** A PIP may be used during any step of the corrective action process to illustrate which actions need to improve and by what timeframe.
- 5. Termination.** Termination is the final step in the progressive corrective action process and should be utilized for additional occurrences or first time offenses serious enough to warrant it. The Administrator/Director and the Chief Operating Officer or Vice President of Operations or designee and Vice President of HR, HR Director, or HR Business Partner should be contacted before any employee is terminated. Terminations must be documented using the Employee Corrective Action Notification. A copy is given to the employee at time of termination and placed in the employee's file.

Employment terminations should be in the presence of the person conducting the termination and one witness in the need to know circle. Administrators/Directors suspecting violent behavior should contact local law enforcement agencies prior to the meeting.

## Miscellaneous:

**Docking Pay for Corrective Action.** Exempt employees can be docked pay for corrective action provided that all three of the following conditions are met:

1. The deduction is made on a full-day basis,
2. The suspension is the result of a violation of workplace conduct rules or for violation of safety rules of major significance, and
3. The suspension must be part of a written policy applicable to all employees

**Employee Corrective Action Form.** Original copies of the Employee Corrective Action Form must be maintained in the employee's file as a permanent record. Managers should provide the employee with a copy of the form. Employees must sign the form to signify receipt. For employees who refuse to sign the form, the form should be marked "Employee refused to sign" and be signed by the person conducting the corrective action or termination and the witness. The employee can write comments on the form and attach an addendum if they wish.

**Termination Checklist.** The Administrator/Director completes the Termination Check List for all voluntary and involuntary terminations. An Exit Interview is not given to involuntary terminations.



**Termination Letter.** A termination letter should be completed and sent to an employee terminated for cause where no meeting occurred. The letter should be sent via registered or certified mail.

**Final Paycheck.** Final paychecks will be delivered via Direct Deposit.

**Employee Recourse.** Employees have the right to challenge any corrective action after it has taken effect by following the Appeals Policy.

*Note: Illegal acts committed by employees may be reported to law enforcement authorities.*



## 425 APPEALS POLICY

### Policy:

Employees should have an opportunity to voice their work-related complaints, and to appeal management decisions, through a dispute resolution or appeal procedure. The policy is not intended to replace employees' ability to resolve workplace issues with their manager.

The Company will attempt to promptly resolve all appropriate complaints, but reserves the right to refuse to proceed with complaints that lack substance or are not considered to be timely.

### Definitions & Examples:

**Appeal:** An "appeal" is defined as an employee's expressed dissatisfaction concerning an interpretation or application of a work-related policy by management, or other employees. Examples of matters which may be considered appeals include:

- A belief that Company policies, practices, rules, regulations, or procedures have been applied in a unfavorable manner to an employee or individual;
- Treatment considered unfair by an employee, such as coercion, reprisal, harassment, retaliation or intimidation;
- Improper or unfair administration of employee benefits or conditions of employment such as scheduling, vacations, fringe benefits, promotions, retirement, holidays, performance reviews, salary, or seniority.

Employees are encouraged to resolve less formal issues, complaints or disputes by consulting with their manager or the Administrator/Director.

### Procedure:

Open, two-way communication is a key factor in reducing and resolving complaints.

**Responsibility.** The Administrator/Director should attempt to ensure that managers and employees are informed of the appeal policy and procedures.

Managers must take prompt and fair action on all employee complaints.

**Role of the Human Resources Department.** Throughout the appeals procedure, the Human Resources Department may serve as a resource to employees and managers. The Human Resources Director and Human Resources Business Partners handle all termination appeals, and provide support during corrective action appeals.

**Retaliation.** The Company does not retaliate against employees for filing good faith complaints.

## Process Steps:

The Company has created the following procedure to address complaints and appeals:

### **Step One: Information discussion with manager**

An employee must register a complaint by completing an Employee Appeal Form within five (5) consecutive weekdays following an incident, action, or condition. The manager should meet with the employee to discuss the complaint and may consult with higher level management before replying to the employee. The manager should respond to the employee complaint in writing and file the information in the employee's confidential file.

### **Step Two: Appeal to the Department Head or Regional Administrator/ Administrator/Director**

An employee may appeal decisions by contacting the Department Head or Regional Administrator/Administrator/Director within five (5) week days after receiving their manager's response. The employees must appeal the decision in writing using the Employee Appeal Form. The Regional Administrator/Administrator/Director should respond to the employee in writing and file the information in the employee's confidential file.

### **Step Three: Appeal to Director of Operations/VP**

An employee may appeal the decision from Step Two by submitting written notice using the Employee Appeal Form to the Director of Operations or Vice President within five (5) week days after receiving the response from step two. The /Vice President generally will review and investigate before conducting a meeting with the employee.

The /Director of Operations or Vice President will provide the employee, and all other parties involved with the steps above with written notice of the decision. The /Director or Operations Vice President's decision is final in most situations.

## **Termination Appeal: Appeal to the Corporate Human Resources Director/ Corporate Executive**

This step is for complaints arising from employment dismissal where the employee does not accept the Department Head or Regional Administrator/Administrator/Director's decision. In this case, the employee can contact the Director of Operations/VP of Operations to discuss the issue prior to filing a termination appeal. If still dissatisfied with the decision, the former employee may appeal to the Corporate Human Resources Director or other Corporate Executive (Vice President of HR, COO, CCO and CFO) within five (5) week days of the employee's termination. Any request for termination appeal received outside of the above timeframe is not eligible for investigation unless approved by the Vice President or Director of Human Resources. Normally, Termination Appeals received thirty (30) days from the employee's termination date will be considered untimely, and will not be considered for appeal. The employee may make his or her appeal by completing the final appeal portion of the complaint form and submitting it to the Corporate Human Resources Director/Corporate Executive. Appeal paperwork should

not be given to each terminating employee. The paperwork is only given to terminating employees who express a desire to appeal the decision. Generally, questions about termination should be answered by Operations management (Regional Administrator/Administrator/Director, Director of Operations, or VP) prior to seeking a termination appeal.

The Corporate Human Resources Director should consider the evidence and may involve a larger decision making body of "need to know" leaders; and render a decision as soon as practicable. The HR Director or Vice President serve as the final Company authority in making termination appeal decisions.



### **Policy:**

The Company is committed to protecting both people and property and will strive to maintain a safe and healthful work environment as indicated by acceptable industry standards and compliance with state and federal requirements.

### **Purpose:**

The protection of all Company resources, the people we support, our employees, and physical assets.

### **Procedure:**

All employees share in the responsibility for the prevention of accidents, incidents and injuries. Employees must attend safety training sessions, recognize tasks performed that may result in exposure or injury, comply with all safety policies and procedures as outlined in the Company's Safety and Health Policies and Procedures Manual and report all incidents that result in injury or exposure to their manager or a work site nurse as quickly as possible, but no later than the end of their shift. Failure to follow established policies and procedures may result in corrective action, up to and including termination.

Accidental loss can be controlled through good supervision in combination with active employee involvement. Creating a safe and healthy environment is the responsibility of all employees.

All managers are expected to support our Company loss prevention requirements as they apply to the operation and maintenance of work sites and equipment. All employees are expected to perform their jobs properly in accordance with established procedures and operating philosophy.

Our goal is to eliminate accidents and injuries by using engineering controls, administrative controls and operations in an accident-free environment. Comprehensive policies and procedures are outlined in the Company's Safety and Health Policies and Procedures Manual.





## 435 SOLICITATION

### Policy:

The Company prohibits solicitation, distribution or the posting of notices, photographs, written or printed materials in or on Company premises at any time unless authorized by the Administrator/Director or higher level position. The selling or distribution of merchandise is strictly prohibited. Only authorized employees, people we support, visitors, vendors, and suppliers are allowed on Company premises.

### Procedure:

Employees may solicit co-workers in the workplace, as long as it is not during working time and does not disrupt business operations. All solicitations are voluntary. Employees should not feel pressured to participate in any co-worker or Company-sponsored solicitation.

There shall be no solicitation by staff for any outside organization, business or cause when either the employee doing the soliciting or the employee being solicited is on working time, except in connection with a Company approved or sponsored event. The term "working time" means the period of time that an employee spends performing actual job duties, and does not include meal periods or breaks or before or after work.

There shall be no distribution of literature by staff for any organization, business or cause when the employee distributing the literature or the employee receiving the literature is on working time, except in connection with a Company approved or sponsored event. Also, distribution of literature in work areas is prohibited at all times.

The Company prohibits posting of notices, photographs, written or printed materials in or on Company premises at any time unless authorized by the Administrator/Director.

When the Administrator/Director makes a business decision to support a particular event, the communication piece should contain the following line "Approved by Management – list name".

Occasionally, employees or other close associates are in need for various reasons. In these situations, the Administrator/Director should approve communications to ensure compliance with the solicitation and confidentiality policies. Normally, if approved by the Company, an avenue for a collection is set up for those who express interest. Personal information (health, financial, personal, address, etc.) will be kept confidential. The Human Resources department and Employee Assistance Program are excellent resources to contact prior to distributing anything for these types of situations.

If the Company logo is being used at an event, approval of the President is required prior to use.

This no distribution/no solicitation rule covers, among other things, use of telephone,

cell phones, faxes, e-mail messages, social media or any other form of media or communication devices from or to employees when either the sender or the recipient is on working time.

Non-employees are prohibited from soliciting or distributing literature anywhere on Company property at any time.

## 440 SMOKING, VAPING AND THE USE OF NICOTINE PRODUCTS

### Policy:

The Company complies with all federal, state, and local regulations regarding nicotine products, smoking tobacco or other substances in the workplace. These products include but are not necessarily limited to cigarettes, cigars, pipes, smokeless tobacco/chewing tobacco, snuff, e-cigarettes/nicotine vaporizers, etc. Using nicotine products and smoking/vaping is prohibited inside all Company work sites and Company vehicles. Employees are not permitted to accept nicotine products from the people we support or to use nicotine products in front of, or with the people we support. This policy applies to employees and visitors while on Company premises and at Company outings.

Through the Raising Health Awareness Wellness Program, employees are encouraged to stop smoking and/or to stop using nicotine products. The Company supports an employee's desire to quit smoking or using nicotine as part of the Wellness Program by offering financial assistance for nicotine cessation programs and/or products.

The Company may apply a nicotine user surcharge for employees that are enrolled in the medical plan. Upon enrolling in the medical plan employees complete a nicotine affidavit through the Company's online benefits enrollment platform. If an employee certifies as a nicotine user and then completes a nicotine cessation program, they can apply to have the nicotine surcharge removed from their medical premiums by submitting a new nicotine affidavit and nicotine free lab results or a certificate of completion from a nicotine cessation program to the Director of Benefits and Wellness. Employees must have stopped using nicotine products at least 60 days before completing a nicotine screening, or submitting a new affidavit with documentation.

### Procedure:

**Designated Smoking/Vaping and Nicotine Product Areas.** The Company usually provides employees with designated smoking/vaping or nicotine product use areas at each work site. See the Administrator/Director for the exact locations.

*Note: Some work sites may be entirely smoke free or only allow nicotine use or smoking in employee's personal vehicles while on approved break or meal periods.*

**Smoking/Vaping and Nicotine Product Breaks.** Managers should determine acceptable standards for the frequency and duration of breaks to use nicotine products and communicate these standards to employees. Employees who smoke or use other nicotine products must do so in designated areas and are not authorized to take more breaks than non-nicotine users.

**Discrimination.** The Company does not discriminate against individuals on the basis of their use of nicotine products if the use is in accordance with Company policy.

**Common Courtesy.** Employees are expected to exercise common courtesy and to respect the needs and sensitivities of others when using nicotine products or smoking/vaping in designated areas. Employees have an obligation to keep nicotine use areas litter-free and not abuse the break and work schedule/rules. Used nicotine products should be placed in appropriate receptacles and not discarded on the grounds or parking areas.

**Responsibility.** The Administrator/Director is responsible for implementing and monitoring nicotine use and smoking/vaping regulations. Managers are responsible for enforcing those regulations by monitoring employee nicotine use and/or smoking/vaping practices.

## 445 EMPLOYMENT OF RELATIVES, DATING AND MARRIAGE AMONG EMPLOYEES

### Policy:

The Company places limits on employing relatives and marriage/dating among employees when supervisory/subordinate relationships exist or when perceived conflicts are present.

### Procedure:

#### Employing Relatives:

The Company may consider a member of an employee's immediate family for employment when the relationship does not create:

- a direct or indirect manager/subordinate relationship with the family member, or
- an actual or perceived conflict of interest

The Company considers the same criteria when assigning, transferring, or promoting employees regardless of familial relationship.

"Immediate family" includes the spouses, brothers, sisters, parents, grandparents, children, step-children, in-laws (father, mother, sister, brother, daughter, son) and any other members of the employee's household.

This group of titles is not all-inclusive as titles and organizational structures change, but family members of the Regional Administrator, Director of Operations, Administrator/Director, Business Manager and other key office administration positions, Director of Nursing and other key Clinical positions, Qualified Professional and Team Leaders positions, Vocational Program Managers, Program Managers or Home Managers are not eligible for employment at the unit where these staff members are employed without reviewing the situation with the Human Resources Business Partner and obtaining the Chief Operating Officer or Vice President of Operations prior approval.

#### Dating and Marriage among Employees:

Employees who date, marry, or become members of the same household may normally continue employment with the Company as long as the relationship does not create:

- a direct or indirect manager/subordinate relationship with the family member, or
- an actual or perceived conflict of interest

Should a conflict arise, the Company will attempt to find a suitable position within the organization to which one of the affected employees may transfer. If a suitable position

is not available, the Company generally will allow the couple to decide which individual will resign. However, the Company reserves the right to make the decision based on business needs and the positions involved.

## 450 BUSINESS EXPENSE REIMBURSEMENT

### Policy:

The Company will reimburse employees for usual and reasonable travel, lodging, and entertainment expenses incurred when transacting on approved Company business. Arrangements for air travel, hotel, and car rental must have advance approval. Business travelers represent our Company and must maintain the highest level of professionalism and follow Company policies and rules. For additional information, refer to the Company's Travel Expense Reimbursement Policy in the Financial Services Manual.

### Procedure:

**Travel and Expense Reports.** Employees must follow the Financial Services policies and procedures for travel and expense reimbursement and commercial card expense reporting. This includes documenting and supporting all reimbursable expenses and obtaining approval for reimbursement.

Expenses must be submitted to the Accounts Payable department no later than ten (10) days of returning to their assigned work site. Credit card statements must be reconciled during the review cycle.

Managers must review and approve expenses, particularly the validity and reasonableness of the business noted and the overall expenses claimed. *Original receipts must accompany all expenses or the amount of the missing receipt will be deducted from the employee's paycheck. Employees sign a general authorization for payroll deductions for certain future credit card and other charges. However, prior to making the actual deduction from an employee's pay, the Company will need to give the employee notice of the amount of the deduction, notice of the right to withdraw the authorization in writing.*

Travel expenses may not be reimbursed through petty cash.

The Administrator/Director must approve the employee's attendance in training, seminars, etc. and the Company will normally pay for the following expenses:

- Tuition or registration fees;
- Travel costs;
- Lodging and related meal expenses not covered by registration

### Meals

Meals will be reimbursed for out of town and overnight travel at the per diem rate for an approved trip. Actual receipts from each meal must be submitted.

**Other business meals.** Meals for other business situations (training programs, department functions, etc.) must be submitted properly in the expense reporting process.

## Out-of-Town Travel

**Travel to stations, airports, etc.** The Company will reimburse employees for the cost of taxis or public transportation to and from places of business, hotels, or airports in connection with business travel. Employees should select the lowest cost of travel to and from these locations.

**Car rental.** The Company will reimburse employees for the cost of car rentals when needed for business and when it is the most economical mode of transportation. Employees should select a compact or standard size automobile. Rental car payments may be charged to the employee's credit card or a Company credit card.

**Car rental insurance.** The Company is self-insured for automobile insurance. Employees should not buy any insurance from the car rental company.

**Spousal or guest travel.** Employees will not be reimbursed for spousal or guest expenses when they accompany employees on business travel unless the Administrator/Director determines that the presence of the spouse or guest has a bona fide business purpose.

**Air travel.** Employees must arrange air travel directly. Employees should arrange travel plans as soon as possible in order to take advantage of early reservation discount fares and always seek the lowest available fare. Guidelines for reimbursement will be the round-trip fare for fourteen (14) day-in-advance bookings. Back to back flights should be used if economically beneficial. Air travel should not be chosen if the driving time is less than six (6) hours unless the cost of the flight is less than \$200.

**Lodging.** Reasonable hotel costs will be reimbursed for approved overnight travel up to the per diem rate. Actual receipts should be attached to the expense report. In general, trips less than 100 miles one way do not qualify for overnight stays.

**Unusually high lodging rates.** The Company is aware that extenuating circumstances may exist with hotel rates at certain times of year in certain areas. Prior approval from the CEO or COO is necessary if lodging rates exceed the Company's maximum allowable rates.

**Conference lodging.** When traveling to a conference, it is appropriate to stay at the hotel hosting the conference, assuming the daily rate is not unreasonably expensive relative to other alternatives.

## Business Entertaining

Employees must have authorization from the Administrator/Director to engage in business entertaining.

Accounts payable will pay or reimburse reasonable employee entertainment expenses if the employee's manager approves them and if they are directed related to the Company's business. Employees who incur entertainment expenses which do not meet these standards will be personally responsible for them.



Employee entertainment expenses must be submitted and documented following the Financial Services policy in order for the Administrator/Director to approve them. The report should contain a detailed itemization of expenses; a statement of the date, place, and business reasons for the entertainment; and the names of those present and their business relationship to the Company. Receipts must be attached to expense reports.

## Miscellaneous Expenses

**Telephone calls.** Business related calls are eligible for reimbursement. Employees authorized to have a home office business or fax line will be reimbursed for their cost for business purposes.

**Airline phones prohibited.** The Company prohibits air phone use.

Dues, subscriptions, and memberships. Professional association dues, subscriptions, and memberships will be reimbursed when directly related to the employee's area of responsibility and approved by the Administrator/Director or Department Head. The Company will not pay for private or business club fees; this includes private airline lounges, car rental clubs and hotel health clubs.

**Other expenses.** Generally, the Company will reimburse only expenses directly related to Company business. Employees should explain miscellaneous expenses on the expense report.

## Falsification or Misrepresentation

Abuse of the expense reimbursement policy including falsifying expense reports to reflect costs not incurred by the employee, or using company credit cards for personal expenditures are grounds for corrective action up to and including termination.

## Company-Issued Credit Cards

Any employee who is issued a corporate credit card must submit all receipts via the process outlined by Financial Services with explanations by the Company designated due date. Credit cards must be returned to the Accounts Payable before the employee's last day of work.

## Termination of Employment

All outstanding expenses should be submitted for reimbursement prior to an employee's last day of work.



## 455 TRADE AND PROFESSIONAL ASSOCIATIONS

### Policy:

The Company encourages employees to participate in trade and professional associations, particularly those promoting Company goals, individual skills development, or professional recognition.

Employee participation in associations must not conflict with the Company's interests.

Employee participation in trade and professional association activities normally will not be considered hours worked for pay purposes for nonexempt employees, unless the Company considers the participation mandatory.

### Procedure:

#### Request to Join Specific Associations

The Company may identify certain trade and professional associations and designate employees that it will sponsor for membership. Employees designated to represent the Company are expected to participate actively and promote Company interests in these associations.

#### Coordinating Representation

The Company's Chief Operating Officer (COO) and/or Operations Vice Presidents are responsible for coordinating representation in trade and professional associations. Managers should recommend interested employees for sponsored membership through the Administrator/Director.

The Company will normally consider the following factors when choosing associations and designating which employees may become members:

- Nature and purpose of the association
- Benefit to the Company
- Cost to the Company
- Extent to which the Company is already represented in the association
- Employee's job responsibilities, length of service and qualifications for membership

The COO periodically reviews the Company's representation in trade and professional associations and sponsorship of employees for membership, occasionally making changes to representation whenever appropriate.

## **Participation Expenses**

The Administrator/Director or Department Manager is responsible for planning, budgeting, and approving employee expenses resulting from participation in association activities. The Company will reimburse the approved and reasonable expenses of employees sponsored for memberships. Employees not sponsored are also eligible for reimbursement for participation in associations if the participation is approved in advance by the Administrator/Director or Department Manager.

## **Accepting Positions in Associations**

Employees must have their Department Manager or Administrator's/Director's advance approval before seeking or accepting any official position in a trade or professional association. The Department Manager or Administrator/Director must also decide on how much time the employee will be permitted to be away from work for participation in the association.

## **Articles, Papers, Presentations**

The Company encourages employees to contribute articles, present papers, and give talks to trade and professional associations. However, employees must obtain prior approval of the Administrator/Director or Department Manager about any subject that might represent the Company's position or involve confidential information.

## 460 VEHICLES AND TRANSPORTING PEOPLE SUPPORTED

### Policy:

The Company provides vehicles for business use when feasible and reimburses employees for expenses incurred driving on Company business. Employees who drive a Company car or use their own vehicle for Company business must have a DMV check, a valid and current driver's license and when a personal vehicle is used for company business state-mandated auto insurance within minimum state limits for liability, comprehensive and collision. A copy of the employee's driver's license and insurance policy (when a personal vehicle is used for company purposes) must be provided to the Company for positions that are authorized to drive company vehicles or personal vehicles for company purposes. The Company also reserves the right to conduct MVRs at any time during employment. Based on the employee disclosing an offense on the MVR record, the Company reserves the right to deny an employee the authorization to drive a Company vehicle. The Administrator/Director should consult with their Human Resources Business Partner who will work with the Director of Safety and Worker's Compensation to review the situation and issue an Agreement. Termination of employment can result if denial of driving privileges prohibits an employee from performing his or her essential job duties.

### Procedure:

#### Driving on Business

**Prior approval required.** Employees must have their manager's prior approval before driving vehicles for Company business. Before approving a driver, the Business Office must verify the existence of the employee's valid driver's license. The Company reserves the right to deny employees driving privileges based on their driving history.

**Ability to drive.** Ability to drive may be a condition of employment for some positions. Employees must inform their managers of any changes that may affect their capacity to meet the skill, licensing, and insurance standards of this policy. If the status of an employee's driver's license changes, the Administrator/Director should consult the Director of Safety and Worker's Compensation and HR Director or HR Business Partner to evaluate the employee's driving status with the Company.

**Temporary residents.** There may be times when an employee is considered a temporary resident of the state they are living in (ex: military, student, etc.). If an employee is considered a temporary resident, they do not have to register their vehicle with the DMV or carry the driver's license or insurance from that state. The employee must keep their driver's license, tag and insurance currently through their home state licensing process. Also, the unit must procure the driving record from the state they are residing and their home state.

**New residents.** Occasionally, the Company hires an employee who recently relocated from another state. In that situation, the employee must obtain their driver's license, tag, and insurance from their new state if it is a condition of employment for the position they are working. Generally, the Company will allow sixty days to obtain these records. The unit must procure the driving record from the state they are residing and their former state.

**Company cars.** Company cars are assigned to units/employees which demonstrate a continuing business need for them. Employees who need transportation in the scope of their normal duties may be assigned a Company vehicle. When no Company vehicles are available, employees may use their own vehicles for business purposes, but only with the prior approval of the Administrator/Director.

Company vehicles for the use of the office employees for business purposes must remain at the work site each night and are not to be used for commuting or for personal use. Exceptions may be made if an individual demonstrates a need to take the vehicle home (e.g., a morning appointment requiring very early departure). The Administrator/Director must approve exceptions and is responsible for evaluating the need.

Employees who routinely drive a Company vehicle on Company business must also complete the Company Driver Training Program. Company vehicles are equipped with GPS technology to ensure driving safety. Details of this program can be found in the Company Safety Manual.

**Driving safety.** Employee drivers must also be diligent in driving safely and must maintain the security of the vehicle and its contents. They share in responsibility for seeing that the vehicle meets any Company or legal standards for insurance, maintenance and safety and should report any malfunctions or mechanical problems to their manager. See the Company's Safety Manual for details.

Employees generally should not use phones while driving a vehicle on Company business. Drivers should not text or email while driving on Company business, rather pull over or wait until they have stopped their vehicle before texting or emailing.

**Impairment.** Employees may not, under any circumstances, operate a Company vehicle or personal vehicle for Company business if any physical or mental impairment may cause unsafe driving. This prohibition includes, but is not limited to, circumstances in which the employee is temporarily unable to operate a vehicle safely because of illness, medication, or intoxication. If such a condition exists, employees must discontinue driving and report to their manager immediately.

**Driving for business purposes treated as working hours.** Nonexempt employees who drive a Company or personal vehicle for Company business or who have uninterrupted travel from one work location to another are considered to be 'at work' for pay purposes. All uninterrupted time spent traveling is compensable.

## Car Expense Reimbursement

**Company cars.** Employees driving Company cars may claim reimbursement for any out-of-pocket expenses incurred directly for business purposes.

**Business use of personal cars.** Employees may not use their personal vehicles for business travel and transportation of people we support without prior approval of the Administrator/Director and must show proof of valid driver's license and insurance.

**Standard rate reimbursement.** The standard rate is an established rate per mile for travel for actual driving distance by the most direct route and is designed to cover all of an employee's expenses resulting from using a personal car for business travel. Expenses cover the gas, lubrication, towing charges, insurance, repairs, and depreciation. The cost of parking, ferries, tunnels and tolls during business travel are reimbursed in addition to the standard rate. The mileage to and from work is deducted from the number of miles for the trip for the normal work day. Use of a personal vehicle to transport yourself from one work location to another, to attend training within the general vicinity of the local unit, or other personal vehicle use not related to services provided and within the general vicinity of the local unit is not considered travel and not eligible for mileage reimbursement.

**Commuting expenses.** Employees are generally not paid mileage from their homes to their work sites unless specific to the work site on-call policy. However, if an employee assumes a temporary work assignment at another work site, mileage will be reimbursed if it significantly exceeds (greater than 30 miles) the normal commuting distance. The reimbursement will be based upon total miles traveled for the Company to the new job site, less the normal daily commuting mileage.

**Automobile Allowance.** Automobile allowance is an established monthly rate given to an employee who must use their personal vehicle for Company business. This rate is designed to cover an employee's expenses resulting from using a personal vehicle for business travel. In some cases, gas charges can be reimbursed for employees with an automobile allowance or they may be authorized to use the Company credit card for gas charges.

## Accidents / Theft

Employees must report to their manager and to the Administrator/Director any accident, theft, or damage involving a Company vehicle or personal vehicle used for business, regardless of the extent of damage or lack of injuries. The report must be made as soon as possible, but no later than forty-eight (48) hours after the incident. Employees must cooperate fully with authorities, but should not make any statements other than in answer to the questions of investigating officers.

The Company offers parking on its premises and at the employee's own risk. Employees are urged to lock their vehicles at all times while at the work site.

**Infractions and fines.** Employees are responsible for any driving infractions or fines resulting from their driving and must notify their manager immediately.

## Employee Vehicle Damages

**Repairs, liability, etc. in the event of an accident while employee is transporting a person supported.** If an employee is involved in an accident while transporting a person(s) supported, the insurance for the employee/transport vehicle is liable for any damages to the employee/transport vehicle if the employee is at fault. If the other driver is deemed at fault, the other driver's insurance would be responsible for damages. The Company assumes no liability for vehicle or property damage in either event. The mileage reimbursement rate and auto allowance covers, amount other costs, the cost of insurance for the vehicle. The only coverage that the Company would assume in the event of such an accident would be the costs associated with any workers compensation claim arising from the accident.

**Damages caused to employee vehicle due to the person(s) supported behavior.** In the event that damages are incurred to an employee vehicle while transporting a person supported, the employee's insurance will be liable for damages. The Company mileage reimbursement rate covers costs for operating that vehicle including gas, repairs, and insurance.

In the event damages are incurred while the employee is parked at a vocational center or at a group home, a complete investigation/incident report must be submitted detailing all the circumstances of the behavior/incident. The Administrator/Director and Qualified Professional must sign off on the report. If the report indicates a lack of appropriate supervision on the part of the employees whose vehicle was damaged, no reimbursement for damages will be made. If the report indicates the damages were unavoidable, the Company will assume liability for repairs to the employee vehicle as follows:

- The Company will pay for the "deductible" portion, up to \$500 of the employee's comprehensive coverage in event the behavior damage was deemed unavoidable and with the approval of the Vice President. Proof of coverage will be required in all instances, regardless of the amount of damage. The employee will be responsible for filing the balance on their insurance. Three body shop estimates will be required in such instances and repairs must be made. All payments will be written and mailed to the repair shop as the Company will not make direct reimbursement to the employee.
- Normally, the maximum amount the Company will pay for any personal vehicle repair cost is \$500. Any costs in excess of the \$500 is the responsibility of the employee.



## 465 COVID VACCINATION FOR EMPLOYEES

### Policy:

All employees will be offered the COVID-19 vaccination. Current employees will be asked to sign a consent or declination form for the COVID-19 vaccination. Education on COVID-19 prevention and the importance of vaccinations will be provided. The consent/declination form should be placed in the employee's health record. Employees who wish to receive the vaccine will be directed to schedule an appointment with a community resource, such as local pharmacies and health departments, if an on-site clinic is not available. Once the employee receives the vaccination, a copy of the vaccination card should be placed in the employee's health record.

**New Hires.** New hires will be offered the COVID-19 vaccination upon hire, free of charge. New hires will receive education on COVID-19 prevention and the importance of vaccination and will be asked to sign a consent or declination form. The COVID-19 Consent/Declination form should be placed in the employee's health record. Assistance will be provided with scheduling an appointment for vaccination with a community COVID-19 vaccination provider, if an on-site clinic is not available. Once the new hire receives the vaccination, a copy of the vaccination card should be placed in the employee's health record.

**ICF Locations.** Employees working in ICF locations must follow the CMS guidelines for COVID-19 vaccinations. If an employee working in an ICF location declines the vaccination, the employee may apply for a religious or medical exemption. Employees applying for a religious exemption should complete the RHA Religious Exemption form and submit to Human Resources for review. Employees applying for a medical exemption must complete the RHA Medical Exemption form and provide a physician's note indicating the medical condition that warrants an exemption. Medical exemption forms should be submitted to Human Resources. Human Resources will then forward to the Pandemic Response team for review and final approval. In some cases, medical exemptions may be granted on a short-term basis, i.e. a person who has recently had COVID-19 and received the monoclonal antibodies treatment. Once the employee no longer meets criteria for a medical exemption, the employee must file a religious exemption or receive the COVID-19 vaccination.

**Medical & Religious Exemptions.** Employees granted a medical or religious exemption are required to wear additional PPE, such as double surgical masks and/or a surgical mask and face shield. In addition, employees may be subject to working restrictions during moderate to high COVID-19 virus activity within the local community or work location. Restrictions may include, but not limited to, reassignment of duties, wearing additional PPE (gowns, gloves, double masking, and face shields), changes in schedule, virtual attendance to specific meetings, or other measures to prevent the spread and mitigate the risks associated with the COVID-19 virus. Non-vaccinated employees who are granted a medical or religious exemption in ICF locations may also be asked to test on a routine basis when recommended by the Pandemic Response team when there is high community spread of the virus. Every effort will be made to relocate employees who do not meet the CMS standard for vaccination or religious or medical exemption to locations where the CMS mandate does not apply.

## 500 ATTENDANCE GUIDELINES

### Policy:

The Company requires employees to report for work at scheduled times, to work all scheduled hours and overtime as required, and to notify the Company of all absences. There may be business necessity to schedule staff to available work at alternate locations and schedules due to staffing requirements. Excessive tardiness and poor attendance are subject to corrective action.

### Procedure:

**Orientation.** Managers will normally advise employees of attendance policies during the orientation process and will notify employees of their starting, ending, break and meal times.

**Notification of Unscheduled Absence.** Employees must speak with their manager or designee of an unscheduled absence in as far in advance as possible, but at least two (2) hours in advance of the scheduled starting time. Employees must communicate the reason for the absence, when they expect to return to work and must speak with their manager or designee; call outs cannot be left on voicemail.

**Calling out sick.** A sick call out is defined as an absence of one or more consecutive days. However, employees must call and speak with their manager on each day of their absence. The Company reserves the right to send home an employee if they are unable to perform their job or are contagious to their co-workers or the people we support due to an illness.

**Doctor's note.** Employees must provide the Company with a doctor's note when calling out sick for three or more consecutive days or as required by the manager. Absences longer than three (3) days may count towards a Leave of Absence, Emergency Leave or Family and Medical Leave Act (FMLA) if the employee completes the necessary documentation, is approved (for LOA) and meets eligibility requirements (see Leaves of Absence and FMLA sections). Employees calling out sick with excessive absences or a pattern of calling out on holidays and/or weekends may be asked to provide a doctor's note.

**Making up lost time.** Employees calling out on a scheduled shift may be allowed to make up time at their manager's discretion. Employees requesting to make up a shift must get prior approval from their manager to ensure it meets the needs of the business.

**Payment Issues.** Non-exempt employees are only paid for time worked unless they are authorized to use PTO time. Exempt employees generally must be paid a full week's salary if they have worked any part of a week, and will have the time deducted from their PTO balance. See the Compensation section of this manual for additional information.

**Excessive Absenteeism/Lateness.** Excessive absenteeism/lateness is defined as three (3) or more incidents in a rolling three (3) month period.

**Unexcused Absence.** An unexcused absence is an absence where an employee fails to meet notification requirements with his/her manager or designee of the absence or fails to get required permission for the absence.

**Inclement Weather or Emergency.** Please see related policy.

**Job Abandonment.** Employees who are absent from scheduled work for three (3) consecutive work days without giving proper notice to the Company will be considered as having voluntarily resigned without notice. Unless the manager is notified of exceptional circumstances surrounding the absence, the employee will be terminated and notified by the Company.

## 505 COMPANY LEAVES OF ABSENCE

### Policy:

The Company may grant employees short term personal leaves of absence under certain circumstances as employees may need time away from work to deal with compelling issues or obligations. Employees may also be placed on other types of leave, if circumstances deem necessary. Employees will not receive compensation during leaves of absence except as outlined below.

#### Types of Company Leave

- Personal
- School-based Services Schedule
- Suspension

### Personal Leave:

The company offers personal leave to assist employees in meeting the demands of extraordinary circumstances.

### Eligibility:

The Company may grant personal leaves of absence to regular, full-time employees after six (6) months of full-time active employment or at the Company's discretion after FMLA or other protected leave has expired. This eligibility requirement is the same for all of the personal leaves.

**Leave as a Reasonable Accommodation:** In appropriate circumstances, RHA will consider modifying personal leaves of absence eligibility rules when necessary to provide a reasonable accommodation to a qualified individual with a disability, unless provision of additional leave would constitute an undue hardship on the Company.

### Procedure:

The Company does not offer an extension of the general provisions of the Federal Family and Medical Leave Act. Employees who exhaust their FML or other protected leave entitlements may be considered for an additional personal leave of absence at the Company's discretion. Employees not yet eligible for FMLA leave who anticipate a non-vacation related absence of three (3) or more days may apply for personal leave.

**Required Notice.** The employee should provide the Company with at least thirty (30) day notice, if the leave is foreseeable. If not foreseeable, the employee must provide the Company with as much notice as possible. Submitting an absence request via the Human Resources Information System is considered notice.

**Required Approval.** Requests for personal leaves of absence must be submitted through the Human Resources Information System, and require approval by the designated person. If employees are unable to submit the request through the electronic system, they must notify their manager as soon as possible and the manager will request the leave on their behalf. If applicable, the required documents will be made available to employees and must be uploaded into the system upon completion and by the assigned deadline.

The Company will consider the reason for the leave, the employee's performance and the ability to operate in the employee's absence prior to approving this type of leave.

**Duration of Leave.** All personal leaves of absence must have a specific duration and anticipated return to work date at the time the leave is granted. If their return to work date changes while on leave, employees must submit a correction to their absence in the electronic system. If unable to submit the request through the electronic system, employees must report changes in leave status, including their intention to return to work, to the designated person. The Company will consider a failure to return to work on the specified date as a voluntary resignation unless an extension has been arranged beforehand.

**Continuation of Insurance.** Employees may continue or discontinue health insurance while out on personal leave coordinated through the Human Resources Business Partner. Employees are responsible for paying any required contributions during the leave period if choosing to continue insurance coverage. Employees who fail to make required insurance contributions will lose coverage effective the last period a contribution was made. Cancellation due to non-payment will be considered voluntary withdrawal and COBRA will not be offered. Retroactive cancellation due to non-payment could result in recoupment of any paid health care claims due to the ineligible period.

When a full twelve week leave of absence follows a twelve week period of FMLA leave, employees will no longer be eligible for employment, as they will have exhausted all of their leave entitlements. All health care coverage will be cancelled effective the date of termination. The employee will be offered COBRA.

**Status of Position.** The Company will not guarantee that an employee's position will be held open while on unprotected personal leave. Employees returning from leaves of absence not exceeding 90 calendar days may be reinstated to their previous position or to another position if a vacancy exists and they apply and are chosen for the position. The Company reserves the right to discharge employees when a position does not exist, or if it does and the employee applies and is not chosen for the position.

**Certification.** Employees returning from an unprotected medically related personal leave of absence must provide certification that they are able to perform the essential functions and meet the physical demands of the job.

**Outside Work.** Employees on approved personal leaves of absence are not authorized to work for any other employer during the leave period without prior management approval.

Use of Accrued Paid Time Off. Employees on approved personal leaves of absence may use their accrued paid time off (PTOs) to cover elimination periods for other benefits. PTO benefits do not accrue during leaves of absence. PTOs must be requested through the Human Resources Information System.

**Anniversary Dates.** The Company may adjust anniversary / increment dates depending on the length of the leave as follows:

<b>Leave of Absence</b>	No adjustment unless the leave (which could be combined with another protected type of leave like FMLA) extends beyond 90 days, then the anniversary date maybe adjusted by the number of days beyond 90.
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**Length of Leave.** Unprotected personal leaves of absence cannot exceed 90 days. Combinations of leaves of absence and FMLA or other protected leave cannot exceed 180 days in any one rolling year or as calculated according to FMLA or other protected leave entitlements except when exceptions are required.

### **School-based Services Schedule:**

Employees who work in school-based services may have a schedule with leave during certain times to align with school schedules. If this is the case, the Administrator/ Director will work with the Human Resources Business Partner to create a notification outlining the specifics of the leave.

### **Suspension:**

Suspension is a useful management tool for removing an employee from the workplace during an investigation to gather factual evidence. Additionally, it can be used during times of uncertainty in employment during external investigations or when the employee has pending criminal charges. The use of Suspension is at the discretion of the Administrator/Director. Suspensions pending investigations should be documented using the Employee Corrective Action process. A copy should be given to the employee and placed in the employee's record.

Suspensions may last from a few days to as long as several weeks, but cannot exceed ninety (90) days. Employees will be released from employment if the Company is unable to resolve the issues surrounding the suspension within ninety (90) days.

Suspended employees are ineligible to work for the Company in any capacity and must remain available to both the Company and outside investigatory authorities during that time. Employees may not involve themselves in the investigatory process without being asked and may receive corrective action or be terminated for doing so.

Employees placed on suspension may be returned to a position within the Company. This position may or may not be the same position held or at the same location the employee previously held. The Company cannot guarantee that a job will be held while suspended and reserves the right to eliminate positions for business purposes unrelated to the suspension.

Administrators/Directors may be asked to issue the employee a letter outlining their change of status with the Company (Administrators/Directors should contact their Human Resources Business Partner for the appropriate format). Employees placed on suspension are eligible to maintain their insurance coverage provided that they pay their portion of the insurance. Internal Company investigations are occasionally replaced by or conducted concurrently with an outside agency. Back pay and PTO accrual differ depending on whether the investigation was conducted by the Company or by someone outside the Company as follows:

- **Internal Investigations (including DIDD Investigations in TN).** Generally, employees may be paid for lost time if the outcome of the investigation reveals that the offense was unsubstantiated or does not result in corrective action of any kind. The Company will provide back pay and PTO accrual for internal investigations performed by Company officials or outside investigators authorized by the Company. Maximum back pay is eighty (80) hours and PTO accrual is eight (8) hours, and is only paid to employees who return to work.
- **External Investigations or Pending Criminal Charges.** Outside agencies may occasionally conduct their own investigations or direct the Company to do so and monitor their findings. Outside agencies include, but are not limited to, local, state and federal agencies, including law enforcement agencies criminal or civil acts resulting in jail time, or releases pending court hearings. Implicated employees will immediately be placed on unpaid suspension. Returning an employee to work is at the Company's discretion and may only occur when the outside agency concludes that there was no substantial wrong doing related to the reason for initiating the investigation.

## 510 REGULATORY LEAVES OF ABSENCE

### Policy:

The Company complies with required regulatory leaves of absence.

#### Types of Regulatory Leave

- Family and Medical Leave (FML)
- Military Caregiver Leave
- Workers' Compensation Leave
- Tennessee Maternity Leave
- Military Service Leave (USERRA)

### Procedure:

#### Family and Medical Leave:

The Company provides eligible employees to take unpaid, job protected leave, for certain types of leave to attend to family and medical needs in accordance with the federal Family and Medical Leave Act (FMLA) and any applicable state law. Family Medical Leave requires that Health benefits and coverage be maintained for eligible employees under the same terms and conditions.

### Eligibility:

An employee who works for a covered employer must meet this criteria in order to be eligible for FML. The employee must:

Have worked for the Company for at least 12 months (which need not be consecutive)

Have at least 1,250 hours of service in the 12 months before taking leave

Previous periods of employment with the Company can be counted to meet the 12-month service requirement. Employment periods prior to breaks in employment of seven years or more are not counted.

### Reasons for Leave:

Eligible employees can take up to 12 weeks of unpaid, job-protected leave in a rolling 12-month period for the following reasons:

- the birth of a child and to care for the newborn child within one year of birth;
- the placement with the employee of a child for adoption or foster care and to care for the newly placed child within one year of placement;
- to care for the employee's spouse, child, or parent who has a serious health condition;



- a serious health condition that makes the employee unable to perform the essential functions of his or her job;
- any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, or parent is a covered military member on "covered active duty;" or
- Twenty-six (26) workweeks of leave during a single twelve (12) month period to care for a covered servicemember with a serious injury or illness if the eligible employee is the servicemember's spouse, son, daughter, parent, or next of kin (See Military Caregiver Leave in next section of this policy)

### **Intermittent Leave:**

Leave for serious health conditions may be taken intermittently or on a reduced leave schedule when medically necessary. Only the amount of leave taken will be counted against the employee's twelve (12) week FML entitlement. In either case, the Company may require employees to temporarily transfer to an alternative shift or location. Changing location can only be for planned medical treatment. If the intermittent leave is occurring on a sporadic basis, the employee may be moved to another location. Employees taking intermittent leave must be able to perform the job tasks and meet the physical demands of the position.

### **Calculating Leave:**

The Company uses a "rolling" twelve (12) month period to calculate leave. This means that the employee's leave year begins the first time FML is taken and not strictly by calendar year. When additional leave is requested, the Company looks back to previous twelve (12) months to determine the amount of leave available\*.

*\*Example: An eligible employee makes an initial leave request and takes ten (10) weeks of leave beginning on February 1. The employee requests an additional week of leave on November 1 of the same year. The Company looks back to November 2 of last year and determines that the employee is entitled to the second leave request because two (2) of the twelve (12) weeks of entitlement remain.*

### **Advance Notice Required:**

Generally, employees must give thirty (30) days' advance notice of the need for FML. If it is not possible to give thirty (30) days' notice, an employee must notify the employer as soon as possible by submitting an absence request through the electronic Human Resources Information System or by notifying his/her manager. Managers must acknowledge the notification of leave, preferably before the leave begins. Failure to provide adequate notice for a foreseeable event may result in denial/delay of Family Medical Leave.

In the event that leave is unforeseeable, employees must provide the Company with notice as soon as practical. The Company will allow the employee fifteen (15) business days from the time the employee was notified of their right to take FML to provide the documentation.

## Certification of Medical Condition:

The Company requires medical certification from an attending health care provider for all requested medical leave. The required documentation must be uploaded into the Human Resources Information System. Failure to provide adequate certification may result in a denial/delay of the request.

Employees do not have to share a medical diagnosis, but must provide enough information to the employer so it can determine if the leave qualifies for FMLA protection. Sufficient information could include informing an employer that the employee is or will be unable to perform his or her job functions with or without reasonable accommodation that a family member cannot perform daily activities, or that hospitalization or continuing medical treatment is necessary. Employees must inform the employer if the need for leave is for a reason for which FML was previously taken or certified.

If the Company finds reason to doubt the validity of the certification, it may require a second medical opinion from a health care provider designated or approved by the Human Resources Department. Should the second opinion differ from the original certification, the Company may require the employee to obtain a third opinion from a health care provider designated or approved by the Company. The opinion of the third health care provider is final binding for the employee and the Company. The Company will pay for second and third medical opinions.

**Recertification.** The Company can require a certification or periodic recertification supporting the need for leave or leave extension. If the certification is incomplete, the Company must provide a written notice indicating what additional information is required.

**Certification after Illness.** Employees must provide certification from their Health Care Provider that they are able to perform the essential functions and meet the physical demands of the job.

## Certification for Active Duty Leave:

Employees who request leave due to a spouse, child, or parent who is a servicemember of the Armed Forces' Reserve components or National Guard or retired servicemember of the Armed Forces or Reserves and is on active duty or called to active duty status in support of a contingency operation must provide the Company with a copy of servicemembers' active military orders and other certification.

To meet certification requirements, employees must provide the Company with:

- a signed statement or description of the facts regarding and supporting qualifying circumstances for which leave is requested, including copies of military meeting announcements, confirmations of appointments with school officials, or copies of bills for financial or legal services;
- the approximate start date of the leave;

- if leave is requested on a reduced schedule or intermittent basis, an estimate of the frequency and duration of qualifying circumstances;
- if applicable, the duration of the leave; and
- if qualifying circumstances involve meeting with a third party, a brief description of the purpose of the meeting and contact information for that party, such as name, title, organization, address, telephone number, fax number, and e-mail address.

If leave involves a meeting with a third party, the Company can contact the third party to verify the schedule and nature of the meeting without employees' permission. The Company can also contact an appropriate unit of the federal Department of Defense to verify that servicemembers are on active duty or call to active duty status without employees' permission.

### **Pay During Family and Medical Leave:**

FML is unpaid. However, employees covered by the Company's workers' compensation and disability insurance plans may be eligible for pay subject to the terms/conditions of the plans. Disability benefits and workers' compensation benefits run concurrently with FML.

### **Administration:**

**Use of Paid Time Off (PTOs).** Employees may use their accrued PTOs concurrent with FML. The use of PTOs for FML purposes does not extend the twelve (12) week maximum entitlement and will count toward the employee's FML entitlement. PTO accrual stops while on FML. PTOs must be requested through the Human Resources Information System.

**Notice.** Once the Company becomes aware that an employees' need for leave is for a reason that may qualify under the FMLA, the employer must notify the employee if he or she is eligible for FML and, if eligible, must also provide a notice of rights and responsibilities under the FMLA. If the employee is not eligible, the Company must provide a reason for ineligibility. Normally, this notification occurs within five (5) days after an employee requests leave under FML, the Company should provide the employee a notice informing him/her if the leave will be designated as Family and Medical Leave, and if so, how much leave will be designated as FML.

***Important Note: If the Company fails to provide the employee with a notice of ineligibility, the employee could be deemed eligible, even if other eligibility requirements are not met.***

**Scheduling Leave.** Employees should make reasonable efforts to schedule planned medical treatment so as not to disrupt the Company's operations.

**Spousal Leave.** Eligible spouses who work for the same employer are limited to a combined total of 12 workweeks of leave in a 12-month period to share for the following FMLA-qualifying reasons:

- The birth of a son or daughter and bonding with the newborn child,
- The placement of a son or daughter with the employee for adoption or foster care, and bonding with the newly-placed child, and
- The care of a parent with a serious health condition.

If only one of the spouses is eligible for FML, that individual is entitled to the full 12 workweeks of leave.

## Return to Work:

**Early Return to Work.** Employees returning to work before their scheduled return date must notify the Company as soon as practical and make a correction to their absence in the Human Resources Information System no less than two (2) business days before their return and provide a physician's statement to return to work.

**Failure to Call and/or Return to Work.** Employees who fail to return to work at the end of their scheduled leave or do not call in within three (3) consecutive scheduled work days of the agreed upon return date will receive a Company notice by registered mail inquiring into their intentions to return to work. Employees who do not respond to the Company's inquiry within a reasonable amount of time will be considered to have voluntarily resigned.

## Continuation of Benefits:

**Paid Time Off (PTO).** Time spent on leave does not count as time worked for accrual of PTOs. PTO accrual will be stopped during the period the employee is on leave. Once an employee returns from leave, PTO accrual will be reinstated back to the same accrual level as the beginning of the leave.

When leave is intermittent, PTO accrual will be maintained if the employee consistently maintains full time hours. PTO accrual will be stopped during leave if the employee falls below full time hours.

**Health Care Coverage.** The Company will continue health insurance coverage as if the employee was not on leave. However, employees must contribute to their health care coverage or coverage will be lost. Payments may be made in advance or on an ongoing basis. Employees will be granted a thirty (30) day grace period to pay premiums before coverage is lost. In the event an employee fails to timely pay the required contribution, the Company will send the employee notice of possible loss of health care coverage at least fifteen (15) days prior to coverage being canceled. Termination of coverage due to non-payment will be considered a voluntary withdrawal. COBRA is not offered for voluntary cancellations. The termination of coverage will become effective on the last day for which the employee made contributions. Retroactive cancellation due to non-payment could result in recoupment of any paid health care claims due to the ineligible period.

When an employee has exhausted twelve (12) weeks of FML in a rolling year, coverage will be terminated through the Company and the employee will be offered COBRA,

unless a personal leave of absence is granted. These same conditions also apply to voluntary health benefits.

### **Job Restoration:**

Upon return from FML, most employees will be returned to their same job or an equivalent position with like employment benefits, pay and other terms and conditions of employment. Employees will have no break in service if they return to work no later than the fourth (4th) workday following the expiration of the approved leave.

Employees who cancelled their benefits due to a leave may have their benefits reinstated without being subject to another wait period provided they reenroll within 31 days of their return to work.

**Key employees.** Key employees on leave may not be entitled to return to their positions if the Company decides that substantial and grievous economic injury would result from reinstatement at the scheduled end of leave. In that case, the Company will send the employee written notice of this decision and the employee will be given the opportunity to end the leave and return to work. Key employees remaining on leave after receiving notification to return will not be restored to employment when their scheduled leave ends.

**Retaliation.** The Company may not interfere with an individual's FMLA rights or retaliate against someone for using or trying to use FML, opposing any practice made unlawful by the FMLA, or being involved in any proceeding under or related to the FMLA.

### **Posting of Notices:**

Copies of FMLA laws must be visibly posted throughout the Company. Employees needing further information should contact their manager, the Administrator/Director or the Human Resources Department.

### **Additional Provisions and Definitions:**

- 1. Serious Health Condition.** A "serious health condition" means any illness, injury, impairment, or physical or mental health condition that involves:
  - a. Inpatient care (i.e., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity (defined to mean the inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment or recovery) or any subsequent treatment in connections with such inpatient care or;
  - b. Continuing treatment for a serious health condition by a health care provider.
- 2. Continuing Treatment by a Health Care Provider.** "Continuing treatment by a health care provider" means one of the following:

- a. A period of incapacity of more than three (3) consecutive calendar days, and any subsequent treatment or period of incapacity relating the same condition, that also involves:
  - (1) Treatment two or more times by a health care provider or the health care provider's assistant, or
  - (12) Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider
- b. Any period of incapacity due to pregnancy, or for prenatal care.
- c. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition is one which:
  - (1) Requires periodic visits for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
  - (2) Continues over an extended period of time (including recurring episodes of a single underlying condition) and:
  - (3) May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.)
- d. A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but not be receiving active treatment by, a health care provider. Examples include Alzheimer's disease, a severe stroke, or the terminal stages of a disease.
- e. Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a healthcare provider or by a provider of healthcare services under order of, or on referral by, a healthcare provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), or kidney disease (dialysis).

**3. Health Care Provider.** A "health care provider" is one of the following: (1) a doctor of medicine or osteopathy, (2) a podiatrist, dentist, clinical psychologist, optometrist, chiropractor (limited to treatment under state law and who are performing within the scope of their license), (3) a nurse practitioner, nurse-midwife, or clinical social worker (authorized under state law and who is performing within the scope of his or her license), or (4) a Christian Science practitioner (although the Company can require a second opinion in this case).

#### 4. Intermittent or Reduced Schedule Family Leave

- a. Intermittent Leave. Intermittent leave is taken in separate blocks of time as a result of a serious health condition and may include periods from an hour or more to several weeks. Examples of intermittent leave would include leave to take a child, spouse or parent with a serious health condition for medical appointments, physical therapy or leave taken on an intermittent basis to care for a spouse, child or parent with a serious health condition.
- b. Reduced Leave Schedule. A "Reduced Leave Schedule" is a leave schedule that reduces an employee's work hours per day to a number fewer than the employee's normal work schedule. For example, a reduced leave schedule may result in the reduction of an employee's normal eight (8) hour work schedule to four (4) hours per day while the employee's spouse, child or parent is recovering from a serious health condition.
- c. Reasons for Intermittent or Reduced Schedule Leave. Intermittent and reduced schedule leave will be granted only under the following circumstances:
  - i. There must be a medical need that can best be accommodated by intermittent or reduced leave.
  - ii. The spouse, child or parent must be suffering from a serious health condition.
  - iii. The medical need for the intermittent or reduced schedule leave and the serious medical condition of the spouse, parent or child must be certified by a health care provider of the spouse, child or parent.
  - iv. The employee must attempt to schedule the intermittent or reduced scheduled leave so as not to disrupt business operations.
  - v. **Temporary Transfer.** An employee who requests intermittent or reduced family leave may be temporarily transferred by the Company to another job with equivalent pay and benefits. The temporary transfer can be to a job on the same or different shift. When the leave ends, the employee will be returned to his or her regular position.

#### 5. Reasons for any qualifying exigency related to a covered military member on "covered active duty".

- a. *Short-notice deployment:* employees can take up to seven calendar days of FMLA leave beginning on the date servicemembers are notified of an impending call or order to active duty; short-notice deployment leave can be used to address issues that arise from servicemembers' call or order to active duty seven calendar days or less prior to the date of deployment.
- b. *Military events and related activities:* employees can take leave to attend official ceremonies, programs, or events sponsored by the military that are related

to servicemembers' active duty or call to active duty or attend family support or assistance programs and informational briefings sponsored or promoted by the military, military service organizations, or the American Red Cross that are related to servicemembers' active duty or call to active duty.

- c. *Childcare and school activities:* employees can take leave to arrange alternative childcare, provide childcare on an urgent, immediate need (but not every day) basis, enroll in or transfer a child to a new school or day care facility, or attend meetings with school or day care staff (such as parent-teacher conferences) due to servicemembers' active duty or call to active duty (Children include servicemembers' biological, adopted, or foster children; stepchildren; legal wards; or children for whom servicemembers have day-to-day responsibilities to care for and financially support; children must be under age 18, unless they are incapable of self-care because of a mental or physical disability at the time that FMLA leave begins.
- d. *Financial and legal arrangements:* employees can take leave to make or update financial or legal arrangements to address servicemembers' absence while on active duty or call to active duty, such as executing powers of attorney, transferring bank account signature authority, or obtaining military identification cards and to act as the servicemembers' representative before governmental agencies to obtain, arrange, or appeal military service benefits while servicemembers are on active duty or called to active duty and for 90 days following termination of active duty status.
- e. *Counseling:* employees can take leave to attend counseling that is provided by someone other than a healthcare provider for servicemembers or their children for needs arising from servicemembers' active duty or call to active duty (Children include servicemembers' biological, adopted, or foster children; stepchildren; legal wards; or children for whom servicemembers have day-to-day responsibilities to care for and financially support; children must be under age 18, unless they are incapable of self-care because of a mental or physical disability at the time that FMLA leave begins.
- f. *Rest and recuperations:* employees can take up to fifteen (15) days of leave to spend with a covered military member who is on short-term temporary, rest and recuperation during deployment.
- g. *Post-deployment activities:* employees can take leave to attend arrival ceremonies, reintegration briefings and events, and other official ceremonies or programs sponsored by the military that occur within 90 days following termination of servicemembers' active duty status or to address issues arising from servicemembers' death while on active duty, including meeting and recovering the body and making funeral arrangements.
- h. *Additional activities:* employees can take leave to address other events that arise from servicemembers' active duty or call to active duty when agreed to by the



Company and the employee that such events qualify for leave and agree upon the timing and duration of leave and are discussed in advance of the leave.

### **Military Caregiver Leave:**

Eligible employees can take up to 26 workweeks of FMLA leave during a single 12-month period to care for a servicemember who is their spouse, child, parent, or next of kin with a serious illness or injury incurred in the line of duty while on active duty as a member of the Armed Forces, including the National Guard or Reserves, and is: undergoing medical treatment, recuperation, or therapy; assigned as an outpatient to a military medical treatment facility; assigned to a unit providing command and control of Armed Forces' members who are receiving outpatient medical care; or on the temporary disability retired list. Servicemembers must be deployed to a foreign country in order for their family members to qualify for exigency leave. Caregiver leave can be taken to care for veterans discharged within the past five years of leave start date with illness or injuries sustained while on active duty as well as pre-existing injury or illness that was aggravated in the line of duty.

### **Definitions:**

A *serious illness* or injury is an illness or injury that servicemembers receive while they are in the line of duty on active duty and makes them medically unfit to perform the duties of their office, grade, rank, or rating.

A *call for active duty* refers only to a federal call to active duty; a state call for active duty is not covered unless under order of the president according to federal law in support of a contingency operation.

A *contingency operation* refers to a military operation that is designated by the Secretary of Defense as an operation in which members of the armed forces are or can become involved in military actions, operations, or hostilities against an enemy of the United States or opposing military force or a military operation that results in the call, order to, or retention on active duty of members of the uniform service according to federal military law or any other provision of federal law during a war or national emergency that is declared by the president or Congress.

A *child* on active duty or call to active duty status refers to an employee's biological child, adopted child, or foster child; a stepchild; a legal ward; or a child for whom an employee has day-to-day responsibilities to care for and financially support and the child is on active duty or called to active duty status. The child can be any age.

A *parent* on active duty or call to active duty status refers to employees' biological, adoptive, step or foster father or mother, or for any person who had day-to-day and financial responsibilities for employees as children. Parent does not include parents-in-law.

A *child* of a servicemember is a biological child, adopted child, or foster child; a stepchild; a legal ward; or a child for whom a servicemember has day-to-day

responsibilities to care for and financially support. The child can be any age.

A *parent* of a servicemember is servicemembers' biological mother or father or person who had day-to-day responsibilities to care for and financially support servicemembers as children. Parents do not include parents-in-law.

*Next of kin* of a servicemember is the nearest blood relative other than the servicemembers' spouse, parent, son, or daughter in the following order of priority: blood relatives who have legal custody of servicemembers; brothers and sisters; grandparents; aunts and uncles; and first cousins, unless servicemembers have specifically designated in writing another blood relative as their nearest blood relative. If no designation is made and there are multiple family members with similar levels of relationship to servicemembers, all such family members are considered to be next of kin.

If a dispute arises about whether leave qualifies as FMLA leave, the Company will discuss resolution of the dispute with employees. Any discussions and the decision about leave will be documented.

**Calculating Leave:** Same as Family and Medical Leave policy with following variances below.

A single 12-month period of leave to care for a servicemember with a serious illness or injury begins on the first day employees take leave to care for the servicemember and ends 12 months after that date. If employees do not take the full 26 workweeks of leave during a single 12-month period, they forfeit the remaining amount of leave. The Company provides leave on per service member, per injury basis.

Employees can take more than one period of 26 workweeks of leave if leave is used to care for different servicemembers or to care for the same servicemember who has a subsequent serious illness or injury, except that no more than 26 workweeks of leave can be taken within any single 12-month period. Employees can take more than one period of 26 workweeks of leave for a servicemember who has more than one serious injury or illness only when the injury or illness is a subsequent injury or illness. If employees take leave to care for more than one servicemember or for subsequent serious injuries or illnesses of the same servicemember and the single 12-month periods overlap, employees are limited to 26 workweeks of leave in each single 12-month period.

If servicemembers' serious injury or illness extends beyond employees' 26 workweeks of leave, employees cannot take additional FMLA leave to care for the servicemember unless employees are eligible for leave to care for a family member with a serious health condition.

The 26 workweeks of FMLA leave to care for a servicemember with a serious illness or injury can include leave taken for other FMLA-qualifying reasons, but no more than 12 workweeks of such leave can be used for other FMLA-qualifying reasons. For example, employees can take 12 workweeks of leave for the birth of a child and 14 workweeks of leave to care for a seriously ill or injured servicemember.

**Advance Notice Requirement:** Same as Family and Medical Leave policy

## **Certification for Leave to Care for Servicemember with a Serious Illness or Injury:**

Employees who request leave to care for a military servicemember with a serious illness or injury incurred while serving on active duty in the Armed Forces must obtain certification completed by authorized health care providers. Health care providers from the federal Department of Veterans Affairs, federal Department of Defense, and DOD TRICARE network and non-network private health care providers are authorized to complete certification for such leave.

The Company can request that authorized health care providers supply the following information:

- their contact information (name, address, telephone number, fax number, and e-mail address), type of medical practice, medical specialty, and whether they are authorized to complete FMLA leave certifications;
- whether servicemembers' injury or illness was incurred in the line of duty on active duty;
- the approximate date on which servicemembers' injury or illness commenced, and its probable duration;
- a description of appropriate medical facts regarding servicemembers' health condition that are sufficient to support employees' need for leave; such medical facts must include whether the injury or illness can render servicemembers' medically unfit to perform duties of their office, grade, rank, or rating and whether servicemembers are receiving medical treatment, recuperation, or therapy;
- information that establishes that servicemembers are in need of care;
- whether servicemembers will need care for a single continuous period of time (including any time for treatment and recovery) and an estimate of the beginning and ending dates for this period of time; and
- requesting leave on a reduced schedule or intermittent basis for covered servicemembers, whether there is medical necessity for such periodic care and an estimate of the treatment schedule and frequency of appointments.

In addition to requesting certification information from authorized health care providers, the Company can request certification information from employees or servicemembers, including:

- name and address of the employer of employees requesting leave to care for servicemembers, name of employees who request leave, and name of servicemembers for whom employees are requesting leave;

- the relationship of employees to servicemembers for whom employees are requesting leave;
- whether servicemembers are current members of the Armed Forces, National Guard, or Reserves and their military branch, rank, and current unit assignment;
- whether servicemembers are assigned to a military medical facility as an outpatient or to a unit to provide command and control of members of the Armed Forces who are receiving medical care as outpatients (such as a medical hold or warrior transition unit) and the name of the medical treatment facility or unit;
- whether servicemembers are on the temporary disability retired list; and
- description of the care to be provided to servicemembers and an estimate of the amount of leave needed to provide such care.

Whenever certification is requested, employees' must provide the Company with complete and sufficient certification. The Company can request clarification or authentication of information in certifications. The Company does not require second or third opinions or recertification for leave to care for a servicemember with a serious illness or injury.

The Company will accept invitational travel orders (ITOs) or invitational travel authorizations (ITAs) as sufficient certification regardless of whether employees are named in ITOs or ITAs. Employees must provide the Company with confirmation of their family relationship to servicemembers when they certify the need for leave to care for a servicemember with a serious illness or injury with an ITO or ITA. Employees who provide ITOs or ITAs to support intermittent leave requests do not need to provide any additional or separate certification that leave taken on an intermittent basis is medically necessary. If employees need leave beyond the expiration date that is specified in ITOs or ITAs, the Company can request that they have authorized health care providers complete a certification form as requisite certification for the remainder of employees' necessary leave period. The Company can request authentication and clarification of ITOs or ITAs.

The Company can require employees to provide confirmation of their family relationship to seriously injured or ill servicemembers.

**Pay During Military Caregiver Leave:** Same as Family and Medical Leave policy

**Administration:** Same as Family and Medical Leave policy.

### **Spousal Leave:**

Eligible spouses who work for the same employer are limited to a combined total of 26 workweeks in a single 12-month period to care for a covered servicemember with a serious injury or illness if each spouse is a parent, spouse, son or daughter, or next of kin of the servicemember.

**Return to Work:** Same as Family and Medical Leave policy

**Continuation of Benefits:** Same as Family and Medical Leave policy

**Job Restoration:** Same as Family and Medical Leave policy

**Posting of Notices:** Same as Family and Medical Leave policy

### **Workers' Compensation Leave:**

If eligible, PTOs can be paid for time missed from work due to a compensable work related injury or illness only for the first five (5) scheduled workdays. After that, the Company's workers' compensation program provides Temporary Total Disability payments to employees who are totally unable to work and Temporary Partial Disability payments to employees who can only work for limited hours.

PTO accrual stops the first day of the pay period following the date the employee is unable to work as a result of the work related injury. Full-time employees in a transitional (alternate or light) duty status continue to accrue PTOs as if they were working full duty.

If an employee is terminated due to an inability to return to work, the employee can be paid the eligible termination PTO hours provided the employee had one year of full-time employment at the time of the work related injury.

### **Tennessee Maternity Leave:**

Under Tennessee law, male and female employees who have worked for the Company for 12 consecutive months are entitled to 16 weeks of unpaid leave for pregnancy, childbirth, adoption and nursing. This leave is available regardless of the number of hours worked, and therefore certain employees who are not eligible for Family and Medical Leave may be eligible for leave under Tennessee law. Certain other employees who are eligible for FML may fail to qualify under this state law, which requires 12 consecutive months of employment.

If the employee is also eligible for leave under both state law and Family and Medical Leave, the Tennessee Maternity leave and Federal FML leave shall run concurrently until FML is exhausted and then Tennessee leave shall continue until exhausted. The maximum amount of time for maternity leave for pregnancy and FML is sixteen (16) weeks.

Employees on Tennessee maternity leave are entitled to the same rights to substitute available paid leave for unpaid leave as employees on Family and Medical Leave, if they meet the eligibility to utilize PTO time.

Except in the case of unforeseen medical emergency, three (3) months advance notice of the need for leave is required.

## **Military Service Leave/Uniformed Services Employment and Reemployment Rights Act (USERRA):**

The Company complies with the Uniformed Services Employment and Reemployment Rights Act (USERRA) and applicable state laws and grants military leave of absence in accordance with those laws. Advance notice of military service is required by completing a request through the Human Resources information system unless military necessity prevents it or advance notice is impossible or unreasonable. If employees are unable to submit the request through the electronic system, they must notify their manager as soon as possible and the manager will request the leave on their behalf.

Continuation of health insurance benefits is available as required by USERRA based on the length of leave and subject to the terms, conditions and limitations of the applicable plans for which the employee is eligible.

The Company allows employees on an approved military leave of absence to use earned PTOs. Military leave is unpaid. If PTOs will be used, employees must submit an absence request through the electronic Health Information System.

Employees may take leave to fulfill their annual training obligations or to report for extended active duty.



## 515 INCLEMENT WEATHER OR EMERGENCY

### Policy:

The Company provides many different types of services, some require continuous, uninterrupted twenty-four (24)hour care be provided to people we support. The Company expects employees to make every effort to report to work as scheduled in the event of inclement weather or emergency.

### Procedure:

The Administrator/Director will determine if a severe weather condition or an emergency situation exists and will make reasonable allowances for lateness in such situations. The Administrator/Director and all managers are expected to report to work sites as necessary.

In cases of inclement weather, direct care services are considered essential. All employees, regardless of department, are part of the team and will be utilized to assist with duties throughout the work sites as necessary.

When Company transportation can be provided to a Company work site, employees are generally expected to use the transportation and report to work.

The Administrator/Director should consult with the next level of Operations management prior to closing or alternating typical operations schedules such as a delay in start time or closing early. The Chief Operating Officer should be notified of any closings or delays.

**Guidelines.** The following guidelines will be implemented during a state of weather or other emergency situation:

- Employees who are scheduled to work, but are unable to due to inclement weather or emergency situation, must contact and speak with the manager on duty no later than two hours prior to the start of the shift. All employees who call out sick during inclement weather when the Company remains open and operational will be required to produce a doctor's note in order to utilize PTO time. Employees who are scheduled to work and refuse company provided transportation, or who call out for any other reason will not be permitted to utilize PTO time. If an exempt employee does not report to work due to the conditions when the worksite remains open, the salary can be reduced in whole day increments. If an exempt employee works a partial day, the salary for the full day must be paid.
- Non-exempt employees will be paid for hours worked.
- Employees who are late due to weather conditions or emergency may be given a chance to make up their missed time if work conditions permit.



- Employees may be required to work overtime to cover for employees who have difficulty getting to work. Employees who sleep over at the request of the Company will be paid according to Sleep Time Pay Policy if their work/duty is twenty-four (24) hours or greater. Employees who have less than a twenty-four (24) hour tour of duty must be compensated for all hours worked including sleep time and when the employee is “engaged to wait”, which means that the employee remains on duty and is required to stay on the premises.
- Failure to be available or contact the manager may result in the employee receiving corrective action.
- Vocational Centers/Administrative Offices may have to officially close due to inclement weather or emergency. Employees, including management and clinical staff who work in these locations, are expected to be available to cover direct support staff shortages if and when they occur. These employees must call their manager to determine if and where they are needed. If no work is available, pay will be handled as follows.
- Non-exempt employees are paid for actual hours worked. The Company is not required to pay any compensation for time not worked due to an administrative closing of a work site due to weather or other event. Non-exempt employees may use PTO time, if no work is available.

**Non-exempt** employees who are paid a guaranteed salary (such as those who are compensated for overtime on a fluctuating workweek) must be paid their full salary without reduction for the administrative closing, if no work is available. Such employees cannot be required to use PTOs.

**Exempt** employees are paid their full salary without reduction for administrative closings, if no work is available. Exempt salaried workers cannot be required to use earned PTOs for such closings unless it is announced that the work site remains open for salaried exempt employees and they are given the option of reporting to work or using PTOs.

If the administrative closing lasts for an entire workweek, the Company is not required to pay salary in any “workweek” when no work is performed. However, employees may use PTO.

## 520 TRANSITIONAL JOB DUTY (MODIFIED DUTY)

### Policy:

The Company makes every effort to provide employees with transitional job duty to encourage and enable them to transition back to work while they recover from temporary on the job illness or injury that qualifies under our Workers' Compensation Program. The Company does not offer a "Light Duty" Program and encourages employees to seek regular medical care and maintain care and a personal wellness program.

For additional information on Workers' Compensation, see the Company's Safety Manual.

### Procedure:

Transitional job duties normally may not exceed three (3) months / ninety (90) days. Employees recovering in a shorter time period and with concurrence from a physician will be expected to return to full duty before expiration of their transitional duty assignments.

Employees who have not recuperated sufficiently to return to full duty within ninety (90) days will be removed from transitional job duties and may be released from employment unless other Leave of Absence provisions apply. Employees may apply and be considered for other vacant positions provided they are qualified and can perform the essential functions of that position.

Transitional duty is generally not available for employees who have a non-job-related illness or injury, except in some limited circumstances such as a pregnant employee who cannot work her regular job due to limitations related to pregnancy or when the employee's condition would qualify as a disability under the Americans with Disabilities Act. Each situation will be reviewed on a case by case basis and it will be determined if the facility can accommodate.

### General Eligibility

1. Employees must notify their manager and the nurse when suffering from temporary work-related injuries or illnesses or when under physician mandated/recommended work restrictions.
2. A copy of the employee's job description must accompany employee on their initial visit to the physician to assist the physician's understanding of their job requirements.
3. When restrictions apply, the Administrator/Director must examine the employee's job functions, review medical advice and determine feasibility to temporarily modify essential job duties. The Administrator/Director may involve the employee's

manager, the Nurse (RN) and/or the QMRP in the review. A rehabilitation specialist may also be consulted.

4. The Administrator/Director must contact the Safety and Risk Mgmt. department before implementing transitional job duties.
5. Once transitional job duties have been determined, the Administrator/Director should notify the employee, in writing, by a memo or abbreviated job description that outlines:
  - The essential job functions and clearly delineates how those functions have been modified (lifting, reaching, walking, sitting, participating in client related behavior/activities, etc.). The memo must include specific aspects of job functions and performance that must be avoided.
  - The duration of the transitional job duty assignment (up to ninety [90] days).

The employee must sign the document acknowledging the work limitations. A copy of this notification must be sent to the nursing office/facility designee, employee manager and the Safety and Risk Management Department.

6. The Nurse or facility designee must be provided with a list of transitional job duties, physical requirements and a copy of the position description (if not previously provided) for final approval to return to work and must continue to monitor any changes to job modifications up to and including return to full duty.
7. When the physician changes or further modifies the job duties, the Administrator/Director and the Safety/Risk Mgmt. Dept. must determine if the Company needs can still be met. The process begins again to determine if the job can be modified further to conform to the physician's requirements / recommendations.
8. If essential job duties cannot be modified, the Company may not be able to offer employment during recuperation.

### **Length of Transitional Job Duty**

Transitional job duties cannot exceed three (3) months / ninety (90) days total per incident. In no case will modified temporary job duties last longer than the time needed for recuperation if less than ninety (90) days. The Human Resources Department must be consulted to extend this transitional time.

### **Discontinuing Transitional Duty Status**

Discontinuation occurs in the following ways:

1. The physician or other health care provider's recommendations expire or are rescinded.

2. Normally when ninety (90) days have expired.
3. When appropriate, the Administrator/Director, in conjunction with Safety and Risk Mgmt., may suspend transitional job duties early when:
  - The employee is fully recovered and ready return to full duty status, or
  - The impairment/limitations pose new or additional risks to the employee or to the health and safety of the people we support or our employees.
4. When conditions develop that result in permanent job restrictions/disabilities and after consultation with the Human Resources Department.
5. When business needs change.

## **Responsibilities: General**

**Administrator/Director.** The Administrator/Director must ensure adherence to these procedures and seek appropriate consultation when unusual circumstances arise. The Administrator/Director must also document the employee's medical file with details of the transitional job duty.

**Employees.** Employees must notify their manager immediately when they become injured at work, when an illness or injury threatens to impair their work, or they are under the care of a physician or other provider and work related restrictions are recommended.

Employees are expected to understand and adhere strictly to transitional job duties. Lack of attention to, or disregard for the parameters of transitional job duties, may result in corrective action, up to and including termination. Failure on the part of an employee to follow medical advice and work restrictions may be considered work-related misconduct. Employees must evaluate their off duty activities as part of their efforts to remain in compliance with medical advice and work restrictions.

During modified duty status, employees must meet with the Company nurse (RN, LPN) prior to and following any/all scheduled provider appointments. When this meeting is not immediate, it must occur the next working day.

**Nurses.** The Nursing Office must maintain a copy of any medical restrictions and all employee notifications of transitional duty.

The Company nurse must monitor the progress of the employee's health status while on transitional job duty, including notifying the employee's manager. Medical tests at this point has to be job related and consistent with business necessity. Nurses should also assist employee understanding of the importance of following medical advice and transitional job duty and keep the Administrator/Director informed of the situation. If the facility does not have a nurse the responsibilities will be carried out by the HR Coordinator or a designee of the Administrator/Director. This assignment must be

communicated and approved by the Safety/Risk Mgmt. Dept.

**Managers.** Home Managers and other management personnel must take a personal interest in the well-being of their employees and monitor their status. Managers must assure that employees are not placed in a position to deviate from established job duties.

Corrective action should be taken if the employee performs job duties outside the scope of the transitional job.

### **Nurse's Responsibility in Transitional Duty (Work Related Injury)**

Nurses must send Medical Authorization / Physical Capacities Forms to physicians with employees.

When employees return, nurses should review any restrictions with employees and schedule meetings with the Administrator/Director and others to examine feasibility for transitional duty assignment based on restrictions. If there are issues relating to the feasibility for the assignment, the Human Resources Business Partner should be contacted.

Once transitional duties have been authorized, nurses must send job descriptions and Medical Authorization / Physical Capacities Forms to the physician.

Upon physician verification, nurses must report approvals to managers for scheduling.

During transitional job duty periods, nurses should maintain telephone contact with employees on a weekly basis.

Nurses must schedule appointments with physicians to reevaluate employees' progress no later than two (2) weeks prior to the end of a transitional duty.

Nurses must report any changes in hours or return to regular duty to the designated contact for follow-up with the Company's insurance company.

Nurses must send a copy of the Physical Capacities / Medical Authorization Form to the Human Resources Department along with any other physician statements.

Once employees are released back to full duty, nurses must send all forms to the Human Resources Department for filing.

Nurses must establish close communication with the Company physician to resolve any problems with diagnosis, medical treatment, completion of forms, and return to work and brief the Administrator/Director and the Human Resources Department.

The nurses' role is vital in keeping the Administrator/Director and the Human Resources Department informed and with ensuring that employees are informed and understand the importance of a speedy recovery and avoidance of injury / illness recurrence. The Company remains active and involved until all injuries / illnesses are resolved.

## Responsibilities: Early Management of a Work Related Injury

**Employees.** Employees must report any work-related injury (accident/incident) to their manager immediately. If the manager is not available, it should be reported to the next level person in charge or to the Administrator/Director, manager or nurse on call.

Employees must complete an Employee Accident Report. Both the employee and the manager must sign the report.

Employees must report to the nurse for treatment immediately. Should treatment by a physician be necessary, the nurse can assist the employee in making the necessary appointment. A Medical Treatment Authorization/Physical Capacities Form must be obtained prior to receiving medical treatment, except in emergency situations. The form can be obtained on the Company's forms drive.

Emergency room visits should only be used for emergency situations or for treatment after normal business hours. When emergency rooms are utilized, any follow-up treatment with Company physicians or a specialist must be coordinated by the Company nurse or the Company's insurance adjuster.

*Note: The Company will not pay for unauthorized treatment by a physician selected by the employee.*

Before each visit to the physician, specialist, etc., employees must obtain a Medical Authorization/Physical Capacities Form for the Company nurse. The form must be completed by the physician and be returned to the nurse to insure that the Company is aware of the employee's medical and work status. In the event employees cannot work due to their injuries, they still need to obtain the form before each doctor visit.

Based on the Physical Capacities Form, transitional (modified) work may be offered. Employees' managers must assist them with the transitional duty procedures. **If no medical restrictions apply, the employee must return to a regular work schedule.**

**Nurses or approved Facility Designee.** Nursing Staff must always remain alert to investigations and information regarding injury and illness of employees and people we support.

Nurses must complete the Workers' Compensation Nursing Form by telephone if injury occurs in a group home.

Nurses will examine employees and document the history of the illness/injury and provide first aid when minor injuries occur. Nurses must refer employees to physicians when needed and complete the Physical Capacities/Medical Authorization Form. Employees must report back to the nurse's office after physician visits. If there are no restrictions placed on work duties, the nurse may release employees to return to their job duties and notify managers to coordinate the dates of return.

**Managers.** Managers must take steps to comfort injured employees and provide necessary first aid and/or medical attention when needed.

Managers should assist employees in completing the Employee Accident Report Form and sign the form with the employee.

Managers, or designees, must also complete accident investigation forms.

Managers should complete the top portion of the Medical Authorization / Physical Capacities Form authorizing treatment and call the Work site nurse with the employee's name, date of accident, type of injury, and how the injury occurred and ensure the injured employee gets to the nurse for evaluation.

Should employees need immediate medical attention, managers should arrange to transport them to the emergency room. If the accident occurs in the day program, managers must hand deliver a copy of the accident report to the nurse.

*Note: Managers must always refer injured employees to the Company nurse.*

If employees are sent directly to the emergency room, managers must inform nurses for follow-up treatment scheduling.

Once employees have returned to the nurse with the treatment form, managers must work directly with the nurse and Administrator/Director to establish an appropriate job within the guidelines of transitional duty. Nurses must coordinate with the treating physician to obtain concurrence of transitional duty. Once approval has been obtained, managers must meet with employees to set the work schedule.

If transitional duty is not possible, managers should stay in contact with injured employees by phone or in person.

*Note: While managers cannot discuss the status of medical or legal issues, asking employees how they are doing is certainly appropriate. Additionally, it is unlawful to retaliate against employees who file a workers' compensation claim or who are otherwise participating in the workers' compensation process.*

## **Nurses' or Work site Designees' Role for Lost Time Injuries**

Nurses/Designee must send a Medical Authorization / Physical Capacities Form to the physician.

If employees return with a physical capacities form that states the employee is unable to return to work, nurses must check to verify the next scheduled appointment.

Nurses must instruct employees to return to the day program prior to the next scheduled appointment to obtain a Treatment Authorization / Physical Capacities Form to take to appointments.

Note: Each visit to the physician's office thereafter will require the use of this form.

Nurses must obtain target dates from physicians on when employees may be able to return to work.

Once employees have returned to work, nurses should periodically check to determine if further problems exist or if additional medical treatment is necessary.





## 525 TIME OFF

### Policy:

Time Off plans provide time off to eligible employees for personal reasons, including emergencies, vacations, holidays, bereavement, the employee's own illness, or the illness of the employee's family members, and judicial services. Employees must meet eligibility and approval requirements. An employee's Paid Time Off (PTO) is available only to the particular employee and may not be sold or donated to another employee.

### Procedure:

#### Paid Time Off (PTO) Accrual

Full-time employees accrue PTO hours from their date of hire (anniversary date) with the Company. PTO hour accrual rates are based on how long an employee has been with the Company and not just how long the employee has been full-time. However, the 6-month eligibility requirement to use the time is based upon the date when the employee became full-time.

PTO hours accrue at the end of each pay period. Accrual ends upon accruing 160 hours and begins again when the balance drops below 160 hours.

In most cases, PTO hours accrue during the time an employee is taking authorized PTO hours. However, PTO hours do not accrue during a leave of absence.

The change in an employee's accrual rate becomes effective at the completion of the employee's 1st, 3rd and 10th years of service. Changes in the accrual rates occur on the first pay period following the employee's anniversary date. Below is the PTO Accrual Table (does not include Holiday Time).

Completed Years of Service	0 Years	1-2 Years	3-9 Years	10 + Years
Hours	104	156	182	221
Days Per Year (based on 8 hour day)	13	19.5	22.75	27.63
Accrual Per Pay Period	4	6	7	8.5

#### Access to PTO Hours

**Eligibility.** Although employees begin accruing PTO upon hire (or transfer from part-time to full-time), they may not take the time until they have worked six (6) consecutive, full-time months with the Company. The only exceptions to this are: After Hours On-Call Policy, and eligible Sleep Time employees.

PTOs that are requested will normally be paid and deducted in the number of hours which match the employee's regularly scheduled shift hours. For example, employees who regularly works 8 hour shifts receive eight (8) hours of PTO time.

**Request time limitations.** Employees may not request PTOs for less than one (1) hour except for an approved leave request. After the first hour, PTOs may be requested in at least 30-minute intervals.

**Five day limit.** PTO hours may not be taken for more than five (5) consecutive working days without special arrangement with the Administrator/Director. Note: approved leave is not limited to this five (5) day ceiling.

Once an employee is eligible to use PTOs, all approved absences must be charged to the PTO balance. The Company must approve any exceptions.

**No PTO hours in advance.** Employees may not be given or take advance PTO and may not carry a negative PTO balance. The only exception to this is for eligible Sleep Time employees. However, if the negative balance becomes excessive for sleep time employees it may result in corrective action.

## Payroll

**Overtime.** PTO hours are not counted as hours worked when calculating overtime pay.

**Absence or Tardiness.** If a work week is less than 40 scheduled hours, PTOs may not be substituted for "unscheduled hours" in order to make up a 40-hours work week. PTO hours may not be substituted for tardiness time. Leaving work without permission, or not showing up for scheduled work, may not be filled in by PTO; the time is counted as unauthorized time away from the job. The only exception to this is for sleep time employees.

**Time Off with no Remaining PTO Balance.** Non-exempt employees with no remaining PTO time, will not be paid for time off and not worked. Exempt employees are handled as follows:

- 1) If the exempt employee works a partial day, the employee is paid for the whole day without a PTO deduction,
- 2) If the exempt employee misses the entire day, and no PTO time is available, a full day will be deducted from the employee's pay. Or, if there is some PTO time available, but not an entire day, use as much PTO as is available.

## Full-time to Part-time status

Employees who transfer from full-time to part-time status may not accrue any further PTOs. However, employees who transfer to part-time status may be eligible to receive a payout – please see requirements in Payout section. Employees who later return to full-time status will accrue PTO based on their anniversary date, but cannot take the time until they work six (6) consecutive full-time months.

## Employee Notice and Manager Authorization

Employees must be sure they meet Company notice requirements to use their PTOs. Generally, the longer the notice, the more opportunity the manager has to plan for absences and the more likely requests will be approved. Therefore, employees should provide as much advance notice as possible. Manager approval is required for PTO use and payment.

**PTO Request Form.** The employee must request a PTO through the electronic HR information system. Improperly recorded PTOs will be treated as non-paid hours. Managers may correct improperly recorded time. However, this will often delay payment for PTOs until the next pay period.

**Approval of a PTO request.** Approval of a PTO request is subject to the Company's staffing and other business requirements such as: payroll, overtime or PTO usage is too high. PTO approval may also be based on PTO usage of employee requesting relative to co-workers PTO usage. Managers should act on PTO requests within two (2) business days—but lack of manager action does not constitute approval. Once PTOs have been approved, they remain available except in unusual circumstances. The Administrator/Director is the only person authorized to cancel prior PTO approval.

**Advance notice.** Requests for PTOs, other than FMLA, require two (2) working days advance notice for each one (1) day period. The electronic HR information system must be used for notification. Except in unusual circumstances, PTOs may not be authorized verbally—and if verbally authorized, employees must complete a PTO request through the Human Resources Information System on the first day they return to work.

**Before work schedule posted.** Employees must request PTOs before work schedules are posted. If an employee is already on the schedule, the request may conflict with staffing requirements. Repeated schedule changes to accommodate personal time may result in corrective action.

**Coverage.** It is the manager's responsibility to find coverage for a requested PTO. In the absence of a manager, the person covering for the manager is responsible. Employees may inform their manager that they are willing to find their own coverage. If the manager approves the employee to find their own coverage, the employee must start with part-time employees first. If a full-time employee is selected, the employee must submit a listing of part-time employees they have contacted. PTO can be denied based on coverage issues.

**Filling in for another employee.** Employees who work additional hours during the week, and have PTO approved time during the week will receive their work time plus the approved PTO time. The only exception is if the employee works the shift they originally asked off, then the PTO will be returned to the employee's PTO balance. The PTO time does not count towards overtime accumulation. If the employee would like to change their PTO request to save their hours for later time, they should contact their manager.

**Early return to work.** Employees returning to work prior to their approved number of PTO hours must notify their manager immediately and submit a correction to their

absence in the Human Resources Information System. Failure to do so may result in PTOs deducted for the original number of hours requested.

**Request for additional time.** Employees who take or discover they will need more time than requested and approved number of PTO hours must notify their manager in advance or as soon as they know they will return late. Without such notification, all hours and partial hours beyond the original PTO request will be considered as unpaid time. Repeated or excess late return to work may result in corrective action, up to and including termination.

## **Paid Time Off Reasons**

### **Vacation:**

Except for purposes of approved leave employees must give two (2) days of work day notification for every day requested. For example, requesting five (5) days of vacation requires at least ten (10) days advance written notice. Without such lead time, employees may not be able to schedule vacation as planned.

### **Sick Days and Personal Time:**

Employees may use PTOs when sick, to assist an immediate family member, or for other personal reasons. Employees must notify their manager as soon as they know that they are unable to come to work. Notification must be at least 2 hours in advance of the scheduled start time. Employees who do not follow call out procedures may not have the PTO approved.

Employees who are unable to report for work must submit an absence request through the Human Resources Information System. PTOs used for short-term illness may require a note from the employee's physician or other healthcare provider if the employee has corrective action for attendance. Employees must document any health-related visit to a health provider. If an illness goes beyond three (3) days, employees should notify the manager immediately.

### **Other Time Off Reasons:**

On top of Paid Time Off, the Company also offers Other Time Off. This time can be paid, if PTOs are available, or unpaid, if they are not available or staff are ineligible for PTO.

### **Other Time-Off Classifications:**

- Bereavement /Funeral
- Emergency
- Parental Involvement in Schools
- Jury Selection/Jury Trial

## Bereavement/Funeral:

For employees with PTO, an absence request must be submitted through the Human Resources Information System. Failure to notify your manager of the absence may result in these days being treated as unpaid.

For employees who do not meet the eligibility requirements for PTO or PTOs are not available, the Company grants up to 3 days of unpaid time off for death of a family member\*. If the time off lasts longer than 3 days, the employee may be placed on a non-medical leave of absence.

**\*A family member generally includes any individual related by blood or whose close association to the employee is the equivalent of a family member. Examples include spouse, domestic partner, siblings, grandchildren, child, stepchild, parent, step-parent, parent in law, grandparent and legal guardian.**

## Emergencies:

For employees with PTO, in emergency situations where there is no time to complete the absence request, employees must notify their manager of their absence as soon as possible, and the manager will submit the absence request for PTO on the employees' behalf. Failure to notify your manager of your absence may result in these days being treated as unpaid.

For employees, who do not meet the eligibility requirements for PTOs, LOA, FMLA or other protected leave and experience an emergency situation as approved by the Administrator/Director may take Emergency Time Off. Employees are allowed up to five (5) scheduled work days of unpaid leave, if necessary, to handle medical or other non-medical emergency issues. Employees must notify their manager as soon as possible and submit an absence request through the electronic HR information system so they may be removed from the schedule. If an employee must take an emergency leave to receive medical care, they must provide a doctor's release before returning to work. If the employee is required to be absent for longer than five (5) working days, their employment with the Company may be terminated. Normally, employees can be on Emergency Time Off only once during a rolling six (6) month period.

## Parental Involvement in Schools:

North Carolina offers employees an opportunity to participate in their children's school\* activities at a mutually agreed upon time between employee and employer. The Company grants four hours of unpaid time off per calendar year to any employee who is a parent, guardian, or person standing in loc parentis (acting in the position or place of a parent) of a school aged child so that the employee may attend school activities. Employees can request PTO for this time.

*\*"School" means any public, private, or church school, church of religious charter, pre-school, child day care facility or non-public school that regularly provides instruction. Home school is not included.*

Time Off is subject to the following conditions:

- The employer and employee must mutually agree upon the time taken.
- The Company requires the employee to submit an absence notice through the electronic HR information system at least forty-eight (48) hours in advance and a written verification from the school uploaded into the electronic information system that the employee attended the event.

### **Jury Selection/Jury Trial:**

The Company allows employees time off for judicial service including jury duty or to testify as a subpoenaed witness in a judicial proceeding. Employees should notify their manager of any time off required as soon as possible and request the absence through the electronic HR information system. The summons must be uploaded into the electronic system.

**Compensation.** Time off for service on a grand or petit-jury is non-compensable without appropriate notice (jury duty summons from the court). Employees retain any compensation received for judicial services rendered. If an employee is selected for jury duty or subpoenaed as a witness for a legal matter involving or otherwise pertaining to the Company, the Company will pay for the jury selection process and up to two (2) weeks of the trial (capped at three [3] weeks) without having to use PTOs. Compensation for jury duty applies to all shifts, but differs depending on employee status as exempt or non-exempt.

- **Exempt employees.** Exempt employees who take time off for judicial service and also work for the Company in the same work week will be paid their entire salary. The Company provides exempt employees with fifteen (15) paid eight (8) hour work days (non-PTO) consisting of a maximum of five (5) for jury selection and ten (10) for trial. After that, exempt employees will not receive their salary when judicial service comprises an entire work week unless they use accrued PTOs.
- **Non-exempt employees.** The Company provides non-exempt employees with a maximum of five (5), eight (8) hour days, not to exceed forty (40) hours for jury selection, and ten (10), additional eight (8) hour days for trial as long as the employee provides the Company with appropriate notice of jury duty. Non-exempt employees excused from jury duty prior to completing eight hours will only be compensated for the hours of duty and are encouraged to return to work when possible. Non-exempt employees may request PTOs for judicial services that go beyond the approved paid timeframes above. Jury duty pay does not count toward overtime accumulation.

Employees who do not meet the eligibility requirements for paid time off, can take unpaid Emergency Leave for Jury Duty.

## **Paid Time Off during Leave**

### **Workers' Compensation Leave:**

PTOs are paid time missed from work due to a compensable work related injury or illness only for the first five (5) scheduled workdays. After that, the Company's workers' compensation program provides Temporary Total Disability payments to employees who are totally unable to work and Temporary Partial Disability payments to employees who can only work for limited hours.

PTO accrual stops the first day of the pay period following the date the employee is unable to work as a result of the work related injury. Full-time employees in a transitional (alternate or light) duty status continue to accrue PTOs as if they were working full duty.

If an employee is terminated due to an inability to return to work, the employee can be paid the eligible termination PTO hours provided the employee had one year of full-time employment at the time of the work related injury.

### **Leaves of Absence and FMLA:**

Employees on approved non-medical or medical leaves of absence may use their accrued paid days off (PTOs), beginning within the 1st day of the leave. PTOs do not accrue during LOA or FMLA.

### **Military Duty Leave of Absence:**

Employees called to military duty are not required to use PTOs during military leave.

During summer training or other military leave of less than thirty (30) days, PTOs accrue as if the employee was working full time.

Employees called for extended military duty continue to accrue PTO until they reach the 160 hour maximum. Their balance will remain until the employee returns to full time work with the Company.

Employees may use PTO hours during military LOA and accrual will not begin again until the maximum is reached.

Employees who are absent from work for more than five (5) years because they are on active military duty should contact the Human Resource Department to discuss the Uniformed Services Employment and Reemployment Rights Act (USERRA) rules.

### **Suspension:**

Employees who have been placed on investigative leave do not receive, and cannot accrue, PTO time.



## **Payout at Termination and Switch from Full-time to Part-time:**

**Advance notice.** Upon a decision to resign, exempt employees must give thirty (30) and non-exempt employees ten (10) calendar days advance written notice and must work out their resignation time to receive a PTO payout.

**PTO payout.** Employees who voluntarily resign or switch from full-time to part-time and give the required notice are eligible to receive a PTO payout at their current rate of pay using the schedule below. Employees who have continuous full-time employment:

- Less than one (1) year of continuous full-time employment – not eligible for PTO payout
- One (1) year but less than two (2) years of continuous full-time employment up to a maximum of twenty (20) hours payout
- Two (2) years but less than three (3) years of continuous full-time employment up to a maximum of fourth (40) hours payout
- Three (3) and above of continuous full-time employment up to a maximum of eighty (80) hours payout

Continuous full time employment is calculated from the most recent full time status change not the sum of previous full time years.

Employees with a PTO balance of less than the amounts above will receive the lower balance.

Holiday time is not eligible for payout at termination.

Employees transferring from full-time to part-time who meet the eligibility and notice requirements are normally eligible for a PTO payout.

**Working during notice period.** Employees are expected to work their regular schedule between the time they begin working out their resignation notice time and their termination date and may not receive PTOs during that time. If an employee illness or immediate family emergency imposes the need for PTOs during that time, the hours will be deducted from the PTO payout balance.

**Involuntary Terms or Not-Required Notice.** Employees who are involuntarily terminated or who do not give the required notice will not receive any PTO payout. The exception is that PTOs may be paid out during a reduction in force if approved by management.

**PTOs at Employee Death.** The Company will pay out up to 80 hours of PTO at the death of an employee.

**Results Driven Plan.** The eligibility for this plan is Company Vice Presidents and above regardless of tenure with the Company. Employees of this level are given the discretion to determine how they will manage their team and achieve the results expected for the position. Eligible employees should inform their department and Manager when they will be absent, but do not need to submit an absence request, as they do not accrue PTO.

These employees are eligible for Company Holidays, but do not receive a PTO payout at termination from the Company.

## Company Holidays:

The Company observes the following six (6) holidays:

- New Year's Day (January 1st)
- Memorial Day
- Independence Day (July 4th)
- Labor Day
- Thanksgiving Day (last Thursday in November)
- Christmas Day (December 25th)

In order to be eligible for holiday benefits, an employee must actually work the holiday or the last scheduled workday before and the first scheduled workday after the holiday, except where the employee's absence is due to approved PTO. If a holiday falls during an employee's approved PTO period, the employee will be paid for the holiday and will not be charged with a PTO day for the day the holiday is observed. Employees on leave of absence for any reason are ineligible for holiday benefits for holidays that are observed during the period they are on leave of absence. Employees on an inactive status during the Holiday will not be paid for that Holiday.

Full-time employees will receive eight (8) hours of holiday pay for the above holidays to be paid during the workweek the company observes the holiday. Employees scheduled to work a company holiday who call out absent will not be granted the use of holiday time. Failure to work as scheduled may result in corrective action.

Non-exempt employees who work the holiday will receive pay for all hours worked and eight hours of holiday pay. Holiday pay does not count as hours worked towards overtime hours. Holiday hours may only be used for Company approved holidays and may be used when employed for less than six (6) months.

The Company closes the administrative offices and some work sites in observance of company holidays. These offices may close on a Monday (for a Sunday holiday) or Friday (for a Saturday holiday) if the Holiday falls on a weekend. These offices may be closed to the public on dates other than Company holidays at the discretion of the Chief Operating Officer in which case the employee may use PTO or may choose to work in lieu of using PTO.

**Religious Holidays or Other Special Days.** The Company recognizes that some employees may wish to observe certain days as periods of worship or commemoration which are not included in the Company Holidays. Employees may request to take PTO for that day with their managers' approval and if their absence will not result in an undue hardship for the Company. Only the Company Holidays above will be eligible for holiday pay.

**Working on holidays.** During Company Holidays, employees will have eight (8) hours paid. Authorization to work may only be granted by the Administrator/Director and the employee must perform the work on Company property. Non-exempt employees who are approved to work and do work on a Company approved holiday (the six above) will receive pay for the time worked and eight (8) hours of holiday pay.

### **Policy:**

The Company complies with the Americans with Disabilities Act (ADA), as amended by the ADA Amendments Act (ADAAA), and all applicable state and local fair employment practices laws, and is committed to providing equal employment opportunities to qualified individuals with disabilities. Consistent with this commitment, the Company will attempt to provide a reasonable accommodation to qualified disabled applicants and employees if the reasonable accommodation would allow the individual to perform the essential functions of the job, unless doing so would create an undue hardship.

For purposes of this policy, “qualified disabled applicants and employees” include applicants and employees who have a mental or physical impairment that substantially limits one or more major life activities or major bodily functions and who meet the skill, experience, education, and other job-related requirements of a position desired or held and can perform the essential functions of the job, with or without reasonable accommodation. This prohibits consideration of mitigating measures like medication or corrective devices, except eyeglasses and contact lenses, when determining if someone is disabled. This includes episodic impairments or those in remission if, when active, the impairment substantially limits a major life activities as disabilities. Impairments that are considered transitory, lasting six months or less, are the exception of this provision. The Company reserves the right to require medical documentation of a disability.

### **Procedure:**

#### **Requesting a Reasonable Accommodation:**

If an employee believes an accommodation is needed because of a disability, the employee is responsible for requesting a reasonable accommodation from the Human Resources Department. The Company encourages employees to make their request in writing on the Company’s Reasonable Accommodation Request form and include relevant information, such as:

- description of the accommodation being requested
- reason an accommodation is needed
- how the accommodation will help perform the essential functions of the job

After receiving the written request, the Company will attempt to engage in an interactive dialogue with the employee to determine the precise limitations of the employee’s disability and explore potential reasonable accommodations that could overcome those limitations.

The interactive process which may include:

- Asking questions about the nature of the disability and employee or applicant's functional limitations
- Employee should be able to describe the workplace barrier(s)
- Asking the employee or applicant how he or she will perform the essential functions of the job with or without a reasonable accommodation
- The Company may request medical information only to substantiate the employee's disability and the need for an accommodation if the impairment is not readily apparent.
- The Company may consult with the employee or applicant's health care provider regarding possible accommodations with the employee or applicant's permission.

The Company encourages the employee or applicant to suggest specific reasonable accommodations that he or she believes would allow him or her to perform the job. The organization then can work with the employee or applicant to try to provide a reasonable accommodation, taking into consideration the specific condition and the operational requirements of and financial cost and expense to the Company, among other things. Please be aware that although the Company would like to keep employment open for qualified individuals, we will not be able to accommodate an applicant or employee who poses a significant risk to the health or safety of himself or herself or others in the workplace (including people we support and coworkers) if a reasonable accommodation will not eliminate or reduce the risk.

The Company is not required to make the specific accommodation requests made by the employee, and may provide an alternative, effective accommodation, to the extent any reasonable accommodation can be made without imposing an undue hardship on the Company.

## **Medical Information**

If the employee's disability or need for accommodation is not obvious, the Company may ask the employee to provide supporting documents showing that the employee has a disability within the meaning of the ADA and applicable state or local laws, and that the disability necessitates a reasonable accommodation. If the information provided in response to this request is insufficient, the Company may require that the employee see a health care professional of the Company's choosing, at the Company's expense. In those cases, if the employee fails to provide the requested information or see the designated health care professional, the request for a reasonable accommodation may be denied.

The Company will keep confidential any medical information that it obtains in connection with your request for a reasonable accommodation.

## **Determinations:**

The Company makes determinations about reasonable accommodations on a case-by-case basis considering various factors and based on an individualized assessment in each situation.

The Company strives to make determinations on reasonable accommodation requests expeditiously, and will inform the individual once a determination has been made. If the employee has any questions about a reasonable accommodation request they should contact the Human Resources Department.

## **No Retaliation**

Individuals will not be retaliated against for requesting an accommodation in good faith. The Company expressly prohibits any form of corrective action, reprisal, intimidation or retaliation against any individual for requesting an accommodation in good faith.

The Company is committed to enforcing this policy and prohibiting retaliation against employees and applicants who request an accommodation in good faith. However, the effectiveness of our efforts depends largely on individuals telling us about inappropriate workplace conduct. If employees or applicants feel that they or someone else may have been subjected to conduct that violates this policy, they should report it immediately to the Human Resources Department. If employees do not report retaliatory conduct, the Company may not become aware of a possible violation of this policy and may not be able to take appropriate corrective action.



## 600 PERSONAL APPEARANCE

### **Policy:**

The Company strives to maintain a workplace environment that is well functioning and free from unnecessary distractions. As part of that effort, the Company expects employees to maintain a professional, business-like appearance at all times in order to convey an image of excellence in the Company's quality of services to individuals, families and visitors. Employees must be neat, well-groomed and wear clothing and accessories appropriate for the work site or job activity.

### **Procedure:**

In order to comply with state and federal safety laws and regulations, the Company has created guidelines for and defined several categories of dress including identifications, business attire, casual attire, uniforms, grooming, and what constitutes unacceptable dress.

Managers are responsible for addressing personal appearance concerns. An employee's failure to observe the guidelines may result in being sent home. Repeated failures will likely result in corrective action.

### **Identification:**

Employees may be required to wear name badges or other types of identification/appearance appropriate for the business or work site.

### **Business Casual or Professional Business Attire:**

Administrative employees must wear business casual or professional, business attire when meeting with outside customers, vendors or otherwise required. Business casual or professional attire is defined as neat, professional clothing and footwear and generally no jeans. Business casual or professional business attire includes suits, dresses, slacks, pants, skirts, sweaters, and shirts.

### **Casual Attire:**

The Company may allow administrative employees to dress casually from time to time. On such occasions, employees should present a neat appearance and follow the guidelines on grooming and unacceptable dress listed below. For uniformity in dress code across our administrative offices neat, casual attire, including jeans, can be worn on the days employees are not interacting with outside customers or vendors.



## Uniforms:

Employees required to wear uniforms must not alter them in any way. Uniforms must be kept clean, pressed and free from stains. Departments that have adopted uniform codes must maintain a description of acceptable uniform styles.

## Grooming:

Employees must be well groomed and clean. Hair must be clean, arranged neatly and must not interfere with assigned duties. Hairstyles and colors should not be so extreme to be distracting. Facial hair shall be neat and well-groomed.

## Unacceptable Dress:

Below is a list of guidelines of acceptable and unacceptable attire. It should be noted that the listing is not all inclusive and the Company reserves the right to make a final determination as to whether clothing is inappropriate, provocative, suggestive, distracting or disruptive to the work environment.

### Acceptable Attire:

- Clothing that is well-fitting
- Clothing that is clean, neat and in good condition
- Not revealing, provocative or suggestive
- Appropriate for the work event and foster a safe environment
- Sports team, university, entertainment and fashion brand names on clothing are generally acceptable.
- Clothing that has the Company name or logo.
- Shoes designed to protect the feet from injury and minimize slips and falls. Athletic shoes or rubber soled shoes are preferred.

### Unacceptable Attire:

- **Suggestive clothing:** shirts that do not cover midriffs, halter tops, mini-skirts, sheer or see-through clothing, low-cut necklines, tube or tank tops, strapless sundresses, spandex clothing, short shorts (less than 3 inch inseam), inappropriate undergarments, pants that are tight, sagging or low cut, and overalls that are not buckled.
- **Casual clothing:** clothing that is ripped, disheveled or dirty. Tee-shirts with potentially offensive words, terms, logos, pictures or cartoons or that advertise or endorse inappropriate products, entertainment or services. . Clothing that is obscene, suggestive, demeaning, or advocates the use of violence, alcohol, tobacco, or drugs.
- **Headgear:** hats, handkerchiefs, hair nets and skull caps or bandanas – unless required by job duties, and/or otherwise approved by the Administrator/Director. Dark sunglasses may not be worn indoors without a doctor's prescription. Head

coverings worn for religious purposes or health reasons will be permitted if they do not interfere with carrying out the employees' duties safely.

- **Footwear:** flip-flops, slippers, sandals/open toe/backless footwear (where business necessitates), and footwear with heels in excess of two (2) inches.
- **Jewelry:** excessive jewelry, large or dangling jewelry, gaged piercings or body piercing that may be a safety hazard. Employees with direct access to patients should keep rings, necklaces and bracelets to a minimum. Nose rings, eyebrow rings and tongue / lip rings are prohibited if it presents a workplace issue.
- **Wireless devices:** headsets, watches, fitness applications if they interfere with providing services
- **Personal grooming:** dirty/greasy hair, wet hair, excessive make-up, perfume, powder or aftershave. Fingernails/acrylic nails should be kept short, cropped and be properly manicured (1/4" above the tip of the finger) without extreme colors of nail polish. Nail jewels are not permitted if deemed could prevent injury.
- **Tattoos:** with inappropriate content should be covered if possible so they are not visible during service.

Employees that are required to swim with the people we support must wear tasteful, non-revealing swimsuits. One piece swimsuits, two piece swim suits/swim shirts that cover midriff should be worn.

Employees that are required to accompany the people we support to church services must wear tasteful clothing that is neat and clean and typical of the attendees of that church.

Where staff work at external facilities or programs that have their own dress code (e.g. public schools), staff must meet the minimum requirements of that facility's or program's dress code as well as our Company dress code.

### **Failure to comply:**

Managers are responsible for assuring that employees are dressed appropriately for the work site. Employees dressed inappropriately should be sent home to change, will not be paid for their absence, and may be subject to corrective action.



## 605 CONFIDENTIALITY

### **Policy:**

The Company expects employees to protect the confidentiality of internal business affairs of the organization, the people we support, the Company's processes, products and services and particularly copyrighted materials, trade secrets, protected health information and financial performance information.

### **Procedure:**

#### **Confidentiality in general:**

Employees should discuss confidential information with other Company employees generally on a "need to know" basis.

The health and safety of the people we support is the mission of our Company. Normally, to conduct proper investigation, confidentiality must be maintained. In some circumstances, employees interviewed as part of such an investigation will be expected to sign the Statement of Integrity and Confidentiality. Unless otherwise authorized, all employees will be responsible for treating information relating to such an investigation as confidential.

Employees may also have access to confidential information in other contexts. In some cases, the Company may provide specific instructions for distributing spreadsheets and other highly confidential information over electronic sources.

Employees are prohibited from attempting to obtain confidential information for which they have not received authorization. Violation of this policy is subject to corrective action, up to and including termination, and may be subject to legal action.

The Chief Compliance and Privacy Officer is responsible for coordinating the security and control of Company information and for approving any exceptions to this policy. Managers are responsible for identifying confidential information and should work with the Administrator/Director to develop procedures to secure and control the information. Once information has been designated as confidential, it should be clearly identified as such and properly secured.

#### **Media Inquiries:**

All media inquiries should be referred to the Administrator/Director. Press releases, publications, speeches, or other official declarations must be approved by the Chief Executive Officer, President, Chief Operating Officer, Chief Compliance and Privacy Officer, Chief Financial Officer or Designee in advance.

Employees may not use material, inside information for personal profit.

## **HIPAA:**

The Company respects and protects employee privacy and complies with the Health Insurance Portability and Account Act of 1996 (HIPAA) and its amendments. For additional information on HIPAA, please contact the Human Resource Department.

If employees have questions concerning the confidential nature of specific information, or seek authorization to release information to an individual or organization, please contact the Administrator/Director.

## **Hardship Situations:**

Occasionally, employees or other close associates experience a hardship. It is often difficult to balance the desire to help the person, but keep the situation confidential. In these situations, the Administrator/Director should approve communications to ensure compliance with the solicitation and confidentiality policies. Normally, if approved by the company, an avenue for a collection is set up for those who express interest. Personal information (health, financial, personal, address, etc.) will be kept confidential unless consent is obtained from the person who is the subject of the hardship to include certain personal information. When the Administrator/Director makes a business decision to support a particular event, the communication piece should contain the following line "Approved by Management – list name". The Human Resources department and Employee Assistance Program are excellent resources to contact prior to distributing anything for these types of situations.

## 610 CONFLICT OF INTEREST

### Policy:

The Company prohibits employees from engaging in any activity, practice, or action that conflicts with, or appears to conflict with, the Company's interests, goals and philosophies. Any conflict of interest, or potential conflict of interest, must be reported to the Company. Failure to report conflicts will result in corrective action, up to and including termination.

### Procedure:

Questions about potential conflicts of interest should be reported to the Administrator/Director, Human Resources or the Chief Compliance and Privacy Officer.

Employees must disclose existing relationships that might create a conflict of interest and should obtain pre-approval from the Administrator/Director for potential conflicts. Employees who have a conflict of interest may be required to sign a statement acknowledging the conflict and their understanding and adherence to the policy.

Employees who become aware of information that might negatively affect the Company should contact their manager. The Company prohibits employees from disclosing or misusing material or inside information.

Employees are prohibited from acting as advisors or consultants to other organizations without pre-approval unless the activity is conducted on the Company's behalf.

Employees having financial interests in the Company's competitors are required to disclose those interests. The Company reserves the right to require divestiture of those interests in extreme situations.

Employees receiving party or business invitations from the people we support, families or guardians, or from Company's suppliers, must obtain approval from the Administrator/Director before attending the function.

### Outside Employment

The Company allows employees to engage in outside employment subject to certain restrictions. However, outside employment should not compete, conflict with or compromise the Company's interests or adversely affect employee job performance.

Outside employment will not be considered an excuse for poor job performance, absenteeism, tardiness, leaving early, refusal to travel, missing house meetings and/or required training, or refusal to work overtime or different hours. An employee who is on a leave of absence is not allowed to continue working his or her outside employment absent advance permission from \_\_\_\_\_.

Notice. All employees, including part-time employees, should notify their manager before any outside employment or other work activity is undertaken.

**Requests.** Employee requests for permission to engage in outside employment, including self-employment, should be submitted in writing to the employee's Administrator/Director via their manager. The request should state any pertinent information about the outside employer, the nature of the job and the hours of the employment. The manager should then forward the request to the Administrator/Director, recommending either approval or disapproval. The Administrator/Director's decision will be final.

## 615 GIFTS AND GRATUITIES

### **Policy:**

The Company discourages employees from accepting gifts or gratuities from the people we support, families, friends, the legally responsible person or any other person conducting business with the Company.

### **Procedure:**

Gifts and gratuities include, but are not limited to, tips, cash, cash equivalents, gift certificates, payments, gifts, lavish entertainment, free long-distance travel, lodging or favors from the people we support, family members, visitors, vendors, or any other person conducting business with the Company.

Incidental gifts from the people we support, family members, vendors or visitors must be consumable or shared with all employees or with a group of employees. Incidental gifts received from vendors cannot exceed fifty dollars (\$50) in value. Any gifts over that amount will be raffled at employee functions, holiday parties, service awards programs, etc.

Perishable or consumable gifts given to a department or group are not subject to specific dollar amount limitations.

Employees may not accept referral fees, bribes or kickbacks from vendors or other employees.

Employees may not borrow money, or anything of value, from the people we support, family members, other employees, the Company or visitors.

Employees found coercing, intimidating, or seeking to unduly influence a person we support, their family, other employees or any person or company seeking to do business with the Company will be subject to corrective action, up to and including termination.

Employees should direct any inquiries regarding gifts and gratuities to the Administrator/ Director.





### Policy:

The Company is committed to creating and maintaining a safe and secure environment free of harassment, threats, intimidation and violence. The Company will not tolerate violence, threats of violence, or harassing behavior of any kind. Employees who engage in workplace violence are subject to corrective action, up to and including termination, arrest and prosecution.

### Procedure:

All employees, and applicants for employment, must sign a form acknowledging that they have received, reviewed and understand the Company's policy on workplace violence.

The Company defines violent behavior as:

- Physically harming or threatening to harm employees, vendors, visitors, the people we support, or their families, friends, associates or their property.
- Possessing weapons of any kind on the premises of the Company, including any and all buildings and grounds. Employees who bring weapons onto the premises will be subject to corrective action, up to and including termination. Please see Theft, Personal Property, Inspection, and Right to Search policy for information regarding weapons in vehicles.
- Exhibiting loud, angry, or disruptive behavior.
- Acting with an intentional disregard for the physical safety and well-being of others.
- Destroying, or the threatening to destroy, Company property.
- Stalking another person.
- Harassing or threatening another person in any way, including telephone calls, threatening letters or other forms of written, verbal or electronic communication.
- Committing a crime on Company property.
- Any other conduct that a reasonable person would perceive as violent or threatening behavior.
- Not making the Administrator/Director aware of the potential for harm that could cause a threat to the welfare and safety of others.
- Inappropriately confining or restricting victims or people we support.

- A substantial communicated or suggested intent to harm or endanger the safety of employees, people we support, vendors, etc.
- Violating restraining orders.

**Reporting Threatening or Violent Behavior.** Employees who are subjected to, witness or have knowledge of past or future threatening or violent behavior of any kind must immediately report it to the Administrator/Director or someone in authority or by using the Company's Help line. The Company will treat all reports with confidentiality to the extent possible and will not retaliate against employees who report the information.

Employees should always contact proper law enforcement authorities, without any need to first inform the Administrator/Director, if they feel there is a safety threat.

**Domestic Violence.** The Company is committed to providing resources and support for employees and management responding to employees' domestic violence concerns in order to create a safe, productive workplace. To enable employees to seek assistance for domestic violence needs, we encourage management to respond to employees who are victims of domestic violence in an open-minded manner.

Employees with Orders of Protection or Restraining Orders that reference the worksite of an employee must provide the Administrator/Director a copy of that order. In response to possible threats, the Administrator/Director will contact Human Resources to assess the threat, and work to implement a safety response to such threat. This plan will take into consideration the needs and rights of targeted employee and others in the worksite, maintaining confidentiality when to do so does not interfere with safety needs.

Respecting the employees' needs for confidentiality and self-determination whenever possible, the Company reserves the right to disclose limited information and take action when it is clearly necessary to protect the safety of our clients and employees.

When an employee's spouse or significant other states an intent to harm the employee at the worksite, or while engaged in work activities, there is a threat to the workplace. If an employee reports a situation where they have been threatened by a family member or domestic partner, please the following principles may be applied:

- Ask about and assess facts that are relevant to any workplace threat. Do not ask personal questions about the nature of the relationship.
- Keep information the victim provides confidential whenever possible, only sharing specific facts with those in the need to know circle.
- Do not advise the employee about personal safety issues or what to do about the relationship. Such advice may actually increase the risk to the victim.
- Obtain a copy of Order of Protection or a Restraining Order. Encourage employees to include the workplace on orders. Investigate obtaining a restraining order against the perpetrator in the Company's name if threats to the workplace have already been made.
- Assess the route of access to the employee and, if possible, position his or her work area away from doors, windows, lobbies or parking lots.

- Ask the employee for a picture of the perpetrator and picture of his or her car and license number. With the employee's permission, give this information to security personnel or reception staff.
- Consider relocating the employee to a different work area, location or shift until the direct threat has passed.
- If the employee is eligible for Personal Leave of Absence or Emergency Leave and requests such, please follow the personal leave policy.
- Save any threatening phone, email or voicemail messages in case legal action is needed in the future.
- With the employee's input, have the his or her calls screened, transfer harassing calls to the Administrator/Director, and remove the employee's name and telephone number from any published or automated phone directories.
- Give the employee our Employee Assistance Program information.



## 625 SUBSTANCE ABUSE

The Company is committed to maintaining a safe, pleasant, and productive working environment. Employees have the right to come to work without fear of interacting with someone under the influence of drugs or alcohol. The Company does not tolerate the abuse of drugs or alcohol in the workplace, and prohibits illegal drug use on or off the job. Employees that need help can be directed to our Employee Assistance Program (EAP) for a confidential evaluation and referral for substance abuse treatment if necessary.

### **Who We Test:**

All current employees and all final applicants.

### **Testing Procedure:**

Drug and alcohol testing is done through chemical, biological or physical instrumental analysis which determines without question if a person has drugs or alcohol in his or her system. Specimens subject to testing include urine, breath, hair, oral fluids, or blood. The drugs tested for may include all or some of the following: (1) Amphetamines (including Ecstasy); (2) Cannabinoids; (3) Cocaine; (4) Phencyclidine (PCP); (5) Opiates, designer drugs, or a metabolite of any of the above substances and mind altering synthetic narcotics or designer drugs, or impairing effect medications or substances. The term "illegal use of drugs" includes any controlled or scheduled drug not used in accordance with a health care provider's lawful prescription for the user, or any substances banned by Federal or applicable State laws. The quick test method via saliva swab is used for pre-employment testing. If the quick test is positive, or if the test is random, post-accident or for cause, a saliva sample is sent to the lab to be tested more extensively.

### **Positive Test Results:**

Any employee who tests positive, or refuses to be tested, may be subject to appropriate corrective action, up to and including immediate termination. Any applicant who tests positive may have their offer withdrawn or may be required, if hired, to enter in to a Last Chance Assistance Agreement at the Company's sole discretion. If an applicant refuses to be tested then their offer will be withdrawn. The Company will provide the employee written notice of a positive test result. The Company utilizes the services of a Medical Review Officer who will contact the employee to give them an opportunity to discuss the results before reporting them to the Company as a verified positive.

### **Corrective Action and Reporting Procedures:**

The Company may suspend employees without pay under this policy pending the results of a drug test or investigation. Employees who violate the Company's Substance Abuse policy will usually be terminated but in some instances may be offered a Last Chance Assistance Agreement at the sole discretion of the Company.

## Adulterants:

The use of an adulterant (something added to a specimen to attempt to hide drug use) is considered a refusal to test and a violation of the Policy. The same would be true if an employee or applicant attempted to substitute a specimen. Any employee or applicant who is found to have violated this Policy by attempting to defraud a drug or alcohol test may be subject to appropriate corrective action, up to and including termination, or withdrawal of a conditional job offer.

## Refusal to Test:

A refusal to provide a specimen for testing, unless the MRO agrees a medically valid reason exists for the inability, will cause an applicant's offer to be withdrawn and will subject an employee to immediate termination for cause.

## Drug Educational Information:

Drug educational information is available through Human Resources to assist in recognizing the impairing effects of drug use. The Company will provide substance abuse education and awareness and supervisor instructions on how to recognize signs of abuse, how to document and collaborate signs, and how to refer substance abusing employees to the EAP.

## Employees Seeking Treatment:

Employees who admit to a drug/alcohol problem prior to being tested should be referred immediately to the Employee Assistance Program (EAP) for a referral to a qualified treatment or rehabilitation program (at their own expense). Employees who admit to such a problem prior to testing positive may be offered a Last Chance Assistance Agreement.

Employees seeking inpatient treatment may be offered a leave of absence as appropriate. Employees returning from a qualified treatment or rehabilitation program will be tested as the Company deems necessary for a period of up to twenty-four (24) months. If the employee tests positive during this period, the Company will take appropriate corrective action, up to and including termination. Voluntary participation in an alcohol or drug rehabilitation program will not prevent corrective action for violation of this substance abuse policy, for being unable to perform job duties, or for being unable to perform job duties in a manner that does not endanger the employee's health and safety or the health and safety of others.

## Why and When the Company Tests for Substances:

- **Pre-employment:** Drug testing will be performed on all final applicants. A confirmed positive or refusal will result in the withdrawal of a job offer.
- **Routine Fitness for Duty:** Employees may be required to submit to a drug test as part of a Routine Fitness for Duty examination. Employees may be tested upon transfer, return to duty, reassignment or promotion.

- **Reasonable Suspicion:** Employees may be required to submit to a drug and/or alcohol test if reasonable suspicion exists indicating that the employee is under the influence of illegal drugs or alcohol, or exhibits behavior reflecting abuse. Reasonable suspicion means a basis for forming a belief based on specific, objective and articulable facts and rational inferences drawn from those facts and can be provided to the employee confidentially upon request. Note: Human Resources must be consulted before testing employees for reasonable suspicion.

Some instances of reasonable suspicion may include the following (although this list is not exhaustive):

- Direct observation of an individual engaged in a drug or alcohol related activity
  - Documented missing medications
  - Patterns of abnormal, unusual, irrational, or erratic behavior
  - Patterns of unexplained, increased, or excessive absenteeism or tardiness
  - Sudden changes in work performance
  - Repeated failure to follow instructions or operating procedures
  - Violating Company safety policies or failing to follow safe work practices
  - Unexplained or excessive negligence or carelessness
  - Discovering the presence of drugs or alcohol in an employee's possession or near no employee's workplace
  - Odor or residual odor peculiar to drugs or alcohol
  - Arrest or conviction of a drug or alcohol related crime
  - Information provided by reliable or credible sources or independently corroborated
  - Evidence that an employee has tampered with current or prior drug or alcohol tests
  - Exhibiting common characteristics associated with impaired behavior including, but not limited to, staggered walk, dilated pupils, slurred speech, confusion, sudden aggressiveness, unusual drowsiness, fainting and sudden unconsciousness. Observations will not be considered a basis for testing unless observed by a supervisor or member of the management team.
- **Post-Accident:** Screening for illegal substances may occur whenever an employee has an incident or injury at work when it appears that there was a reasonable possibility drug or alcohol use could have caused or contributed to the accident. The Director of Safety and Workers Compensation or designee must approve any decision to perform a test.
- **Random:** The Company reserves the right to randomly test all employees for drug use. Testing is unannounced and conducted using a neutral selection process. Employees chosen for random drug tests must report to the testing site on the date of notification regardless of their shift or work location. Employees on suspension, on a day off or out of work under Leave of Absence or Workers' Compensation will not be tested that month and will be included during the next random testing period. If the employee is scheduled but not working the employee will be tested their next working day.



- **Follow-up:** An employee who has voluntarily requested rehabilitation prior to a positive drug test may be subject to unannounced drug and/or alcohol testing to determine whether he or she is under the influence of alcohol or drugs after successful completion of the rehabilitation program. The testing will be without notice at least once a year and may continue for at least twenty-four (24) months from the return-to-work date. Last Chance Assistance Agreement following a positive drug/alcohol test when an employee is called for testing is within the sole discretion of the Company and based upon a number of factors.
- **Rehire:** Employees terminated for drug or alcohol use who seek re-hire must submit to drug or alcohol tests regardless of whether the position requires it.

## **POLICY PROHIBITIONS**

Employees and applicants are strictly prohibited from engaging in the following conduct:

- Testing positive in a confirmed drug or alcohol test, or refusing to be tested.
- Bringing and/or storing (including in a desk, locker, automobile, or other repository) illegal drugs or drug paraphernalia or alcohol on Company premises or property, including Company-owned or leased vehicles, or vehicles used for Company purposes.
- Having possession of, being under the influence of, testing positive for illegal drugs or alcohol
- Using, consuming, transporting, distributing or attempting to distribute, manufacturing, selling, or dispensing illegal drugs.
- A conviction or plea of guilty relative to any criminal drug offense. All employees must notify Company in writing of any criminal drug conviction no later than five calendar days after such conviction.
- Abuse of prescription drugs which includes exceeding the recommended prescribed dosage or using others' prescribed medications. Such prescriptions brought to work should remain in the original labeled container and show both the prescribing doctor's name and the prescription's expiration date.
- Switching, tampering with, diluting, or adulterating any specimen or sample collected under this Policy, or attempting to do so.
- Refusing to cooperate with the terms of this Policy which includes submitting to questioning, testing, medical or physical tests or examinations, when requested or conducted by Company or its designee.

### **Criminal Arrests or Convictions:**

Applicants and employees must notify Human Resources of any criminal alcohol or drug arrests or convictions for a violation which occurred on or off Company premises. The

employee must notify their Manager of the facts and circumstances of the arrest, and the Manager should consult with Human Resources to determine the appropriate plan of action. The employee must give the Company written notice of the arrest or conviction within five (5) days of the arrest or conviction. For purposes of this policy, conviction includes a conviction by any court of law, a plea of No Contest (Nolo Contendere) or similar plea, a "Prayer for Judgment" or similar agreement, or an admission to the charge or to a lesser charge as part of a plea bargain. The disposition of the charge is not the essential factor, it is the behavior the charge reflects that is of consequence and prohibited.

## **SUBSTANCE ABUSE PROFESSIONALS**

### **NATIONAL RESOURCES**

A2Z Alcohol & Drug Abuse-Addiction . . . . .	1-800-274-2042
Al-Anon/Alateen Family Group Headquarters . . . . .	1-800-356-9996
Alcoholics Anonymous World Service. . . . .	1-212-870-3400
American Council on Alcoholism Helpline . . . . .	1-800-527-5344
800 Cocaine--An Information and Referral Hotline . . . . .	1-800-262-2463
Nar-Anon Family Group Headquarters . . . . .	1-310-547-5800
Narcotics Anonymous . . . . .	1-818-773-9999
<b>National Council on Alcoholism and Drug Dependency Helpline. . .</b>	<b>1-800-622-2255</b>

### **STATE RESOURCES**

State Resources are often available and can be determined when connecting with the EAP.

### **Employee Assistance Program (EAP)**

Please refer to EAP policy in this manual.



## 630 USE OF COMMUNICATION SYSTEMS AND MOBILE DEVICES

### **Policy:**

The purpose of this policy is to ensure that use of Company-owned mobile devices, personal mobile devices and the Company's communications systems by employees is consistent with Company policies and the law. It addresses employee's use of communications systems including e-mail, Internet, social media, electronic signatures, Company hardware and software and use of Company-owned and personal mobile devices. Employees who witness violations of this policy should contact management immediately. Employees who violate this policy are subject to corrective action, up to and including termination.

### **Definitions:**

The term "communication systems" includes, but is not limited to, written communications, faxing, telephone usage, text messaging, Internet usage, e-mail, voice mail, instant messaging, web cameras, social media sites, tweeting, blogs, music devices, mp3 players, cameras, video and computer hardware and software.

The term "mobile devices" includes, but is not limited to, cellular phones, smartphones, mp3 players, tablets watches, tracking devices and any other mobile communications device.

### **Written Communications:**

The Company's letterhead, facsimiles, business cards, mail and e-mail systems, Internet sites, social networking sites, professional networking sites and blogs should be used by employees during their working time for business purposes only. Employees should not use the Company's address to receive personal mail unless otherwise approved by their Administrator/Director.

### **Telephone Systems:**

Employees are prohibited from making long distance personal calls on Company phones or phones belonging to people we support. In the event of any personal long distance calls that result in long distance charges to the Company, the employee incurring the charges must reimburse the Company for the long distance charges.

### **Internet Usage:**

The Company recognizes that the Internet can be a tool that is useful for both professional and personal purposes. Incidental and occasional personal use of the Internet during working time is permitted as long as such usage does not interfere with the employee's job performance or the functioning of Company Internet, e-mail, Wi-Fi

or other systems. Employees accessing the Internet through the Company's network, whether for professional or personal use, shall not engage in the following prohibited activities:

- Accessing unacceptable content as defined below\* that may be considered to be a violation of the Company policy prohibiting discrimination and/or harassment.  
*\* Examples of unacceptable content include, but are not limited to, sexual comments or images, racial slurs, gender specific comments, or other comments or images that could reasonably offend on the basis of race, age, sex, religious beliefs, national origin, disability, sexual orientation, or any other legally protected class.*
- Sending or posting discriminatory, harassing, or threatening messages or images that violate Company policy
- Using working time and resources for personal gain
- Stealing, using, or disclosing another's password without authorization
- Copying, pirating, or unlawfully downloading software or electronic files without permission
- Sending or posting the Company's confidential proprietary commercial information, trade secrets, or confidential proprietary information outside the organization of people or entities served by the Company
- Violating copyright and other laws
- Failing to observe licensing agreements
- Engaging in unauthorized transactions that may incur a cost to the Company
- Participating in the viewing or exchange of pornographic or obscene materials
- Sending or posting messages that unlawfully defame or slander others
- Breaking into, or attempting to break into, any computer system
- Refusing to cooperate with any security investigation in violation of Company policy
- Playing or downloading games
- Streaming media (music or video) during working time or in a way that impairs the functioning of the Company's Internet, Wi-Fi, email, or other systems
- Endorsing Company products, services or speaking on behalf of the Company without prior approval by the Company President or CEO
- Discouraging employees for employment opportunities within the Company
- Sending or posting on any website or social media site photographs, videos or audio recordings of a person that the Company provides services to and supports without their prior express written authorization, using one of the Company's approved authorization forms, as such sending or posting could implicate privacy interests

The Company reserves the right to monitor Internet usage.

Managers have an obligation to report and investigate when things are said by employees on social networking sites that raise a flag about possible workplace harassment or other workplace discrimination in violation of Company policy.

## Electronic Mail (e-mail):

Employees may not electronically retrieve or access e-mail on the Company e-mail system that is not addressed to them unless authorized. Personal use of the Company e-mail system is permitted during non-working time as long as it does not interfere with the functioning of the Company's Internet, Wi-Fi, e-mail, and other systems.

The Company prohibits distribution and solicitation during working time. This includes the following:

- Distribution of copyrighted materials in violation of copyright law (without prior management approval for Company-owned materials)
- Advertising items for sale
- Chain-letter type messages
- Solicitations
- Religious or political messages
- Messages containing unacceptable content as defined below\* that may be considered to be a violation of the Company policy prohibiting discrimination and harassment  
*\*Examples of unacceptable content include, but are not limited to, sexual comments or images, racial slurs, gender specific comments, or other comments or images that could reasonably offend on the basis of race, age, sex, religious beliefs, national origin, disability, sexual orientation, or any other protected class.*

All e-mail messages on the Company e-mail system become Company property, and the Company reserves the right to review and monitor all such e-mail communications.

All e-mail messages, whether sent from a Company computer, personal computer or any mobile device, that contain information that is confidential personal information, a trade secret, or proprietary commercial information of the Company must be encrypted using the appropriate encryption process established by the Company.

## Computer Hardware and Software:

The Company's Information Systems Department is responsible for setting hardware and software standards for the Company.

Unauthorized hardware or software on Company computers is strictly prohibited. This includes, but is not limited to, shareware, screensavers and unlicensed programs.

Duplication of existing Company software for any reason is strictly prohibited.

Company hardware and software cannot be removed from Company premises without prior authorization.

Requests for hardware and software should be sent to the Administrator/Director, or other corporate official, in writing and are subject to budgetary availability. The Company complies with all legal licensing guidelines when obtaining hardware and software.

## **Electronic Signatures:**

The Company allows the utilization of electronic authentication as a means of electronically affixing an employee's signature to his/her training or service related documentation. For additional information regarding electronic signatures, refer to the Company's Employee Electronic Signature policy.

## **Social Media and Networking:**

Social media includes all means of communicating or posting information or content of any sort on the Internet, including to employee's own or someone else's web log or blog, journal or diary, personal web site, social networking website, professional networking website, affinity website, web bulletin board or a chat room, whether or not associated or affiliated with the Company, as well as any other form of electronic communication. Health care professionals should refrain from giving health care advice through social media or blogs, and should follow the guidelines issued from their professional board.

Employees are solely responsible for what they post online. Employee shall not use their Company e-mail address to register on social networks, blogs or other online forums utilized for personal use.

All Company rules, guidelines and policies rules and guidelines of the Company apply to an employee's social media activities, including but not limited to the Company's Confidentiality Policy, Equal Employment Opportunity Policy, and RHA's Code of Conduct. Postings that include discriminatory remarks, harassment, and threats of violence or unlawful conduct in violation of Company policies will not be tolerated and may subject employee to corrective actions up to and including termination. Additionally, online conduct in violation of law or licensing organization rules by licensed professionals may result in disciplinary sanctions by professional licensure board, i.e. the Board of Nursing.

### **● On-line Identification**

Only those officially designated by the Company are authorized to speak on the Company's behalf on social media sites. An employee must never represent that he/she is a spokesperson for the Company. If the Company is a subject of the content that the employee is creating, the employee may want to be clear and open about the fact that the employee's views do not represent those of the Company, fellow associates, customers, clients or people working on behalf of the Company. A disclaimer can be used when publishing on-line content about the Company, such as: "The postings on this site are my own and do not represent the positions, strategies, or opinions of the Company."

### **● Publishing Online Content**

When publishing online content to any social media site, employees should always avoid unlawful and malicious comments about, and communications in violation of Company policy to, fellow associates, customers, clients or people who work on behalf of the Company. Employees should avoid personal attacks, online disputes, and

hostile communications that are unlawful or violate Company policy. If an employee chooses to post complaints or criticism, the employee should avoid using statements, photographs, video or audio that reasonably could be viewed as unlawfully malicious, obscene, threatening, intimidating, and that disparage customers or clients, or that might constitute unlawful harassment, discrimination, or bullying in violation of Company policy. Examples of such conduct might include unlawfully tortious offensive posts meant to intentionally harm someone's reputation or posts that could contribute to a hostile work environment on the basis of race, sex, disability, religion or any other status protected by law in violation of Company policy.

Employees generally should make sure that they are not knowingly dishonest or malicious when posting information or news, and if a mistake is made it is generally a good practice to assure that it is corrected quickly. Employees should never post any information rumors that they know to be false about the Company, fellow associates, customers, people working on the Company's behalf, or competitors.

- **Protecting Confidential, Proprietary and Personal Health Information**

The Company's Confidentiality Policy applies to all online social media conduct. Employees must maintain the confidentiality of the Company's confidential proprietary commercial information, including any trade secrets, confidential financial and marketing information, and confidential business plans or business prospects. Employees must not post confidential proprietary commercial information, such as internal marketing reports and other internal business-related confidential communications of value to competitors. Employees must maintain the confidentiality of the identity and personal health information, as defined by the Health Insurance Portability and Accountability Act of 1996, as revised ("HIPPA"), of the individuals to which the Company provides services.

### **Using Mobile Devices for Business Purposes:**

Certain employees may be issued a Company owned mobile device or be provided a mobile device stipend to use their own personal mobile device for business purposes. Other employees may request to use their own personal mobile device(s) for Company purposes and may not receive a stipend. An employee using a Company issued mobile device or using their own personal mobile device, with or without a stipend, may only access the Company's network or Company e-mail exchange server through a mobile device upon approval of an Administrator/Director and upon signing the appropriate waiver and acknowledgment.

Employees receiving a Company issued mobile device, a mobile device stipend, or who otherwise has been approved to use his/her personally owned mobile device for business purposes is required to provide his/her mobile device number to IT and must notify IT within five (5) days if their mobile device number changes. Employees receiving a Company issued mobile device will be responsible for overage costs related to excessive data, voice and text usage unrelated to business purposes. An employee using his/her personally owned mobile device for business purposes is solely responsible for paying



the mobile device bill along with all applicable taxes, penalties, and fees, acquiring his/her own mobile device, replacing the batteries, maintaining the device and replacing his/her personal mobile device if it is stolen, lost, or damaged.

All mobile devices used for business purposes must be password protected at all times. If an employee's mobile device has been damaged, lost or stolen, the employee must notify the IT department immediately. Any lost or stolen device issued by the Company generally will be remotely wiped, restoring it to factory settings and removing all data, both business and personal from the device.

Employees receiving a mobile device stipend may choose a provider and plan of their own choice and must purchase a device that is compatible with the Company's e-mail exchange server. If prior to the end of the mobile device contract, a decision by the employee, or employee misconduct, or misuse of the device, results in the mobile device stipend being discontinued, or the need to end or change the mobile device contract, the employee will bear the costs of all fees associated with that change or cancellation. If an employee resigns or is terminated, and no longer wants to retain the current mobile device contract for personal purposes, any cancellation charges will be the employee's responsibility.

Upon separation from employment, an employee must return any Company issued mobile device or present any personally-owned mobile device that is connected to the Company's exchange server to Human Resources during employee's exit interview during which time the mobile device will be disconnected from the Company's exchange server and all Company e-mails or other Company data generally will be deleted from the mobile device. If employee fails to present his/her mobile device to the Company prior to the end of his/her employment, the Company may activate a remote security wipe of the phone, restoring it to factory settings and deleting all data. Failure to return a Company issued mobile device to the Company or to present any personally owned mobile device to the Company upon termination may result in a delay in receiving employee's final paycheck.

### **Using Mobile Devices in the Workplace:**

While in the workplace during the employee's working time, employees are expected to focus on work and should not excessively engage in personal use any personal mobile device in the workplace, including but not limited to: engaging in excessive personal conversations, excessively checking personal e-mail, excessively sending or receiving text messages, playing games, listening to audio, watching video content, surfing the Internet and/or visiting social media sites. Personal mobile devices should be stored in the employee's desk drawer, briefcase, backpack, purse or vehicle during working time. Use of personal mobile devices should be limited to non-working time. Employees shall not access the Company's Wi-Fi network at any Company facility from their personal mobile device unless specifically authorized.

Non-exempt employees are not expected to use and are discouraged from using their mobile devices for business purposes outside of hours worked/business hours, unless

otherwise directed by his/her manager. To the extent that an such an employee must use a mobile device for business purposes outside of business hours, the employee must record such time as working time on his/her timesheet.

Employees are required to encrypt all e-mails sent out of the Company's network that need to be confidential by using the appropriate encryption process established by the Company. Employees are prohibited from texting any Personal Health Information, as defined by the Health Insurance Portability and Accountability Act of 1996, as revised ("HIPPA"), of clients serviced by the Company.

Employees may not take photographs, videos or audio recordings of a person that the Company supports and provides services to, at any time, without their prior express written authorization, using one of the Company's approved authorization forms, as privacy interests may be implicated. Employees are prohibited from e-mailing, texting or posting on any website or social media site any photographs, videos or audio recordings of any person that the Company supports and provides services to, without their prior express written authorization, using one of the Company's approved authorization forms, as privacy interests may be implicated.

### **Using Mobile Devices While Traveling By Vehicle:**

RHA is committed to promoting highway safety by encouraging the safe use of electronic devices by its employees while they are in route traveling by vehicle on Company business. Traveling on Company business includes driving from one RHA location to another, transporting individuals we support, driving to and from any Company business function and anytime you are in the course of employment whether driving an RHA Company vehicle or your personal vehicle. While RHA recognizes that there is often a business need to use mobile devices, safety must be the first priority.

Employees cannot use a mobile device when they are driving while transporting any individual the Company supports. Drivers who need to make a call or send a text message must pull over to a safe location before using any electronic communication device. If an employee needs to make a phone call while driving, the individual should find a proper parking space first. Stopping on the side of the road is not acceptable. The only exception is for genuine emergencies such as an accident or a car breakdown. Employees with hands-free telephones may make brief phone calls while driving only if they are not transporting any individual that RHA supports.

Many states have enacted laws preventing talking and/or texting (including e-mailing) on a mobile device while operating a motor vehicle. We expect employees to know the driving laws of states where they operate a motor vehicle. The Company may issue corrective action and will not reimburse an employee for court costs or any ticket issued because the employee was cited for talking or are texting/e-mailing on a cell phone while driving.

Proper mobile device usage is one part of safe driving. Employees also should remember that while traveling on business, they are expected to follow posted speed limits,

practice defensive driving, wear seat belts, keep safe distance from the car in front of you and take a sufficient number of breaks when driving for long periods of time in order to remain alert.

## 700 OVERVIEW OF TOTAL REWARDS

### Policy:

The Company has established policies and procedures for our Total Rewards programs. Total rewards include everything the employee perceives to be of value resulting from the employment relationship while supporting the Company's Culture (Caring and Leadership), strategies and objectives. There are five elements of total rewards, each of which includes programs, practices, elements and dimensions that collectively help to attract, motivate and retain employees. These elements are:

- Compensation
- Benefits
- Total Wellbeing
- Reward and Recognition
- Learning and Career Opportunities

Total rewards operate in the context of overall business strategy and organizational culture. Organizational culture determines how and why a Company operates in the way it does. At RHA, we have chosen a culture of Caring, Leadership (Powered by the 7 Habits of Highly Effective People), and Wellbeing.

### Procedure:

#### Compensation:

Pay consists of payments made to employees for time worked or for results obtained and includes:

- Base Pay (e.g., salary or wage)
- Differential Pay (e.g., overtime, shift differentials, and on-call pay)
- Variable Pay (e.g. bonus programs, incentives, and performance based bonuses)

Benefits:

The Company offers its employees competitive benefits, based on employee status and subject to the terms and conditions of any governing plan documents. Such benefits include but are not limited to:

- Group Insurance
- Medical
- Dental
- Vision
- Pharmacy
- Mental Health

- Short Term Disability
- Long Term Disability
- Life and Accidental Death & Dismemberment Insurance
- Voluntary Gap Benefits
- Paid Time Off (PTOs)

#### Social Insurance

- Unemployment Insurance
- Workers' Compensation
- Social Security
- Disability (occupational)

The Corporate Human Resources Department is responsible for implementing and administering the Company's benefits plans and programs and disseminating information to plan participants. Additional information regarding the Company's benefit programs (e.g., summary plan descriptions and plan documents) may be requested through the Benefit Service Center. Health Advocate can assist with medical bill issues, finding the best doctors, scheduling appointments, working with insurance providers, obtaining approvals for services, and answering questions about tests, treatments, medications and estimate of a procedure in advance.

### **Total Wellbeing:**

A philosophy that actively supports efforts to help employees achieve success at both work and home.

#### Physical Health:

- Health Advocate Wellness Programs (Health Profile, Wellness Portal, Workshops)
- Wellness Coaching
- Nicotine Cessation and Weight Loss Programs
- Wellness Incentives

#### Mental and Emotional Health:

- Employee Assistance Program
- Assistance with Vicarious Trauma and Caregiver Syndrome
- Assistance with Opiate Epidemic
- Concierge Benefits (auto/home, discounts, etc.)

#### Financial Wellbeing:

- Retirement Saving Plan
- Credit Union Membership
- 529 College Savings Plan

### **Reward and Recognition:**

The Company has several rewards programs to recognize and reward employee

successes and achievements. Participation in these programs is determined by the business objectives of the worksite. Programs include:

1. Discretionary Reward Program
2. Employee of the Month Reward Program
3. Employee of the Year Reward Program
4. Special Project / Start Up Reward Program

### **Learning and Career Opportunities:**

A set of learning experiences designed to enhance employees' applied skills and competencies. Development and career opportunities include the following:

\* Learning Opportunities

1. Tuition Assistance
2. Attendance in outside seminars, conferences, virtual education, etc.
3. On-the-job learning

\* Coaching and Mentoring

1. Leadership Training
2. Association Memberships
3. Attendance at conferences and seminars
4. Informal mentoring programs

\* Advancement Opportunities

1. Internships
2. Internal Job Postings
3. Job Advancement/Promotion
4. Career Ladders/Pathways
5. Succession Planning

*\*Note: The Company reserves the right to modify, suspend or discontinue any individual or group compensation or benefits plan at any time without prior notice and at its sole discretion.*



### Policy:

The Company follows and complies with the Fair Labor Standards Act (FLSA).

### Procedure:

### Position Classifications

Employees assigned to positions that are classified as either non-exempt or exempt. Each position has been reviewed and assigned an FLSA designation. The FLSA designation is listed on the company job description and set in the company's Human Capital Management System. Employees must be paid in a manner consistent with the designation of the job title assigned.

**Non-exempt.** Employees in Non-exempt positions are paid on an hourly basis (or a salary basis for an approved fluctuating workweek or salaried non-exempt position) and receive overtime of one and one half times their regular rate of pay for any hours worked over 40 in a workweek. Non-exempt employees are only paid for hours worked and are required to accurately record hours worked.

**Exempt.** Employees in Exempt positions (exempt from the provisions of the FLSA) are 1) paid on a salaried basis (and 2) must fit into one of the exemption categories defined in the FLSA and based on their job duties. Exempt employees are not paid overtime and are expected to work as many hours as necessary to get the job done. With minor exceptions, exempt employees are paid their entire salary each pay period regardless of the number of hours worked. Exempt employees are not required to record hours worked, but are expected to work the necessary hours to ensure high quality work and achieve results.

A part-time employee can be classified as exempt under the FLSA as long as the employee's job duties and salary still meet the FLSA requirements. If these conditions are met, the salary can be pro-rated. You may pay a part-time employee extra compensation without losing the exemption or violating the salary basis requirement as long as the employee receives the guaranteed minimum salary. For example, if a part-time exempt employee works extra hours to complete a project, you could pay the employee for the time without affecting the employee's exempt status. According to the FLSA exemption regulations, this additional compensation can be paid on any basis, including a flat sum, bonus payments, straight-time hourly amount, time and one-half, or any other basis, including paid time-off.



## FLSA Safe Harbor Statement

The Company complies with the Fair Labor Standards Act (FLSA) and its Safe Harbor Provisions. Every effort is made to ensure that compensation and pay checks are properly calculated. It is against our policy for any employee's wages to have improper or unlawful deductions. If an employee believes that his/her pay is incorrect or that an improper or unlawful deduction was made to his/her wages or salary, the employee should contact the Administrator/Director immediately. The Administrator/Director will contact the Corporate Human Resources Director who will advise the Administrator/Director on how to investigate the matter, make corrections as appropriate, and make prompt reimbursement as required. No one will be retaliated against for making an inquiry or report.

The salaries of employees exempt under the FLSA may be reduced or be subject to deduction for the following conditions:

- For a day or more full days for absence for personal reasons other than sickness or disability and the employee has no leave to cover the absence.
- For a day or more full days for sickness, or disability (including work place injury) if the employee has not qualified for the Company's leave benefit, has not earned sufficient leave to cover the absence, or has exhausted all leave and has no earned leave remaining to cover the absence. Such deductions will be in full day increments, not on an hourly basis, with the exception of unpaid Family and Medical Leave Act leave. If the employee has exhausted all leave that would cover an FMLA absence, the employee's salary may be reduced in hourly increments while on FMLA leave.
- Deductions for penalties imposed for violations of safety rules of major significance, including those relating to the prevention of serious danger in our workplace or to other employees.
- Deductions resulting from suspensions without pay for serious violations of our workplace misconduct rules.
- In the initial or final work week of employment, deductions may be made for the days of the work week not worked. For example, in the first or last work week of work, if the employee only works two of five days, the employee will receive 2/5 (two fifths) of their weekly salary. In the final workweek the employee may use applicable accrued leave to cover the portion of the week not worked but only as provided elsewhere in our policies.

Deductions from salaries of employees exempt under the FLSA are NOT permitted by the regulation for the following conditions:

- On an hourly basis at any time (except for unpaid FMLA leave).
- If an employee works part of a day, and does not have PTO time available, the employee must be paid for the full day.
- When the office, work site, or plant is officially closed due to inclement weather. Exempt salaried workers cannot be required to use earned leave for such closings unless it is announced that the office, work site, or plant remains open for salaried

exempt employees and they are given the option of reporting to work or using leave.

- For penalties or rules violations such as performance issues, attendance issues, minor safety rules, cash shortages, losses, or damages to equipment or property, including insurance deductibles when damage has occurred.
- For leave abuse, misuse or for unpaid leave absences.



## 710 TYPES OF PAY

### **Policy:**

The Company provides its employees with several types of pay and follows all guidelines established by the Fair Labor Standards Act (FLSA) and state laws and regulations.

### **Procedure:**

#### **Base Pay**

For non-exempt employees, the base rate of pay is their straight rate of pay per hour, rounded to the nearest cent. The base rate does not include shift differentials, overtime or any premium pay. For some positions, there may be a different base pay type for non-billable work. For exempt employees, the base rate of pay is their annual salary amount.

#### **Business Meetings/Travel Pay**

Lectures, meetings and training programs must be compensable unless all four criteria are met: attendance is outside of the employee's regular schedule or work hours; attendance is in fact voluntary; the meeting is not directly related to the employee's job; and the employee does not perform any productive work during such time.

If a non-exempt employee travels out of the local unit geographical area before or after regular hours, the employee should be compensated. Travel compensation does not include time spent traveling to or from the employee's home to the point of departure on the mode of transportation. If the employee chooses to travel by car, reimbursable time may be the equivalent air travel time if air travel is possible.

#### **Compensatory Pay**

The Company does not allow compensatory pay for exempt or non-exempt employees as defined by the FLSA. However, employees may be allowed to make up time for absences as long as they receive approval from their manager and the time is made up in the same workweek.

#### **Overtime Pay**

Non-exempt staff positions are paid time and one half for time worked over forty (40) hours in a scheduled seven (7) day work week according to the Fair Labor Standards Act. Exempt employees are not eligible for overtime pay.

The overtime premium is computed at 150% of the "regular rate" for each hour of work over 40 in a seven-day work week. The "regular rate" and the overtime premium are computed, generally, under one of two methods:

- 1) The employee is paid based on hourly compensation and paid time-and-one-half their hourly rate for all hours over 40.
- 2) Employees paid a guaranteed salary are paid ½ the “regular rate” for work hours over 40 under the Fluctuating Work Week method. Where there is a clear understanding that the salary is for “all hours few or many,” the regular rate is the rate determined by dividing the weekly equivalent salary by the hours worked in that week. Since the salary covers the straight time obligation for all hours worked in that week. Since the salary covers the straight time obligation for all hours (under the agreement) the employee is only due the ½ time premium (1/2 that week’s equivalent hourly rate) for the hours worked over 40. Since this must be a weekly computation, the regular rate will “fluctuate” from week to week depending on the hours worked each week. The salary can only be reduced for “occasional willful absences.”

The Company reserves the right to require employees to work overtime as business necessitates. Every effort will be made to provide as much notice as reasonably possible given the circumstances.

**Recording Overtime.** Non-exempt employees working hours must be recorded on the timekeeping system used at the work site. The timekeeping system will accumulate the total hours worked. Employees may work for more than one Company work site. The Company will allocate all hours worked for the purpose of determining overtime.

**Bonuses and Incentives and Overtime.** Certain bonuses and incentives (like those dependent on hours worked, productivity, or efficiency), and extra pay for pay differentials generally must be considered in calculating the employee’s regular rate. Bonus plans that are considered discretionary are not included in the overtime calculation.

**Calculating Overtime.** Only hours actually worked are used when calculating overtime. PTO time, holidays, vacation, personal or sick time, is not included in the calculation.

Overtime is rounded off to the nearest minutes.

**Obtaining Approval.** Overtime is not at the employee’s discretion. Non-exempt employees are not permitted to work overtime without the prior approval of their manager or the Administrator/Director unless there is an emergency situation that can make approval impractical. Repeated instances of unauthorized overtime may result in corrective action.

*Note: The Fair Labor Standards Act requires that employees be paid for all time worked, regardless of whether that time was approved. Employees who abuse overtime policies must still be paid for all time worked. However, they are subject to corrective action for abusing Company policy.*

## Shift Differential

The Company may provide additional compensation for employees regularly scheduled to work a weekend, evening or night shift, in a specific work site, or provide a specific service. A shift differential may also be imposed temporarily as it relates to employee recruitment and retention requirements of the work site.

Differentials apply to all hours worked, however all hours worked during that shift may not fall within the stated period. Eligibility for shift differentials is determined by the COO, by location and job profile with documented approval by the HR Director. Generally, shift differentials are as follows:

- Weekday Nights (Monday, Tuesday, Wednesday, Thursday) from 7pm-7am – 10%
- Weekend Days (Saturday, Sunday) from 7am-7pm – 10%
- Weekend Nights (Friday, Saturday, Sunday) from 7pm-7am – 15%
- Location Based – 10%

Employees will not receive a differential in pay for hours not actually worked. This exclusion includes time periods such as PTO, jury duty, and military leave.

*Example: Under this provision, an employee may report for work on a 2:30 pm to 11:00 pm shift and due to illness or other excused absence, work until 5:00 pm. The employee will be eligible for 2 ½ hours shift differential pay.*

A shift differential is not considered as a part of annual base pay, nor is it to be recorded in personnel records as a part of annual base pay. Shift differential will be included in the calculation of the regular hourly rate of pay for the purpose of computing overtime.

**Calculating Overtime.** Should an employee work overtime within a week in which the regular schedule included both a regular base rate and differential rate, different rates of pay are involved in computing overtime. The regular rate is derived by dividing the employee's total straight-time earnings, including differential(s) when appropriate, for the week by the total number of hours worked during that week. For example:

An employee worked the following hours during a regular scheduled work week:

	Monday	Tuesday	Wednesday	Thursday	Friday	Totals:
<b>Shift</b>	1st	1st	1st	2nd	2nd	
<b>Hours worked times pay received</b>	10 x \$9.00	8 x \$9.00	8 x \$9.00	8 x \$10.00	8 x \$10.00	Total of 42 hours
<b>Totals:</b>	\$90.00	\$72.00	\$72.00	\$80.00	\$80.00	Straight time earnings of \$394.00

The \$394.00 includes straight time pay for 42 hours. The employee is also due pay for the 2 hours in excess of 40 at one-half the regular rate of pay of \$9.38\* (or \$4.69 x 2) in overtime pay.

\*The average of the five pay rates.

## Sleep Time Pay

When an employee is required to be on duty for twenty-four (24) hours or more, the Company and the employee may agree to exclude bona fide meal periods and a bona fide regularly scheduled sleeping period of not more than eight (8) hours from the hours worked, provided that adequate sleeping facilities are furnished by the Company and the employee can enjoy a reasonable night's sleep. If the sleeping period is of more than eight (8) hours, only eight (8) hours will be credited. Where no express or implied agreement to the contrary is present, the eight (8) hours of sleeping time and meal periods constitute hours worked.

If sleep periods are interrupted by a call to duty, the interruption must be counted as hours worked. If the period is interrupted to such an extent that the employee cannot get a reasonable night's sleep (five [5] hours), the entire period must be counted as hours worked. All employees are required to sign the Unpaid On-Duty Sleep Time Acknowledgement and those on specific sleep time schedules sign an additional agreement.

## 715 ON-CALL POLICY

### **Policy:**

The Company assigns employees to on-call who may take calls after working hours. On-call time is compensable for non-exempt employees if the employee returns to the Company to work, performs work, answers questions on the phone, texts, or travels to resolve the issue. On-call contacts are regarded as urgent, which is defined as responding to the call within thirty (30) minutes.

### **Procedure:**

#### **Scheduling On-Call Time**

On-call time responsibilities will be assigned by the Administrator/Director or designee of each unit and will be determined by the needs of the business.

On-call employees must be in a location where they could respond by being on-site if needed within a reasonable amount of time, and in a physical condition that allows them to perform assignments and duties. Employees who are incapacitated or unavailable during a period of on-call duty must contact the designated Administrator/Director immediately to be released from duty.

Employees may not be scheduled for on-call duty when they are in a leave status. Employees must return to work before being eligible for on-call duty.

On-call assignments do not constitute secondary employment with the Company.

#### **Liability Insurance**

Services provided while on-call are covered by the Company's liability insurance.

#### **Description of Services**

On-call employees must be available by phone. On-call hours are generally weekdays between 5:00 p.m. to 8:30 a.m. and weekends between 5:00 p.m. Friday to 8:30 a.m. Monday and all holidays. Variations of the typical on-call schedule need to be approved by the Administrator/Director.

Response to phone messages must be considered as urgent and answered within thirty (30) minutes of initial contact.

Phone assessments will determine the level of needed response based on the professional opinion of the on-call employee, qualified professional or other designated on-call employee. On-call employees will utilize their judgment, available health information, and any needed collaboration with management, clinical staff or appropriate legally responsible person.



Disposition must include face-to-face evaluation and related services when appropriate and will be determined by the level of triage needed.

The Company requires accurate completion, documentation and timely submission of on-call time worked in the company's timekeeping system.

## **Compensation**

Employees in Non-exempt positions will receive call-back pay for the time they work as recorded in the company's timekeeping system. The Company provides compensation for incoming calls regarding the people we support, outgoing calls necessary for evaluation, all incoming follow-up calls related to a specific event, travel time and necessary face-to-face or outbound related events.

Non-exempt on-call staff are responsible for submitting their time worked in company's timekeeping system by the pay period cutoff date.

For Employees in Exempt positions time worked during on-call assignments can be offset by adjusted schedules within the regular work schedule of the following week. For example, if an employee in an exempt position is called into work for 4 hours on Saturday they could come in 4 hours later on the following Monday. Employees are required to have verbal approval of adjusted schedules from their managers. Adjusted schedules must be taken within the following week of the unscheduled time worked (unless approved otherwise by the Administrator/Director).

## **Providing On-Call to Another Work site**

When on-call Services cannot be provided with the work site, the services may be obtained by utilizing on-call staff from another work site. To obtain these services, the Administrator/Director of the requesting work site must contact the Administrator/Director where the staff work to ask if services can be provided. If agreed, the requesting Administrator/Director may contact the staff directly. The staff would then follow the process as outlined in this policy.

## 720 SALARY ACTION: TRANSFER, PROMOTION, LATERAL TRANSFER AND DEMOTION

### Policy:

The Company reserves the right to initiate, deny or approve employee job transfers from one job to another or from work site location to another and provide the appropriate pay adjustment.

### Procedure:

The Company has created specific procedures for transfers, promotions, lateral moves and demotions. Those procedures are outlined below and Human Resources should be contacted to discuss details of rates of pay.

### Transfers:

Employees may request voluntary job transfers in the Human Resources Information System. However, to be eligible, employees must meet the requirements of the new position, must have held their current position for at least six (6) months (unless waived by the Administrator/Director), must have a satisfactory performance record, must have completed all required training, and must have no adverse corrective actions during the same time period.

The Company often seeks to fill job openings from within the Company and may advertise those positions on the company's career site. However, the Company also reserves the right to fill job openings or make transfers without posting notices at the work site.

Eligible employees requesting job transfers are considered in the following order:

1. Employees who meet the job qualifications
2. Employees in the same job category as the job opening
3. Employees at the same location, but working in different areas
4. Employees whose jobs are being eliminated or be considered for layoff
5. All other employees

Requests for transfer should normally be handled as follows:

1. Requests for transfers are initiated by applying to an internal job posting using the Human Resources Information System. Requests will require approval by the immediate manager and the Administrator/Director. Requests based on posted job openings must comply with procedures described on the posting.

2. Managers must verify if the employee is eligible for a transfer and approve or disapprove the transfer request based on eligibility and forward to the Administrator/Director within five (5) calendar days.
3. The receiving work site manager will determine whether the requested job or a suitable job opening exists and whether the employee is qualified and eligible. If approved, the Administrator/Director must forward the transfer request to the employee's current manager.
4. The receiving work site manager is responsible for the final transfer decision, subject to the Administrator/Director's approval.
5. Managers may initiate the procedure. Managers that have open positions should not contact employees directly. They should contact the Administrator/Director or an employee's manager first.

Employees are responsible for their own expenses for interviews and travel when initiating transfers to another work site. PTO time will be limited to two (2) days unless the receiving Administrator/Director considering the transfer requests additional time for interviews. The Company normally does not provide relocation expenses for job transfers initiated by employees.

Transferred employees may become subject to the provisions of the Company's Introductory Period Policy and may be required to undergo an applicant medical statement (after conditional offer), background check and any other required screenings.

Employees with pending corrective action, or those who have a number of documented corrective action issues, are not eligible for transfer until those issues have been resolved and a satisfactory performance history is established – unless waived by the Administrator/Director.

The Company will transfer employees' personnel files and training records to the Administrator/Director of the new work site.

### **Promotion:**

A promotion occurs when an employee is placed in a position with significantly increased level of responsibility. Employees promoted to a position with a different job title and higher pay rate are eligible to receive a promotional increase in accordance with maximums allowed within the guidelines.

The employee's new manager will finalize the promotional increase and obtain all necessary levels of approval. Increases exceeding 10% require approval of the Chief Operating Officer or Vice President. The promoted employee will normally not be paid less than the minimum of the new position and should receive a higher rate of pay if experience warrants.

Employees promoted or transferred to another position:

- Retain their original date of hire for benefit accrual purposes.
- Must begin a new introductory period.
- For employees not on the common evaluation date, they will be on a new merit/evaluation cycle and receive a performance evaluation and potentially be eligible for a merit increase twelve (12) months following the date of transfer unless he or she has reached the maximum pay for the position.

### **Lateral Transfer:**

A lateral transfer occurs when an employee takes another position in the same pay range or title.

Employees must have worked in their current position for six (6) months to be considered for a lateral move unless authorized by the Administrator/Director. Employees requesting shift changes within the same position do not have to wait six (6) months.

Employees transferred into a lateral position:

- Retain their original date of hire for benefit accrual purposes.
- Are not entitled to a pay increase unless geographical differences apply.
- Will be on same merit/evaluation cycle. The employee's current manager must communicate a summary of their performance to the manager with the open position before offers are extended.

### **Demotion or Request to Transfer into a Lower Grade Position:**

A demotion occurs when an employee moves into a lower pay range position voluntarily or by the Administrator/Director's request. If there are performance issues, and for business reasons the Administrator/Director believes the employee would add value in a lower level position, they can have a discussion where the employee voluntarily chooses to go to the lower position. The Administrator/Director, in conjunction with the manager, will recommend a base rate that reflects market conditions and work site pay grades. The Administrator/Director may choose to keep employees at their current pay rate depending upon the circumstances.

### **Employees Demoted to Another Position:**

- Retain their original date of hire for benefit accrual purposes.
- Are not entitled to a pay increase and may receive a pay decrease.
- For employees not on the common evaluation date, the transfer date to a position with a lower base range becomes the employees' new merit/evaluation cycle

date. Employees will receive a performance evaluation and potentially be eligible for a merit increase twelve (12) months after the transfer date unless they have reached the maximum pay for the position.

## 725 PERFORMANCE REVIEW

### Policy:

The Company's review process serves many functions which include providing an objective review of each employee's performance on a regular basis, focusing on continual improvement, accomplishing key organizational goals, giving effective feedback by determining if an employee's performance and behavior is alignment with the Company's culture and values, developing an action plan for any required improvement, reinforcing good performance and improving on our core competencies. The review is a tool to recommend compensation increases for employees.

### Procedure:

Managers normally complete performance reviews on the following occasions:

- Toward the end of an introductory period
- On the common review date/cycle
- For employees not on the common review cycle, on anniversary dates of employment or anniversary date of the new position
- When job changes occur
- On an interim basis if there are performance issues

If a performance review has been completed within one month of the above occasions, a new review does not need to be completed.

Managers should:

1. Review the Performance Review guides and forms available on-line. The steps below outline how to complete the evaluation. The Performance Review Guide provides information on how to set goals, to obtain more information about the process, and for tips about how to conduct a performance review with the employee.
2. Keep on-going documentation and give regular feedback throughout the year on each of their employee's performance, both negative and positive. Optimally, this documentation will have been shared with employees throughout the work year, so any areas in which improvement is needed will not come as a surprise to the employee at the time of his or her review. The documentation should be used by managers to help score the elements of the review forms.
3. Review the employee's self -review when applicable and go over the review from the previous year before and while scoring the current review. Each section will ask the manager to rate the employee's performance in relation to his or her performance in this section during the previous year's review and the employee's self-review.

4. Review attainment of goals from the previous year to aid in the current review. Develop goals to be attained during the upcoming year.
5. Review the employee's learning and development record. This is another criterion on which the employee is evaluated.
6. Develop an annual supervision agreement (as business necessitates).
7. If applicable, the people we support should be involved in the review process. To do this, use the Evaluation by the People We Support Form, and interview the people supported by the employee to obtain their feedback. This information can then be entered into the review form.

## Ratings:

An employee is evaluated by demonstrating performance in several important job-related competencies and responsibilities by being evaluated in four different performance levels:

- Unsatisfactory
- Needs Improvement
- Solid Performer
- High Level Performer
- Exceptional Performer

## Core Competency Evaluation:

Principles of leadership and effectiveness are an important aspect of our Company's culture. Competencies have been developed at each level in the organization to help drive consistent results and recognize the competencies we are seeking. This helps to ensure an employee's actions are in alignment with our Company's culture.

**Exceptional Performer.** Employees who have exemplary performance, that can be documented, should be rated as having "Exceptional" performance. In this instance, a manager may recommend an increase that is greater than the standard increase percentage set by the Corporate Office. However, this is subject to the prior approval of the Administrator/Director or other required authorizations.

**Performance Improvement.** Employees who have not met the job expectation should be rated as "Unsatisfactory" or "Needs Improvement". In this instance, the employee is not eligible for a merit increase and the manager needs to complete the Performance Improvement Plan Form. The Form requires a corrective action plan with target dates for improvement. If the employee makes the required corrections by the target date, the manager may recommend that the employee receive his or her merit increase. The increase is NOT retroactive to the date of the initial evaluation.

The manager may also recommend that the employee does not receive a merit increase based on the issues requiring corrective action. If the employee does not correct his or her actions by the target date, the manager may recommend extending the target date up to ninety (90) days. The target date may be extended a second time if performance issues are not corrected. However, the target date may not be extended a third time. Instead, the employee should be terminated.

Process for employees NOT on a common review date:

- Manager completes the review and forwards the review form to the Administrator/Director for review and approval. The Administrator/Director will return the approved form to the manager.
- Schedule a time with the employee to go over the review and set the goals for the upcoming year.
- Manager and employee sign and date the evaluation to signify that the review was conducted. The manager should give the employee a copy of the evaluation at the time it is conducted. If the employee is not satisfied with the review, he or she may write a rebuttal to it, submit it to the manager or Administrator/Director to attach to the evaluation.

Process for employees on a common review date:

- Employees will be notified of the self-review and must login to Human Resources Information System to complete a self-review on goals accomplished and performance in core competencies.
- Once the self-review is completed, the manager will be notified and will have access to complete the manager review. Self-reviews not completed will be forwarded to the manager review and the employee will lose their opportunity to provide their manager self-review feedback.
- Performance feedback and annual goal setting sessions between the employee and their manager are conducted.
- The steps of the process occur in the system and at each step the form should be advanced through the process to completion.

### **Miscellaneous:**

Information derived from the performance review may be considered when making decisions affecting learning and development, pay, promotion, transfer or continued employment. A satisfactory review does not guarantee pay increases, cost of living adjustments (COLAs), promotions or job retention.





## 730 MERIT INCREASE

### Policy:

The Company may provide employees with merit increases based upon performance and budget. Merit increases are not guaranteed and depend on many factors.

### Procedure:

### Eligibility

All active, regular full and part-time employees are potentially eligible for a merit increase on:

- a common date established by the Company, or
- a pay period beginning date twelve (12) months following their Company anniversary date (if never had a job change) or merit/evaluation cycle date (new date due to job change).

Employees on a leave of absence will not receive a merit increase while on leave, but will be eligible for an increase upon their return. If out on Company approved leave for more than ninety (90) days, the anniversary date may be adjusted.

### Performance Period

The performance period is a common date established by the Company or the past year from the employee's anniversary or merit/evaluation date. Performance evaluations and merit increase recommendations are usually made prior to the common date or employee's anniversary or merit/evaluation date to ensure processing on the effective date.

### Merit Increase Guidelines / Considerations

When determining an appropriate merit increase, consideration should be given to:

- Performance. If the employee's performance does not justify a merit increase, no increase should be given. When a written performance improvement plan exists, any merit increase should be postponed until performance improves.
- Future potential with the Company
- Salary position in the employee's current salary range
- Performance and salary in relation to an employee's peer group
- Training Compliance. If the employee is out of compliance on training (i.e. annual training or recertification has not been completed or the employee has not completed

a required course or certification), any merit increase should be postponed until all training is up to date.

## Salaries below the Minimum Salary Range

Normally, when an employee's salary falls below the minimum range, a performance review should be conducted during the regular review process. Any recommended increase should be based on the annual merit increase guidelines and the employee's performance review and the employee's salary should be increased to the minimum of the salary range if warranted. However, if the employee's performance does not warrant an increase, none should be given.

## Wage Ceiling

Human Resources periodically examines each Company's position for the purpose of evaluating its "current market value" in the industry. Those findings are reported to the corporate compensation committee for review and for deciding whether or not to impose a "wage ceiling" for select Company positions.

Wage ceilings are considered without regard for an incumbent's longevity in the field or with the Company, but more with wage and salary trends and Medicare/Medicaid reimbursement policies.

Financial Services is notified of positions that have reached a ceiling. That information may become part of budget assumptions for the coming budget cycle. Chief Operating Officers and VP's discuss this information with Administrators/Directors to assist them with their planning, forecasting and discussions with incumbent employees.

Assuming satisfactory performance, an employee who has attained the Company's ceiling wage, can be offered a one time "lump sum merit one time payment" at the time of their merit increase/performance evaluation. Each succeeding year of satisfactory performance makes that employee eligible for the one time pay. Their base salary or hourly wage will not change once they reach the ceiling wage.

## Late increase

An increase will not be considered overdue if it is processed within thirty (30) days of the employee's anniversary or merit/review cycle date. If the increase is overdue by more than thirty (30) days of the cycle date, the Company will process retro pay as follows:

- The Company will process not more than 90 calendar days of retro pay and will go back 30 days after the individual's cycle date. For example, if an employee's cycle date is 6/1, and the increase is processed on 7/15, the employee would receive 15 days of retro pay. The processing of retro pay does not apply to pay freezes due to budget constraints, late increases due to performance improvements or lack of current training or for any other business necessity.

## **Salary Increase Recommendations Are Not Final**

Employees should not assume that a recommended merit salary increase will be implemented. All recommended salary increases must receive written approval from the Administrator/Director before implementation.



## 735 JOB PROFILES, JOB TITLES AND JOB DESCRIPTIONS

### Policy:

The Company maintains job profiles, job titles, and job descriptions for every position and reviews job descriptions with each employee upon hire or job change. Job descriptions are available on the Company's forms drive.

The purpose of a job profile and job description is to:

- Identify FLSA status
- Identify pay grade
- Outline important job related competencies
- Outline important and essential job related responsibilities
- Define the essential functions of the job
- Identify positions the job indirectly or directly supervises
- Identify safety factors or exposures, and working conditions for the position
- List the educational, experiential, certifications, licenses, qualifications/skills required
- Identify physical and sensory requirements and physical demands required to perform essential functions of the job

### Procedure:

Job descriptions should be prepared when a new job profile is created or when an existing job profile is significantly altered by changing duties or responsibilities.

Job descriptions must be prepared for all job profiles and all positions are assigned a job profile, both exempt and non-exempt. Job descriptions should be reviewed and evaluated periodically to assure they accurately reflect current conditions and essential responsibilities.

Human Resources uses an established format for job descriptions. Administrators/Directors must prepare all job descriptions for new or revised job profiles in accordance with established formats.

The Administrator/Director must route all new or revised job descriptions to the Corporate Human Resources Director, who will evaluate and obtain required approvals.

Employees should review and sign job descriptions upon hire, transfer or revision of their current job description. Job descriptions must be kept in an employee's file and a copy should be given to the employee.

**Essential Functions.** Employees must meet the essential functions of the job. If at any time during employment, the employee is unable to do so, the employee must notify their Administrator/Director immediately. The Administrator/Director should then contact Human Resources for assistance.

## 740 REWARD AND RECOGNITION PROGRAMS

### Policy:

The Company provides several programs to reward and recognize employee's performance and contributions towards our Vision of "Setting the PACE for Excellence in Supporting People", and our Culture of "Caring and Leadership".

### Procedure:

The programs offered may differ depending on Company worksite. The programs in place are:

- **Discretionary Rewards Program.** This program provides guidelines to reward and recognize outstanding performance.
- **Direct Support Leader of the Month.** This program provides a monthly award that recognizes the outstanding contributions of the Direct Support employee for the Administrative unit each month.
- **IDD or BH Leader of the Quarter.** This program provides a quarterly award that recognizes the outstanding contributions of the non-direct support employee in IDD and BH for the Region each month. Each Region selects one employee to represent the region each quarter.
- **Direct Support, IDD or BH Leader of the Year.** This program provides an annual award that recognizes the outstanding Direct Support, IDD, and BH Leaders each year. The Leaders of the Month and Quarter are those eligible to be considered for the Leader of the Year Awards.
- **Special Projects / Start-up Rewards Program.** This program recognizes, rewards and retains employees working on special projects or start-up operations.

Details of the programs and nominating process / forms are available on the Company's forms drive.

The Administrator/Director is responsible for promoting these programs. The Administrator/Director is also accountable for implementing these programs to identify employees to be honored, notifying the employee, ordering the awards and arranging internal and external announcements.

The Company may amend or discontinue these programs at any time with our without notice.





### **Policy:**

The Company complies with applicable wage payment laws and regulations. The Company pays its employees by direct deposit, and normally only on the payroll cycles unless extraordinary circumstances apply.

### **Procedure:**

The Company does not loan or advance money to employees.

### **Paycheck shortages**

Employees are required to report all time worked before payroll processing deadlines. Failure to report all time worked before the payroll processing deadline could result in a delay in payment. If time worked is reported after payroll processing or after a paycheck is issued an off-cycle check will normally be generated only under extraordinary circumstances, or if pay is below minimum wage. Employees who discover that their paycheck is short during any given pay period should report it to the Business Office immediately. If the Business Office discovers the shortage, the employee will be notified immediately. The Company will verify the error with the employee and make up the difference as soon as possible or in the employee's next regularly scheduled paycheck.

The Vice President of Operations approves the request to generate an off-cycle direct deposit using the Off-Cycle Payment Request, and this will be done normally only under extraordinary circumstances or when the employee's pay is below minimum wage.

### **Paycheck overpayments**

Employees who discover that their paycheck contains an overpayment after pay day should report it to the Business Office immediately. If the Business Office discovers an overpayment, the employee will be notified immediately. Depending upon the amount of overpayment, the Company will deduct the overpayment in the employee's next regularly scheduled paycheck. If a deduction from future paychecks is required, the employee's hourly rate cannot be below minimum wage, so a payment plan over the necessary number of pay periods to allow for minimum wage would need to be arranged in that situation. To acknowledge and authorize the future deductions, the Business Office requires the employee to sign the Notice of Miscellaneous Payroll Deduction form.

### **Direct Deposit**

Direct deposit is an electronic payment deposited directly into a checking or savings account. The Company requires employees to receive their check by direct deposit.

## **Garnishment**

The Company honors court issued garnishments, qualified child support orders, attachments, and notices of levy by a taxing authority or by any other legal order requiring payment of a portion of an employee's compensation to someone other than the employee.

An employee who receives any documents, notices or summonses must send the document to the Business Manager who will ensure processing through the Company's Payroll System.

## 750 TIME RECORDS

### Policy:

The Company tracks time records in accordance with the Fair Labor Standards Act (FLSA) and state laws and regulations.

### Procedure:

**Employees in Exempt Positions.** Employees in exempt positions are not required to record hourly time records for pay purposes. Exempt employees are accountable for daily attendance and may be required to record daily timesheet entries and allocate to cost centers for legitimate business reasons (unless otherwise exempted due to not being a business necessity). Employees in exempt positions can also expect to have their hours periodically monitored. Employees in exempt positions are expected to work all necessary hours to ensure high quality work which may involve working more than forty (40) hours per week.

**Employees in Non-exempt Positions.** All employees in non-exempt positions are required to record time by checking in and out on a daily basis. Time records cover one workweek and must be recorded by the close of each workday. The company reserves the right to pay time worked at minimum wage if time is not submitted according to company policy.

Managers should approve employee time records for time worked including overtime and verify un-worked time, such as paid time off, paid holidays, and on-call on a daily basis.

Unapproved absences should not be considered as hours worked for pay purposes. Managers should inform employees if they will not be paid for certain hours of absence.

Employees in non-exempt positions are not permitted to sign in or begin work before their normal starting time or sign out or stop work before or after their normal ending time without their manager's prior approval.

In unusual situations when the oncoming shift reports late, employees are not authorized to leave the workplace until properly relieved.

**Missed Time Records.** The Company utilizes a progressive corrective action policy for four (4) or more missed time records. When an employee misses a time entry, the employee should verbally notify their supervisor of the missed or inaccurate time entry and submit a time entry correction form (RHA form #1006).

**Falsifying Time Records.** Under no circumstances should an employee falsify time records for any other employee, tamper with or add time to pay records in any way. Employees who violate this policy are subject to corrective action, up to and including termination.

**Review of Time.** The Company wants to ensure time paid is correct. Managers will ask their employees to review and approve their time confirming the hours recorded are a true reflection of time worked. The employee's manager should review and approve the time to verify the hours on a daily basis. Any revisions necessary to time entry should be routed to the units designated time keeper as soon as reviewed and approved by the Supervisor. The time keeper will ensure all time entry corrections are processed before the close of the pay week.

The Company considers login credentials of the company's Human Resources, Timekeeping, and Payroll system as an electronic form of verification that is used as the employee's approval signature since the employee makes the actual entries. The employee's manager would then electronically verify the employee's time.

### Policy:

The Company provides guidelines in establishing and assigning work schedules and meal and rest breaks. Work schedules are established and assigned by each manager and communicated and assigned to their employees. The work schedule will reflect the needs of the people we support and will be assigned as fairly and equitably as possible.

For payroll purposes, the workweek begins at 12:01 a.m. on Sunday the pay period begin date and ends at midnight on the following Saturday the pay period end date. Some alternatively defined work weeks may be approved as business necessitates. Please refer to the work site payroll schedule for further details.

### Procedure:

#### Work Schedules

The nature of services provided by the Company requires work schedules may vary among work sites:

Direct support staff: For direct support staff, the normal daily work schedule is eight (8) hours, which may include a paid or unpaid thirty (30) minute meal period. An unpaid meal period must be a least thirty (30) consecutive minutes of uninterrupted time.

Non direct support staff: For non-direct support staff, the normal daily work schedule is eight (8) hours generally from Monday to Friday, 8:00 a.m. to 5:00 p.m. which may include an unpaid sixty (60) minute meal period. This schedule and meal period may adjust according to the needs of the business at the discretion of the employee's manager.

Special Compensation Agreements: Some staff are assigned tours of duty that may include scheduled hours work and unpaid on duty sleep time as appropriate. Some staff are assigned tours of duty that include off duty time, on-call off duty time during the day, on duty awake time and on duty sleep overnight. Each employee is provided a work time agreement and schedule.

**Making up time.** Managers may allow employees to make up lost time during a given workweek at their discretion. Make up will not be allowed if lost time is the result of conditions the employee could have controlled or if inadequate work supervision is not available.

**Staff Shortages.** A fair procedure will be established to select employees who may be called back or held over to meet minimum staffing levels due to an unanticipated staff shortage. Occasional overtime may be required to meet the needs of the work site and the people we support and will be assigned by managers on a fair and equitable basis.

## Schedule Changes

Employees are scheduled in accordance with the present needs of the Company. As the needs of the individual work sites change, it may be necessary to change the employee's work schedule, shift or job location on a temporary or long-term basis. Employees will be given notice of impending changes by their manager.

Employees must be able to work any shift (including weekends) at any work site as scheduled or needed. The Company reserves the right to reassign an employee to work anywhere within the geographic control of the Administrative Unit. Due to business necessity, staff can be re-assigned to work available with reasonable notice. Reassignment will generally be made for legitimate Company business reasons. Employees should inform their manager of any special considerations.

Employees may agree to exchange schedules, work days, shifts or hours of work with prior approval of their manager as long as the changes do not have a negative impact on the work site and are within the forty (40) hour workweek.

## Meal and Rest Breaks

Meal and rest breaks are scheduled by managers and are based on the needs of the work site. Whenever necessary, the frequency and time of breaks may be changed. Breaks are rest periods of short duration, running from five (5) to twenty (20) minutes and are paid. Meal and rest periods in which the employee is relieved from duty (free and clear) and are of thirty (30) minutes or more duration are not paid.

**Meal Breaks.** Full and part-time direct support employees may be eligible for a thirty (30) minute unpaid meal break per six (6) hour shift. Employees working less than a six (6) hour shift must consult with their manager.

Employees who are authorized to take a meal break must record time out and in for meal breaks and receive their managers' permission to work through meal periods.

Employees whose meal break exceeds thirty (30) minutes, who are unable to take a meal break or are called back from a meal break early to respond to an emergency, must inform their manager as soon as possible so their time can be adjusted.

Due to the differences in our operations, meal breaks are generally handled differently and managers will advise each employee regarding recordkeeping of meal periods. Generally, meal breaks are handled as follows:

Employees required to record time out/in:

- Vocational Center: first shift
- Employees who are authorized to leave the work site for a meal break
- Non direct support non-exempt employees
- Employees authorized by their manager to take a meal break
- Employees working in larger work sites where there is sufficient staff to take a meal break

Employees NOT required to record time out/in:

- 1st shift employees working on weekends or holidays where they don't go to the Vocational Center and when there is insufficient staff to allow for a meal break
- 1st shift employees not working in the Vocational Center (most likely providing one on one services to people we support) who cannot take a meal break due to insufficient staff
- 2nd and 3rd shift employees working any day who cannot take a meal break because of insufficient staff
- Employees who eat or take a break with people supported in the general area
- For business situations where meal breaks are not available as approved by the Administrator/Director

**Rest Breaks.** Working conditions permitting, employees may receive two (2), fifteen (15) minute paid breaks per six (6) hour or greater shifts. Employees working less than a full shift must consult with the manager of the work site. Rest breaks are not required, and will be available at the discretion of the employee's manager based on business necessity.

Managers are responsible for scheduling the time for employee rest breaks and should take into consideration the workload and nature of the job performed. Whenever necessary, the frequency and time of rest period may be changed.

Direct support employees are not authorized to leave Company premises during breaks without their managers' approval. Generally, employees may not leave early or extend breaks beyond their assigned period.

Employees are not permitted to take breaks at the end of their shift in order to leave before normal working time.

Employees do not need to record time out or in for rest breaks. Employees are expected to be punctual in starting and ending their breaks and will be subject to corrective action for tardiness.

Employees on breaks should not interfere with employees who are not on break.





## 800 HEALTH AND WELFARE BENEFITS

### Policy:

The Company offers various employment benefits and regularly furnishes information explaining these benefit plans to participants and their covered dependents. Benefits include a comprehensive health insurance program (medical, pharmacy, dental and vision), voluntary benefit programs that include life and disability insurance, leaves of absence, paid time off (PTOs), a 401K retirement savings plan, various wellbeing (physical, emotional and financial) programs and an employee assistance program (EAP).

Benefit eligible employees may also elect coverage for their spouse and their dependent children up to age 26. Enrollment for spouses in the Company's health plan is only available when the spouse is not offered coverage through their employer.

Employees that do not elect coverage when eligible during the enrollment period will be considered to have "waivered" coverage.

The Company reserves the right to modify, amend, or terminate its benefit programs with or without notice as they apply to all current or non-active employees. The provisions of the formal plan documents are more complete than this policy and plan provisions control where conflict exists. Plan documents are available on-line and by contacting the Human Resources department.

### Procedure:

#### Employee Benefit Eligibility

Employee benefit eligibility depends upon the specific requirements of each plan, the mandated requirements under the Affordable Care Act (ACA), and the IRS final regulations

**Full-time Benefit Employee:** Employees that are employed to work on average thirty (30) hours or more per week or 130 hours each calendar month will be placed into a Full-Time status. All Exempt/Salaried employees are classified as Full-time. Full-Time benefit eligible employees qualify for the Company's comprehensive health benefit package, Company holidays, and PTO (Paid Time Off) accrual.

**Variable (Part-time) Employee:** Variable (Part-time) Employee: Employees scheduled to work less than thirty (30) hours per week, or at the time of hire the employee's schedule is unknown, or the company cannot reasonably determine the expected work hours will be considered a variable hour employee. This applies to both new and ongoing employees.

The hours an employee works will be measured over a 12 month period starting with the date the job begins. After a Variable Hour/Part-time employee completes their initial measurement period of 12 months, their look-back measurement method is complete. The employees that average thirty (30) hours or more per week will be offered medical

coverage for the next 12 month stability period. This measurement is ongoing for subsequent enrollment periods.

The Company may maintain a "Work Pool" or "Call List" of as needed employees, but does not guarantee any number of hours. This includes employees who are hired for a pre-established, temporary period of time – usually during peak workloads, when regular employees are on Company holidays, PTO, to work on a temporary project or assignment of definite or indefinite duration. Part-time (Variable hour) employees may work a full-time, part time, or PRN schedule and are not eligible for Company benefits and PTO (paid time off) accrual during their initial 12 months of employment.

**Variable Hour Lookback Eligible (Part-Time) Employee:** Employees that have completed their initial measurement period, qualified for medical coverage through lookback measurement method eligibility, however, they continue to work on an unknown schedule or will continue to work less than 30 hours a week on average throughout the next standard measurement period.

## **Employee Classification & Benefit Eligibility Changes:**

**Changing from Variable Hour (Part-time) to Full-time:** If a Variable hour (Part-time) employee is scheduled to work and works a full-time schedule (30 or more hours a week) for three (3) consecutive pay periods, and is expected to continue working over 30 hours a week, management will determine if business needs necessitate for the employee to be scheduled for full-time hours. If this is approved and the employee has completed the introductory period of 90 days of initial employment, the employee's status will change to full-time benefit eligible and they will be eligible for full health plan coverage as a newly eligible participant. The employee will have 30 days from the event of the status change to make their benefit elections through the online benefits enrollment system. Coverage is effective on the event date in which the employee moved from part-time to full-time.

**Changing from Full-time to Variable hour (Part-time):** If a full-time employee works less than full-time hours, an average of less than 30 hours per week, for three (3) consecutive pay periods, and expected to continue working less than 30 hours a week, management will determine if business needs necessitate for the employee to be moved to a Variable hour (Part-time) status. If approved by the Manager of Benefits and Wellness, the employee status will be changed to Part-time (variable hour). The employee may continue the mandated medical coverage for the remainder of the stability period. Employees are expected to pay their portion of the plan premiums. Failure to pay for premium can result in termination of coverage for nonpayment. The employee's benefit eligibility will be re-assessed at the end of each standard measurement period RHA's Standard Measurement Period is November 1st through October 31st for ongoing benefit eligibility as defined through the Affordable Care Act.

**Immediate Eligibility for Initial Enrollment:** New full-time benefit eligible, exempt, and salaried employees qualify to participate in Company benefits (including medical, dental, vision, disability, life) effective their 91st day of continuous, full-time, active employment with the Company. Full-time employees have 60 days to make benefit

election decisions using the company's electronic enrollment platform. Employees that do not enroll will be considered to have waived coverage.

**Not Immediate Eligibility for Initial Enrollment:** New Variable hour (part-time) employees that are not expected to work at least 30 hours a week/130 hours a month or at the time of hire the employee's hours are unknown are not eligible to enroll in the Company benefits during their initial 12 months of employment. Variable hour (Part-time) employees may be eligible for benefits enrollment based on the Company's 12 month look back measurement method. The look back measurement method is described in more detail in the following section of this document.

**Acquisitions and New Business:** The otherwise applicable waiting period for medical, dental and vision coverage will not apply to a new employee of the Company if the criteria noted below is satisfied:

- The Company acquires 100% of the stock of another corporation that causes that corporation becoming a member of the Company's controlled group (as defined in Code Section 414(b)) or the Company acquires substantially all the assets of a business. For purposes of this policy, either scenario will be referred to as "New Business" and the Company or assets required will be referred to as the "Predecessor Organization."
- The new employee must have maintained medical coverage through their Predecessor Organization immediately prior to the date of acquisition by the Company.

All eligible employees will be notified of the various insurance options and enrollment information prior to their eligibility date and during the annual open enrollment period. If an employee is not provided enrollment information following their eligibility for health benefits, he or she should contact the Benefits Service Center.

## Look-Back Measurement Method

Effective January 1st, 2016, the Company will use a look-back measurement method to determine whether an employee is a benefit eligible employee for purposes of medical health plan coverage and possible change in Full-time status. The look-back measurement method is based on Internal Revenue Service (IRS) final regulations under the Affordable Care Act (ACA). Its purpose is to provide greater predictability for Plan coverage determinations and ensure that employees who are eligible for mandated medical health insurance are provided the opportunity to elect coverage. The look-back measurement method applies to all Company employees.

The Company's look-back measurement method involves these different periods:

- The **measurement period** the Company uses is a 12 month measurement period. The initial measurement period is the first 12 months of employment. Part-time (variable hour) employees must complete an entire 12 month measurement period before they will be assessed in our tracking system to determine if they are lookback eligible for medical benefits. The standard

measurement period is our ongoing 12 month measurement period to determine if employees continue to qualify for benefits if they are not in a full-time status. The Company's standard measurement period is November 1st through October 31st. After an employee completes their first initial measurement period, they are rolled into the ongoing standard measurement period.

- An **administrative period** that allows time for communication of eligibility and Health Plan enrollment or disenrollment. The Company's administrative period is 60 days and runs through November 1st through December 31st.
- A **stability period** is when the employee is either treated as full-time benefit eligible or variable hour (part-time) lookback benefit eligible for Health Plan coverage purposes. The Company's stability period is on the calendar year and Health Plan year, January 1st through December 31st. If an employee qualifies for medical benefits during this time, their medical benefits cannot be taken away regardless of the hours they work in the stability period.

The Company establishes how long these periods will last, subject to specified IRS parameters.

The rules for look-back measurement method are complex. They vary depending on whether an employee is an ongoing employee or a new employee, and whether a new employee is expected to work full-time hours or variable/part-time hours. The Company intends to follow the IRS final regulations, including any subsequent guidance issued by the IRS on the look-back measurement method, when administering the look-back measurement method.

## Rehired Employees and Employees Returning from Unpaid Leave

The following rules apply to rehired employees and employees returning from unpaid leave:

- If an employee goes 13 consecutive weeks or more without an hour of service and then earns an hour of service, he or she is treated as a new employee for purposes of determining the employee's benefit eligible status under the look-back measurement method. The Company will apply a rule of parity for periods of less than 13 weeks. Under the rule of parity, an employee is treated as a new employee if the period with no hours of service is a least four weeks long and is longer than the employee's period of employment immediately before the period with no credited hours of service.
- For an employee who is treated as an ongoing employee, the measurement and stability periods that would have applied to the employee has he or she not experienced the break in service will continue to apply upon the employee's resumption of service.

In addition, a special averaging method applies when measurement periods include special unpaid leave (that is, leave under the Family and Medical Leave Act (FMLA) or the Uniformed Services Employment and Reemployment Rights Act (USERRA) or

other types of time off). This method only applies to an employee who is treated as a continuing employee upon resuming services for the employer, and not to an employee who is treated as terminated and rehired. Under the averaging method, the Company will either:

- Determine the average hours of service per week for the employee during the measurement period, excluding the special unpaid leave period, and use that average as the average for the entire measurement period; or
- Treat employees as credited with hours of service for special unpaid leave at a rate equal to the average weekly rate at which the employee was credited with hours of service during the weeks in the measurement period that are not special unpaid leave.

### **Dependent Eligibility:**

- The Employee's Spouse if they are not offered medical health coverage through another employer.
- The Employee's children regardless of student, marital and/or employment status are eligible until the end of the month in which they attain age 26 years old.
- Children who are mentally or physically disabled and totally dependent on the Employee for support, past the age of 26 years or older. To be eligible for continued coverage past the age of 26, certification of the disability is required within 31 days of attainment of age 26 years old. A certification form is available from the Employer or from the Claims Administrator and may be required periodically. Employees must notify the Claim Administrator and the Employer if the Dependent's marital or tax exemption status changes and they are no longer eligible for continued coverage.

### **Special Enrollment / Qualifying Life Events:**

Special Enrollment periods are allowed due to certain changes in coverage, eligibility and family status such as: birth, adoption, death, marriage, divorce, legal separation, or the loss/gain of eligibility for insurance coverage by you or a covered dependent that you previously declined. The special enrollment period will be 30 days following the date the event occurred. Employees must notify the RHA Benefit Service Center of the life event using the online benefit tool with required documentation of the change (marriage certificate, birth certificate, divorce decree, 1040 forms, etc.) uploaded within 30 days of change event. Failure to provide the required documentation within 30 days of the event will result in ineligibility, making coverage unavailable until the next open enrollment period.

Employees with dependents losing or gaining eligibility for coverage under a State Medicaid or Children's Health Insurance Program (CHIP) program must make their change request within 60 days of coverage being terminated or becoming available.

The Company will extend health care coverage to dependents when ordered to do so by state authorities through a qualified medical child support order.

Benefit changes and requests must be done using the Company's online benefits platform. All questions, concerns, and inquiries should be directed to the RHA Benefit Service Center.

## Administration

The Human Resources Department administers the Company's benefit plans.

Employees receive enrollment and communication materials with instructions on how to access the Company's online benefit enrollment platform. Employees can make initial benefit elections and manage their benefit elections throughout the year through the platform. Enrollment assistance may be provided by the RHA Benefit Service Center.

Employees who choose not to elect health insurance coverage will be designated as declining coverage when the employee's enrollment window expires.

**Beneficiary Designation.** Some Company insurance plans require employees to designate a beneficiary for death benefits. The designation must be either in writing with the employee's signature and date in a form acceptable to the Manager of Benefits & Wellness or through the Company's online benefit tool. It is the employee's responsibility to maintain and update proper beneficiary designations.

## Summary Plan Descriptions & Summary of Benefits and Coverage

The Company will periodically make available to each benefit plan participant the following information:

- A summary plan description (SPD) or summary of benefits and coverage (SBC) after the employee becomes a benefits participant;
- An updated SPD or SBC;
- A summary description of any material modification of the plan not later than 210 days after the end of the plan year in which the modification is adopted.

## Benefit Deductions and Income Tax

Participant's benefit premium contributions (aka – deductions) for their benefit are deducted in-full, from the employee's paycheck that covers the first pay period in which coverage is effective. The last benefit premium payment will be deducted in-full, from the paycheck that covers the last pay period in which the employee is still considered benefit eligible. Contributions to benefit plans are included in the employee's gross wages for income tax purposes. Employees may, however, reduce their taxable income by choosing pre-tax deductions under the Company's Section 125 plan for health insurance, dental and vision plans.

Employees are responsible for verifying that benefit deductions are taken out of their payroll checks. Employees are responsible for delinquent deductions and must reimburse the Company in a timely manner.

## COBRA (Consolidated Omnibus Budget Reconciliation Act of 1986)

COBRA requires employers that sponsor group health plans to offer employees and their dependents continued group health coverage if they lose their health care group plan under certain circumstances. The Company will comply with all applicable COBRA requirements.

The law requires COBRA coverage to be identical to the employee's regular group health coverage (for medical/vision/Rx/dental). If the plan changes for all employees, COBRA coverage will change accordingly.

### Who is Eligible for COBRA?

An individual (i.e., employee, employee's spouse, and employee's dependent children) who is covered under the group health plan the day before a "qualifying event" occurs is eligible for COBRA. Newly-born children or children placed for adoption during the COBRA period may be added within 31 days. Employees terminated for "gross misconduct" may not be offered COBRA depending on the facts and circumstances.

### What is a "Qualifying Event"?

**For employees.** "Qualifying events" that result in the loss of group medical/dental coverage for an employee are:

- Voluntary or involuntary termination of employment for any reason other than gross misconduct. Human Resources should be notified in situations that are considered gross misconduct.
- Reduction in employment hours resulting in termination of coverage;
- Employees becoming entitled to Medicare.
- Loss of other coverage due to termination of spouse's coverage
- Layoff or reduction in force

**For an employee's spouse or dependent children.** Qualifying events for an employee's spouse and/or dependent children are:

- Death of the employee;
- Termination of employee except for gross misconduct;
- Reduction in the employee's work hours;
- Divorce or legal separation from the employee;
- Employee becomes entitled to Medicare (but spouse is not);
- Child no longer meets eligibility requirements for dependent coverage.

**Required notification.** Employees or dependents must notify the Company of divorce, legal separation, or ceasing of eligibility of a child, within sixty (60) days of the event.



## **COBRA Coverage: For How Long?**

An employee, spouse, and/or dependent children are entitled to eighteen (18) months of COBRA if the qualifying event is termination of employment or reduction in hours. Otherwise the beneficiaries are entitled to thirty-six (36) months of coverage.

Coverage is extended from eighteen (18) to twenty-nine (29) months for employees meeting the Social Security determination of disability at the time of a qualifying event, or during the first days of COBRA qualification.

If an employee is entitled to Medicare before the expiration of eighteen (18) months, the employee's dependents may continue coverage for a total of thirty-six (36) months from the date the employee becomes eligible for Medicare.

## **Termination of COBRA**

Coverage will terminate:

- When eighteen (18), twenty-nine (29) or thirty-six (36) months have passed;
- When the employees fails to pay the premium;
- When the employer terminates the group health plan for all employees;
- If the employee or dependents become covered by another group health plan

## **Electing and Paying for COBRA Coverage**

Once an employee becomes ineligible for benefits, the Company will notify the COBRA Administrator within 30 days from the employee's status change. The COBRA administrator will notify the employee of enrollment rights within 14 days. The employee has sixty (60) days to elect coverage, the election period ending sixty (60) days after the later of:

- Termination of group health coverage termination, or
- The date employee is sent the election notice.

The employee has forty-five (45) days from the date of election to make the first payment. This covers the period from the date regular coverage ceased through the end of the month in which the payment is made.

Payments are due on the first of the month, and if they are not received by the end of the month, coverage is terminated. There is no reinstatement.

The employee must pay the full cost of the premium, plus two (2) percent. If coverage is extended from the initial eighteen (18) months, the cost is 150 percent of the premium.

Any questions about COBRA coverage should be directed to the Director of Benefit and Wellness.

The formal plan documents include the SBC (Summary of Benefits Coverage and the SPD (Summary Plan Description) are more complete than this policy and plan provisions control where conflict exists. Plan documents are available on-line and by contacting the Human Resources department.

## 805 RETIREMENT BENEFITS

### **Policy:**

The Company provides an opportunity for all eligible employees to save for retirement. The plan is closely regulated by the Internal Revenue Service (IRS) and is extremely valuable and important to employees.

### **Procedure:**

Information about the company-sponsored retirement savings program is available through the company's Human Resource Department. Managers should direct any questions or issues to that department. Employees must meet the program requirements and the company's eligibility requirements in order to enroll in the Company's retirement program.



## 815 EDUCATIONAL ASSISTANCE

### Policy:

The Company provides employees with educational assistance in eligible programs or courses of study offered at accredited\* colleges, universities, community colleges, technical institutes or business schools leading to a degree. The Company may provide assistance for continuing education credits, professional certification or licensure that supports the Company's business objectives with approval of the Administrator/Director.

*\*Accredited by the US Department of Education.*

### Procedure:

### Eligibility:

To be eligible for educational assistance, employees must be on a full-time, regular status, be in good standing, and have one year of consecutive service with the Company.

Employees must be on the Company's payroll on the date the course, semester, or quarter begins and ends to receive reimbursement. The course or semester/quarter must begin after the employee completes the required one (1) consecutive year of service.

### Approval Process:

Employees must obtain the approval from the Administrator/Director by completing an Educational Assistance Request Form\* before a course begins. The form must be approved by the Administrator/Director, a 2nd level Manager, and the Corporate Human Resources Director.

*\*Note: This form must be submitted each semester/quarter to receive Educational Assistance benefits.*

The Administrator/Director will evaluate requests for educational assistance using these factors:

- The nature and purpose of the course of study or continuing education
- The potential benefits to the employee and the Company
- The employee's level of responsibility and length of Company service
- Costs
- Potential for lost time or productivity

Records of educational programs will be maintained in the unit's business office and the corporate Human Resources department.

## Reimbursement:

The Company will reimburse employees for courses of study that are directly related to their present job or that will enhance their potential for advancement within the Company. Any non-job/career related courses, prerequisites and non-credit classes may be reimbursed if related to their field of study or requested for their degree program. The Company reserves the right to determine which courses are eligible for reimbursement.

Employees must receive a grade of C or better, or receive a "pass" in a "pass/fail" class, to be eligible for reimbursement.

Eligible employees will receive reimbursement of fifty (50) % of applicable course, textbooks, registration fees and laboratory fees up to a maximum of \$1000 per calendar year. Grants, scholarships, or veterans' benefits received will be deducted from the total cost of the course before the Company provides reimbursement. (For example, if the total cost of the course is \$400 and the employee receives a grant of \$100, the Company will reimburse the employee for 50 % of the remaining \$300, or \$150.) The Company does not provide reimbursement for special activity fees, application fees, fees to obtain transcripts, computer equipment or charges, parking costs or the cost for special equipment.

To obtain reimbursement, employees must submit the following information to the Administrator/Director:

- A copy of the approved Educational Assistance Request Form
- A copy of the grade report or certificate of completion
- A receipt of payment for tuition and reimbursable fees
- A copy of all receipts and payment records associated with educational benefits received from other sources (e.g., grants, scholarships, veterans' benefits)

Employees have one year from the course start date to submit these documents to be reimbursed.

Employees who are denied reimbursement should contact the Administrator/Director.

Employees taking continuing education courses at the Company's request may be reimbursed for all costs.

## Employees Who Terminate:

Employees who are unable to complete coursework due to a reduction in force, job elimination, or who are unable to complete an approved course because of a Company directed transfer will be reimbursed any applicable costs eligible for reimbursement up to the date of termination or transfer. The business unit to which the employee transfers will be responsible for the reimbursement.

Employees will not be reimbursed for the expenses associated with the course if they leave the Company voluntarily or are terminated for reasons other than reduction in force or job elimination.

Employees must repay the Company for educational expenses if they leave the Company voluntarily or are involuntarily terminated within one year from the date of reimbursement.

### **Class Schedules:**

Employees must schedule class attendance and complete all study assignments outside of their regular working hours. Educational activities must not interfere with work and unsatisfactory job performance during enrollment may result in forfeiture of educational assistance and termination.



## 820 SCHOLARSHIP LOAN PROGRAM

### Policy:

The Company has established relationships with local colleges and trade schools for clinical rotations and recruitment and career counseling. It offers scholarship loans to employees in "critical positions" or identified through "succession planning" subject to the Company's prior approval and financial availability.

### Procedure:

### Eligibility:

All regular full-time employees who are in good standing, and have completed one year of consecutive service, are eligible for scholarship loans based on the following:

- The employee must choose to obtain a degree in a position the Company deems as "critical".
- Employees are expected to enroll in the most affordable program based on geographic region.
- Eligible employees may work special schedules to accommodate school work with the Administrator/Director's prior approval.
- Employees must re-pay the Company for educational expenses if they leave the Company voluntarily or are involuntarily terminated within two years of the date of reimbursement.

### Application Process:

Before enrolling in any curriculum, applicants must submit a College Application Form, Scholarship Loan Program Request Form\* and write a Scholarship Loan Program Essay.

*\*Note: This form must be submitted each semester/quarter to receive scholarship loan benefits.*

All paperwork must be submitted to the Administrator/Director, a 2nd level Manager, and the Corporate Human Resources Director for approval.

The Administrator/Director will coordinate and forward the following information to the Corporate Director of Human Resources for distribution to the Scholarship Committee:

- Completed application with paperwork from the college outlining class summaries, costs and fees
- Applicant's Scholarship Loan Program Essay



- Scholarship Loan Program Request Form

### **Selection Process:**

The Scholarship Committee will consider an applicant's overall work record, corrective actions, performance evaluations and other relevant information before selecting recipients. The Committee will notify the Administrator/Director of approval or denial. The Committee will forward recommendations and a completed check request to the Administrator/Director for approved applicants.

*Note: Recipients must re-apply for scholarships annually.*

### **Funding Process:**

The Company will loan employees the cost of tuition for the college or trade school up to an amount generally not to exceed \$ 7,500 per year including the cost of textbooks, registration and lab fees. All checks are made payable to the school and are paid up front. Employees must be actively employed at the date of tuition payout in order to receive the payment.

Upon successful completion of the course, employees must submit evidence of a grade of C or higher or a grade of "pass" in a "pass/fail" course. The Administrator/Director will submit grades to the Business Office and Human Resources for filing.

### **Work Schedules / Continued Benefits:**

Employees enrolled in classes considered less than full time (based on the school's policies) are expected to maintain a full time work status. Managers should meet with employees taking a full course load to arrange scheduling flexibility options as needed. Employees taking a full course load must work at least twenty (20) hours per week to continue receiving scholarship funds.

Every year following the initial application, the employee must complete an additional Scholarship Loan Program Essay outlining how the course work assisted on the job at the Company.

Employees will earn vacation, personal and sick time based on hours worked. Employees who decrease their work hours to pursue a full course load will continue to receive healthcare benefits and will be charged per pay period.

### **Loan Repayment:**

Employees receiving scholarship loans must sign the Scholarship Loan Program Request Form agreeing to repay the Company for monies paid to schools when coursework is not successfully or fully completed, when the employee drops out of the program, or when employees leave the Company before two years following completion of the program:

<b>Leave the Company Within:</b>	<b>Must Repay:</b>
0 - 12 months	75%
12 - 18 months	50%
18 - 24 months	25%
more than 24 months	0%

The Company reserves the right to deduct maximum amounts from employees' pay as allowed by law for non-repayment.

### **Employees Who Terminate:**

Employees who are unable to complete coursework due to a reduction in force, job elimination, or who are unable to complete an approved course because of a Company directed transfer will be reimbursed any applicable costs incurred up to the date of termination or transfer. The business unit to which the employee transfers will be responsible for the reimbursement.

Employees will not be reimbursed for the expenses associated with the course if they leave the Company voluntarily or are terminated for reasons other than reduction in force or job elimination.

Employees must repay the Company for educational expenses if they leave the Company voluntarily or are involuntarily terminated within two (2) years from the date of reimbursement. The amount of repayment required is indicated on the Scholarship Loan Request Form.



## 825 EMPLOYEE ASSISTANCE PROGRAM (EAP)

### **Policy:**

The Company offers employees assistance in solving personal issues that could affect job performance or attendance through an Employee Assistance Program (EAP). The EAP provides counseling and referral services to full and part-time employees and their eligible dependents.

### **Procedure:**

Employees experiencing personal issues are encouraged to seek assistance from their manager or from the Administrator/Director. Employees needing extended leave treatment may request a leave of absence in accordance with the Company's leave policy.

Managers should be alert and sensitive to the existence of personal problems among employees such as excessive absenteeism, changes in behavior and attitude, and poor job performance and communicate with employees who seem to be experiencing issues. Depending on individual circumstances, managers should:

- Provide information about the Company's EAP counseling services.
- Refer employees with unresolved complaints related to corrective action or termination to the Appeals Policy.

### **Performance Issues:**

Employees must meet satisfactory standards of job performance. Performance evaluations should not be based on whether an employee seeks counseling. However, the Company may require an employee to participate in counseling as a condition of continued employment.

### **Confidentiality:**

Communications between employees, managers, the Administrator/Director, and professional counselors or agencies must be kept confidential and limited to those on a need-to-know basis, except to the degree necessary to protect the employee's safety, others safety, or the security of the Company.

The Company respects and protects the privacy of employee medical information and complies with the Health Insurance Portability and Accounting Act of 1996 (HIPAA) and its amendments. For additional information on HIPAA, please contact a Human Resources Representative.





## 900 TERMINATION PROCEDURES

### Policy:

Managers should follow these procedures for all types of terminations to ensure timely processing of terminations and compliance with legal requirements.

### Procedure:

Termination and discharge procedures are only guidelines and do not create a legal contract between the Company and its employees. The Company reserves the right to implement its policies and procedures as business necessitates. Specified grounds for termination are not all-inclusive and the Company reserves the right to terminate employment for any reason.

### Communication & Administration:

Managers should send notices of resignation and recommendations for termination in the Human Resources Information System to the Administrator/Director for review and/or approval. This information should be accompanied by any needed supporting documents, such as performance evaluations or corrective action reports. Typically, all involuntary terminations should be cleared by the Operations Vice President, Chief Operating Officer and the Corporate Human Resources Director or HR Business Partner (whichever is the generally approved practice for the business) before any final action is taken. Terminations that are extraordinary, skip a step in the corrective action process, related to abuse neglect or exploitation, or otherwise abnormal should be reviewed and approved by the Corporate Human Resources Director before any final action is taken.

Notice of involuntary terminations should be handled carefully and discretely, preferably in a private meeting including the employee to be terminated, the immediate manager, and the Administrator/Director or another member of management within the "need to know" circle. The reason for termination should only be discussed within the "need to know" circle.

The Administrator/Director is responsible for verifying that an appropriate termination reason is entered into the system.

### Resignation:

Employees who resign are encouraged to submit a written letter of resignation. Employees must provide the Company with sufficient written notification of their intent to resign to be eligible for a PTO payout (if eligible for PTO). The Company requires the following notice:

- Exempt employees who elect to resign must give thirty (30) calendar days advance written notice and work through the notice period.

Non-exempt employees must give at least ten (10) calendar days advance written notice and work through the notice period.

The Company reserves the right to shorten the number of days an employee works after notice has been given. In some instances, the Administrator/Director may determine that it is in the best interest of the Company to release the employee as soon as notification is received. In such cases, the termination paperwork should indicate the actual last day worked as well as the final day to be paid. The payout of the notice period and the employee's re-hire status is at the Administrator/Director's discretion, the maximum amount of pay in lieu of notice is two (2) weeks.

Employees who notify the Company with their intent to resign should be encouraged to come to the work site to complete termination processing. However, termination processing may be done over the phone, or via written communication, if the employee is not able to come to the work site.

### **Job Abandonment:**

Job abandonment is normally defined as an unapproved absence or failure to report to work without notification for a period of three (3) consecutive workdays. Administrators/Directors who suspect job abandonment should immediately contact the VP of Operations or Chief Operating Officer.

Unless the Administrator/Director is notified of exceptional circumstances surrounding the absence and if the employee fails to show or notify the manager of his or her absence for three (3) consecutive workdays, the employee should be terminated and informed via a certified letter from the Administrator/Director.

### **Discharge:**

Once an employee has been discharged, the Administrator/Director should immediately initiate the termination process in the Human Resources Information System for the prompt and accurate issuance of the final paycheck. Involuntary terminations should receive prior approval from the VP of Operations, Chief Operating Officer or Corporate Human Resources Director (whichever is the generally approved practice for the business). Copies of prior action relevant to termination should be included during the termination processing.

### **Reduction in Force:**

Please reference Reduction in Force Policy.

### **Death:**

When an employee dies, the Administrator/Director should inform the Human Resources Business Partner immediately to help in notifying insurance companies regarding benefits and for obtaining death certificates and other legal papers as required. The



Local Unit and Human Resources Business Partner will also coordinate with the Payroll Department for the release of the final paycheck.

### **General Process for Terminations:**

In most terminations, the following procedures should be followed:

1. Prepare termination documents, obtain appropriate approval signatures from two levels of management and ensure that re-hire eligibility status is determined and indicated on the form.
2. Coordinate the complete processing of all outstanding expense reports.
3. Schedule an exit meeting and complete the Exit Checklist prior to this meeting.
4. Ensure that the employee receives his or her final paycheck with all pay that is due.

### **Exit Checklist:**

The Company uses an Exit Checklist to insure that termination procedures are completed. The Administrator/Director or designee is responsible for reviewing the exit checklist with the exiting employee.

Any property that has not been returned should be assigned a value the employee should be informed that a deduction from pay will be made (unless prohibited by law) or the employee should sign an acknowledgment agreeing to reimburse the Company for the item(s).

### **Termination Appeals:**

Please reference the Appeals Policy.

### **Termination Pay:**

The deadline by which terminated employees must receive final pay is determined by the type of termination and by state law.

The employee will receive a final paycheck or checks which will include all pay due on the next regularly scheduled pay day. Except where prohibited by law, any monies owed to the Company will be deducted from the final paycheck or from other monies owed to the employee. These may include, but are not limited to:

- Payment of vacation used in excess of earned time
- Charges for personal telephone calls made on Company phones
- Charges made on Company-sponsored or co-signed credit cards
- The value of equipment not returned to the Company
- Relocation reimbursements
- Educational reimbursements
- All other monies owed to the Company as indicated on the Exit Checklist

## **Exit Interviews:**

The person conducting the exit meeting will inform the terminating employee of RHA's exit interview and give the terminating employee the necessary resources to participate. All employees who are terminating employment will be asked to participate in the Exit Interview process. This is a voluntary process where employees have the opportunity to comment on various aspects of the employment experience with the Company and to offer any suggestions or comments they may have on ways to improve the Company.

The Human Resources Department will maintain records and review the information gathered for periodic reporting to senior management.

## **Benefits Procedures:**

In general, all Company-supported benefits are active up through the last day of employment or full-time status and are cancelled effective the termination or part-time status date entered in the payroll system.

Eligible employees will be provided with a COBRA (Consolidated Omnibus Budget Reconciliation Act) application in the mail to continue medical, dental and vision coverage. Employees may request life insurance conversion applications from the Corporate Benefits Department. The continuation and conversion of these plans is at the employee's own expense.

## **Unemployment Compensation:**

The unemployment service the company uses will notify the units designated contact when receiving state unemployment compensation forms. The designee should contact the unemployment service or the Human Resources Department for instructions on how to process the claims. In some cases, hearings will be conducted concerning unemployment compensation claims made by former employees. The Administrator/Director is the contact point for information regarding when and where such hearings will take place. The Administrator/Director will contact managers who may need to attend the hearings.

## **Access to Work Sites after Termination:**

Once employment is terminated, employees are not allowed to access work sites except for legitimate and approved visits to people we support or for approved business reasons.

## 905 REDUCTION IN FORCE

### Policy:

It is the policy of the Company that, if it must reduce employment because of adverse economic or other conditions, a reduction in force be conducted consistent with Company requirements and in accordance with the procedures set forth below. The Company complies with the Worker Adjustment and Retraining Notification Act (WARN).

### Procedure:

1. The Company will attempt to avoid layoffs and, whenever possible, will consider alternatives to layoff before any final decisions are made. In the event that a layoff is expected, the Company will attempt to communicate information about an impending layoff as soon as possible. However, management reserves the right to alter the layoff procedure and withhold information about the layoff as permitted by law in order to protect the Company's business interests.
2. In determining which employees are retained or selected for layoff, those selected to be retained will be those determined to be the best qualified for the downsized organization after the layoff. Management may assess the remaining jobs, the requirements of those jobs, and each employee's level of ability to perform the requirements. Factors for determining "qualification" shall include education attainment, skills, demonstrated work performance including attendance, work behavior, evaluations, work attitude, cooperation, initiative, corrective action, etc. If two employees are equally qualified, length of service may be considered. However, this policy does not create any contractual rights to employment.
3. Employees are selected for layoff based on evaluation of the following criteria:
  - (i) Demonstrated current and past performance;
  - (ii) Promotion potential and transferability of skills to other positions within the unit;  
and
  - (iii) Length of service with the Company
4. A Company Reduction in Force ("RIF") Committee will be formed, if time and circumstances permit, to review and oversee any layoff based on the above criteria. The RIF Committee should contact the Corporate Human Resources Director to evaluate all available facts relevant to the layoff procedure and whether a deviation from policy is needed due to special circumstances. In addition, it should take any steps it determines are necessary to assure that workers chosen for layoff have been picked in as fair and nondiscriminatory a manner as possible.
5. Employees selected for layoff will be given as much notice as is required by law or

as much as can reasonably be given under the circumstances.

6. Employees laid off may be maintained on the PRN or "as needed" list if management concurs. Removal from the PRN list terminates all job rights the employee may have. While on this status, employees should report to the Administrator/Director if they become unavailable for work. Employees who fail to keep the Business Office notified of a current home address or phone number can be terminated.
7. PTOs and other benefits will be handled according to policy and/or plan document.

### **Worker Adjustment and Retraining Notification Act**

The Company provides sixty (60) days' notice to affected workers, state dislocated workers units and local governments when reducing its workforce through a plant closing, mass layoff or sale of business unless it is operating under exceptional circumstances.

Contact the Human Resources Department for further information.

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